

2019 Regular Session

HOUSE BILL NO. 56

BY REPRESENTATIVE MARCELLE

DISTRICTS/CRIME PREVENT: Provides relative to the Goodwood Homesites Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish

1 AN ACT

2 To amend and reenact R.S. 33:9097.20(D)(1), (3)(a), (6), and (7), (E)(9), and
3 (F)(introductory paragraph), (1), and (5)(b) and to enact R.S. 33:9097.20(D)(3)(d),
4 relative to the Goodwood Homesites Crime Prevention and Neighborhood
5 Improvement District in East Baton Rouge Parish; to provide relative to the
6 governing board of the district; to provide relative to the membership of the board;
7 to provide relative to the powers and duties of the board; to provide relative to the
8 parcel fee imposed within the district; to provide relative to the authority to impose
9 such fee; to provide relative to the expiration and renewal of such fee; and to provide
10 for related matters.

11 Notice of intention to introduce this Act has been published
12 as provided by Article III, Section 13 of the Constitution of
13 Louisiana.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 33:9097.20(D)(1), (3)(a), (6), and (7), (E)(9), and (F)(introductory
16 paragraph), (1), and (5)(b) are hereby amended and reenacted and R.S. 33:9097.20(D)(3)(d)
17 is hereby enacted to read as follows:

18 §9097.20. Goodwood Homesites Crime Prevention and Neighborhood Improvement
19 District

20 * * *

1 D. Governance. (1) The district shall be governed by a board of eleven
2 commissioners, referred to in this Section as the "board". The board shall be
3 composed as follows:

4 (a) The president of the Goodwood Homesites Civic Association, Inc.,
5 referred to in this Section as the "association", shall be a member.

6 (b) The board of directors of the association shall appoint ~~six~~ two members.

7 ~~(c) The mayor-president of the city of Baton Rouge, parish of East Baton~~
8 ~~Rouge shall appoint one member from a list of nominations submitted by the~~
9 ~~association.~~

10 ~~(d)~~(c) The member of the governing authority of the city of Baton Rouge,
11 parish of East Baton Rouge, whose council district encompasses all or the greater
12 portion of the area of the district shall appoint ~~one member from a list of nominations~~
13 ~~submitted by the association~~ three members.

14 ~~(e)~~(d) The member of the Louisiana House of Representatives whose district
15 encompasses all or the greater portion of the area of the district shall appoint ~~one~~
16 ~~member~~ three members.

17 ~~(f) The member of the Louisiana Senate whose district encompasses all or~~
18 ~~the greater portion of the area of the district shall appoint one member.~~

19 (e) The assessor for the parish of East Baton Rouge shall appoint two
20 members.

21 * * *

22 (3)(a) Board members serving pursuant to Subparagraphs ~~(1)(b) through (f)~~
23 (1)(b) through (e) of this Subsection shall serve four-year terms after initial terms as
24 provided in this Subparagraph. Two members shall serve initial terms of one year,
25 two shall serve initial terms of two years, three shall serve initial terms of three
26 years, and three shall serve initial terms of four years, as determined by lot at the first
27 meeting of the board.

28 * * *

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (d) Any board member may be removed for cause by a majority vote of the
2 board.

3 * * *

4 (6) The minute books and archives of the district shall be maintained by the
5 secretary of the board. The monies, funds, and accounts of the district shall be in the
6 official custody of the ~~board~~ treasurer. The board may hire paid or unpaid
7 administrative support staff.

8 (7) The board shall adopt such rules and regulations as it deems necessary
9 or advisable for conducting its business affairs. Rules and regulations of the board
10 relative to the notice and conduct of meetings shall conform to the Open Meetings
11 Law. The board shall hold regular meetings as shall be provided for in the bylaws
12 and may hold special meetings at such times and places within the district as may be
13 prescribed in the bylaws. The board shall also be subject to the Public Records Law
14 and the Code of Governmental Ethics.

15 * * *

16 E. Powers and duties. The district, acting through its board, shall have the
17 following powers and duties:

18 * * *

19 (9) To procure and maintain liability insurance, as deemed necessary by the
20 board, against any personal or legal liability of a board member that may be asserted
21 or incurred based upon his services as a member of the board or that may arise as a
22 result of his actions taken within the scope and discharge of his duties as a member
23 of the board.

24 * * *

25 F. Parcel Fee fee. The ~~governing authority of the city of Baton Rouge,~~
26 ~~parish of East Baton Rouge is hereby authorized to~~ district, acting through its board,
27 may impose and collect a parcel fee within the district subject to and in accordance
28 with the provisions of this Subsection.

1 (1) The amount of the fee shall be as ~~requested~~ provided by duly adopted
2 resolution of the board. The fee shall be a flat fee per parcel of land not to exceed
3 two hundred dollars per year for residential parcels, five hundred dollars per year for
4 commercial parcels, and ninety dollars per year for parcels the owner of which
5 qualifies for and receives a special assessment level of ad valorem taxes as provided
6 in Article VII, Section 18(G)(1) of the Constitution of Louisiana.

7 * * *

8 (5)

9 * * *

10 (b) The fee shall expire ~~five years after its initial levy~~ but at the time
11 provided in the proposition authorizing the fee. The fee may be renewed if approved
12 by a majority of the registered voters of the district voting on the proposition at an
13 election as provided in Subparagraph (a) of this Paragraph. Any election to authorize
14 the renewal of the fee shall be held only at the same time as a regularly scheduled
15 election in the parish of East Baton Rouge. If the fee is renewed, the term of the
16 imposition of the fee shall be as provided in the proposition authorizing such
17 renewal, not to exceed ~~eight~~ ten years.

18 * * *

19 Section 2. The terms of the members of the board of commissioners of the
20 Goodwood Homesites Crime Prevention and Neighborhood Improvement District in office
21 on the effective date of this Act shall terminate on the effective date of this Act; however,
22 such members shall remain in office until the board members appointed as provided in this
23 Act take office. The members of the board of commissioners of the Goodwood Homesites
24 Crime Prevention and Neighborhood Improvement District shall be appointed and shall take
25 office as provided in this Act and shall serve terms of office as provided in this Act.

26 Section 3. Notwithstanding R.S. 33:9097.20(F)(introductory paragraph) as enacted
27 by this Act, the governing authority of the city of Baton Rouge, parish of East Baton Rouge
28 shall continue to impose and collect the parcel fee for the remainder of the period that it was
29 authorized to do so by the voters on December 6, 2014. At no time shall a property owner

1 in the Goodwood Homesites Crime Prevention and Neighborhood Improvement District be
 2 subject to an annual parcel fee, whether paid to the district or to the city-parish on behalf of
 3 the district, that exceeds the rate limit established either by law or by a proposition
 4 authorizing the imposition of the fee within the district.

5 Section 4. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 56 Original

2019 Regular Session

Marcelle

Abstract: Relative to the Goodwood Homesites Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish, makes changes to the membership of the board of commissioners, provides with respect to the board's powers and duties, and provides relative to the parcel fee imposed within the district.

Present law creates and provides for the Goodwood Homesites Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish as a political subdivision of the state to aid in crime prevention and to add to the security of district residents by providing for an increase in the presence of law enforcement personnel in the district. Provides for district boundaries.

Proposed law retains present law.

Present law provides that the district shall be governed by an 11-member board of commissioners composed as follows:

- (1) The president of the Goodwood Homesites Civic Assoc. (association), Inc.
- (2) Six members appointed by the board of directors of the association.
- (3) One member appointed by the mayor-president of the city of Baton Rouge, parish of East Baton Rouge from a list of nominations submitted by the association.
- (4) One member appointed by the member of the governing authority of the city of Baton Rouge, parish of East Baton Rouge whose council district encompasses all or the greater portion of the area of the district from a list of nominations submitted by the association.
- (5) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.

- (6) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.

Proposed law provides instead that the district shall be governed by an 11-member board of commissioners composed as follows:

- (1) The president of the association.
- (2) Two members appointed by the board of directors of the association.
- (3) Three members appointed by the member of the governing authority of the city of Baton Rouge, parish of East Baton Rouge, whose council district encompasses all or the greater portion of the area of the district from a list of nominations submitted by the association.
- (4) Three members appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (5) Two members appointed by the assessor for East Baton Rouge Parish.

Present law provides that appointed members serve four-year staggered terms. Proposed law retains present law and additionally provides that a board member may be removed for cause by a majority vote of the board.

Present law requires that the monies, funds, and accounts of the district be in the official custody of the board. Proposed law instead requires that the monies, funds, and accounts be in the official custody of the board's treasurer.

Present law provides relative to the powers and duties of the board, including the power to procure and maintain liability insurance against any personal or legal liability of a board member that arises out of the performance of his duties.

Proposed law retains present law but clarifies that the board may procure insurance as it deems necessary.

Present law authorizes the governing authority of the city of Baton Rouge, parish of East to impose and collect a parcel fee within the district, subject to voter approval.

Proposed law instead authorizes the district to impose and collect a parcel fee within the district, subject to voter approval.

Present law provides that the parcel fee expires five years after its initial levy. Authorizes renewal of the fee, subject to voter approval, for a term not to exceed eight years.

Proposed law provides instead that the fee expires at the time provided in the proposition authorizing the fee. Authorizes renewal, subject to voter approval, for a term not to exceed 10 years.

Proposed law provides that the terms of the members of the board in office on the effective date of proposed law shall terminate on that date; however, the members must remain in office until the members appointed as provided in proposed law take office.

Proposed law requires the city of Baton Rouge, parish of East Baton Rouge to continue to impose and collect the parcel fee for the remainder of the period that it was authorized to do so by the voters. Provides that no property owner in the district shall be subject to an annual parcel fee, whether paid to the district or to the city-parish on behalf of the district, that exceeds the rate limit established either by law or by a proposition authorizing the imposition of the fee within the district.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:9097.20(D)(1), (3)(a), (6), and (7), (E)(9), and (F)(intro. para.), (1), and (5)(b); Adds R.S. 33:90907.20(D)(3)(d))