

SENATE BILL NO. 111

BY SENATOR BARROW

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AN ACT

To enact R.S. 33:9097.28, relative to East Baton Rouge Parish; to create the Parkwood Terrace Crime Prevention and Neighborhood Improvement District within the parish; to provide relative to the purpose, boundaries, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9097.28 is hereby enacted to read as follows:

§9097.28. Parkwood Terrace Crime Prevention and Neighborhood Improvement District

A. Creation. There is hereby created within the parish of East Baton Rouge, as more specifically provided in Subsection B of this Section, a body politic and corporate which shall be known as the Parkwood Terrace Crime Prevention and Neighborhood Improvement District, referred to in this Section as the "district". The district shall be a political subdivision of the state as defined in Article VI, Section 44 of the Constitution of Louisiana.

B. Boundaries. The boundaries of the district shall include all property shown on the final subdivision plats for Parkwood Terrace Subdivision filings First, Second and Third filed with the East Baton Rouge Parish Clerk of Court including lots one through two hundred and ninety-three as more particularly described as follows: beginning on the north by Lavey Lane, on the West by V.J. Mire Track on the Northwest to City Parish Recreation and Park Commission Greenwood Community Park to Greenwood Community Park on the South to Cypress Bayou on the North and Morvant Subdivision on the East.

C. Purpose. The purposes of the district shall be to aid in crime

1 prevention by providing security for district residents and to serve the needs of
2 the residents of the district by funding beautification and improvements for the
3 overall betterment of the district.

4 D. Governance. (1) The district shall be governed by a board of
5 commissioners, referred to in this Section as the "board", consisting of seven
6 members as follows:

7 (a) The president of the Parkwood Terrace Improvement Association
8 shall be an ex officio member.

9 (b) The board of directors of the Parkwood Terrace Improvement
10 Association or its successor shall appoint one member.

11 (c) The member of the Louisiana House of Representatives who
12 represents District 63 shall appoint one member.

13 (d) The member of the Louisiana Senate who represents District 15 shall
14 appoint one member.

15 (e) The assessor for East Baton Rouge Parish shall appoint one member.

16 (f) The mayor-president of East Baton Rouge shall appoint one member.

17 (g) One member shall be appointed by the member or members of the
18 governing authority of the parish of East Baton Rouge who represent the
19 district.

20 (2) All members of the board shall be residents and qualified voters
21 within the district.

22 (3) Members of the board appointed pursuant to Subparagraph (D)(1)(b)
23 through (g) of this Subsection shall serve four-year terms after initial terms as
24 follows: two members shall serve an initial term of one year; two members shall
25 serve two years; one member shall serve three years; and one member shall
26 serve four years, as determined by lot at the first meeting of the board.

27 (4) Vacancies resulting from the expiration of a term or any other reason
28 shall be filled for the remainder of the unexpired term in the manner of the
29 original appointment. Members are eligible for reappointment.

30 (5) The members of the board shall select from among themselves a

1 president and such other officers as they deem appropriate. The responsibilities
2 of the officers shall be as provided by the bylaws of the board.

3 (6) The members of the board shall serve without compensation and shall
4 not receive reimbursement for expenses.

5 E. Powers and duties. The district, acting through its board of
6 commissioners, shall have the following powers and duties:

7 (1) To sue and be sued.

8 (2) To adopt, use, and alter at will a corporate seal.

9 (3) To receive and expend funds collected pursuant to Subsection F of
10 this Section and in accordance with a budget adopted as provided by Subsection
11 G of this Section.

12 (4) To enter into contracts with individuals or entities, private or public,
13 for the provision of security patrols in the district.

14 (5) To purchase items and supplies which the board deems instrumental
15 to achieving the purpose of the district.

16 (6) To perform or have performed any other function or activity
17 necessary for the achievement of the purpose of the district.

18 F. Parcel fee. The governing authority of East Baton Rouge Parish may
19 impose and collect a parcel fee within the district subject to and in accordance
20 with the provisions of this Subsection:

21 (1) The amount of the fee shall be as requested by duly adopted
22 resolution of the board. The fee, however, shall not be less than one hundred
23 dollars per parcel per year for lots zoned for residential use.

24 (2)(a) The fee shall be imposed on each improved parcel located within
25 the district.

26 (b) For purposes of this Section, "parcel" means a lot, a subdivided
27 portion of ground, or an individual tract and does not mean a "condominium
28 parcel" as defined in R.S. 9:1121.103. Thus, with respect to condominiums, the
29 fee collector shall impose the parcel fee on each lot on which condominiums are
30 situated and not on individual condominium units.

1 (c) The owner of the parcel shall be responsible for payment of the fee.

2 (3)(a) The fee shall be imposed only after the question of its imposition
3 has been approved by a majority of the registered voters of the district voting
4 at an election held for that purpose in accordance with the Louisiana Election
5 Code. At least thirty days prior to any election held to approve imposition of a
6 parcel fee, the board shall mail notification of the upcoming election to each
7 registered voter of the district and to the owner of each parcel if the owner is
8 not a registered voter of the district. No other election shall be required except
9 as provided by this Paragraph.

10 (b) The initial election on the question of the imposition of the fee shall
11 be held at the same time as a regularly scheduled election in the parish of East
12 Baton Rouge.

13 (c) The fee shall expire ten years from its initial levy but may be renewed
14 as provided in Subparagraph (a) of this Paragraph. If the fee is renewed, the
15 term of the imposition of the fee shall be as provided in the proposition
16 authorizing such renewal, not to exceed ten years.

17 (4) The fee shall be collected at the same time and in the same manner
18 as ad valorem taxes are collected within the parish.

19 (5) Any parcel fee shall be added to the tax rolls of the parish and shall
20 be enforced with the same authority and subject to the same penalties and
21 procedures as ad valorem taxes.

22 (6) The sheriff of the parish of East Baton Rouge shall remit to the
23 district all amounts collected not more than sixty days after collection; however,
24 the board may enter into an agreement with the sheriff to authorize the sheriff
25 to retain a collection fee.

26 G. Budget. (1) The board of commissioners shall adopt an annual budget
27 in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301
28 et seq.

29 (2) The district shall be subject to audit by the legislative auditor
30 pursuant to R.S. 24:513.

1 H. Miscellaneous provisions. (1) It is the purpose and intent of this
 2 Section that the additional law enforcement personnel and services provided by
 3 the district shall be supplemental to and not in lieu of personnel and services
 4 provided in the district by the city of Baton Rouge and parish of East Baton
 5 Rouge.

6 (2) If the district ceases to exist, any funds of the district shall be
 7 transmitted to the governing authority of the city of Baton Rouge and parish of
 8 East Baton Rouge and shall be used for law enforcement purposes in the area
 9 included within the district.

10 Section 2. This Act shall become effective upon signature by the governor or, if not
 11 signed by the governor, upon expiration of the time for bills to become law without signature
 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 14 effective on the day following such approval.

 PRESIDENT OF THE SENATE

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____