

SENATE BILL NO. 239

BY SENATOR WARD

1 AN ACT

2 To amend and reenact R.S. 40:1503(A), (B), (E)(1), and (F), and to repeal R.S. 40:1503(G),  
3 (H), (I), (J), (K) and (L), relative to West Baton Rouge Fire Protection District No.  
4 1; to provide for certain powers of the board of commissioners; to provide for the  
5 allocation of certain revenues; to provide specific dates to recalculate assessments;  
6 and to provide for related matters.

7 Notice of intention to introduce this Act has been published.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 40:1503(A), (B), (E)(1), and (F) are hereby amended and reenacted  
10 to read as follows:

11 §1503. West Baton Rouge Parish Fire Protection District No. 1; creation;  
12 subdistricts; boards; powers, duties, and functions

13 A. When used in this Section, the following terms have these meanings:

14 (1) ~~"Board" means the board of commissioners of West Baton Rouge Parish~~  
15 ~~Fire Protection District No. 1~~ **"Council" means the West Baton Rouge Parish**  
16 **Council.**

17 (2) "District" means West Baton Rouge Parish Fire Protection District No.

18 1.

19 (3) "Fire protection service" means, but is not necessarily limited to:

20 (a) Acquiring and maintaining land for a fire station site;

21 (b) Acquiring, constructing, maintaining, and operating fire protection  
22 facilities;

23 (c) Acquiring, maintaining, and operating fire trucks and other fire protection  
24 or emergency equipment;

25 (d) Obtaining water for fire protection purposes, including charges for fire  
26 hydrant rentals and service; ~~and.~~

1 (e) Paying salaries of firemen.

2 (4) "~~Municipal governing authority~~" means the board of aldermen of any  
3 municipality in the parish.

4 (5) (4) "Parish" means West Baton Rouge Parish.

5 (6) "~~Police jury~~" means the West Baton Rouge Parish Police Jury.

6 (7) "~~Subdistrict~~" means any subdistrict of West Baton Rouge Parish Fire  
7 Protection District No. 1.

8 B. In addition to other authority granted by law, the West Baton Rouge Parish  
9 ~~Police Jury~~ **Council** may create a fire protection district in the manner and subject  
10 to the limitations and restrictions contained in this Section. The district shall be  
11 designated as "West Baton Rouge Parish Fire Protection District No. 1" and **may**  
12 include two or more fire protection subdistricts.

13 \* \* \*

14 E.(1) Notice of intention to create the district shall be ordered by resolution  
15 of the ~~police jury~~ **council** only if concurred in, by resolution, by each municipal  
16 governing authority in the parish. The resolution shall state that all of the parish  
17 shall be within the district and set forth the boundaries proposed for the subdistricts.  
18 The notice shall state that the ~~police jury~~ **council** shall, in open session, on a date and  
19 at an hour and place named, proceed to create the proposed district.

20 \* \* \*

21 F.~~(1)~~ At the place and time specified in the notice provided for in Subsection  
22 E, the ~~police jury~~ **council** shall hold a public hearing concerning the creation of the  
23 proposed district ~~and the proposed boundaries of the subdistricts. At this hearing,~~  
24 ~~the police jury may change the boundaries of the proposed subdistricts.~~

25 (2) ~~After the hearing, the police jury may adopt an ordinance creating the~~  
26 ~~district and fixing the boundaries of each subdistrict. The ordinance shall:~~

27 (a) ~~Contain the method or formula by which the district's revenues shall be~~  
28 ~~allocated to the subdistricts for fire protection purposes.~~

29 (b) ~~Provide that any subsequent revision of the method or formula of~~  
30 ~~allocation, or termination thereof, shall occur only upon adoption of an ordinance~~

1           ~~setting forth the proposed action by the police jury and upon concurrence, by~~  
2           ~~resolution, of each municipal governing authority in the parish.~~

3                   ~~(c) Provide that the entire area of any municipality shall be included within~~  
4           ~~one subdistrict.~~

5                   ~~(d) Provide that any area annexed by a municipality that is not within the~~  
6           ~~same subdistrict as the annexing municipality shall be included within the same~~  
7           ~~subdistrict as the municipality. The police jury shall adopt an ordinance changing~~  
8           ~~the boundaries of the subdistricts only to the extent necessary to comply with this~~  
9           ~~Subparagraph.~~

10                   ~~(e) Not become effective until it has been concurred in, by resolution, by each~~  
11           ~~municipal governing authority in the parish.~~

12                   ~~(3) Thereafter, notice of the formation of the district and the subdistricts shall~~  
13           ~~be given immediately by one publication in the parish's official journal.~~

14           Section 2. R.S. 40:1503 (G) through (L) are hereby repealed.

15           Section 3. Notwithstanding any other provisions of law to the contrary, the West  
16           Baton Rouge Parish Council shall, on or before July 1, 2014, enact an ordinance providing  
17           for West Baton Rouge Fire Protection District No.1 as authorized by this Act.

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

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_