

2024 Regular Session

SENATE BILL NO. 480

BY SENATOR BOUDREAUX

SPECIAL DISTRICTS. Provides for the powers and functions of the Lafayette Economic Development Authority. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1),
3 to enact R.S. 34:291(B)(1)(m) and 34:293.2, and to repeal 33:4720.171, relative to
4 Lafayette Parish; to provide relative to the Lafayette Economic Development
5 Authority; to provide relative to redevelopment authority; to provide relative to the
6 composition of the board; to provide relative to the powers and functions of the
7 board; to provide relative to cooperative endeavor agreements; to provide for the
8 termination of the North Lafayette Redevelopment Authority; and to provide for
9 related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1) are
13 hereby amended and reenacted and R.S. 34:291(B)(1)(m) and 34:293.2 are hereby enacted
14 to read as follows:

15 §291. Creation; territorial limits and jurisdiction

16 A. The Lafayette Economic Development Authority, hereinafter referred to
17 as the authority or the district, is created as a political subdivision of the state of

1 Louisiana, and its territorial limits and jurisdiction shall extend throughout the parish
 2 of Lafayette. Such authority shall continue to constitute a political subdivision, a
 3 **redevelopment authority pursuant to R.S. 34:293.2**, and a harbor and terminal
 4 district originally created under the provisions of Article XIV, Section 30.1 of the
 5 Louisiana Constitution of 1921 and Article XIV, Section 31 thereof, continued as a
 6 statute at R.S. 34:340.1 through 340.6.

7 B.(1) The Lafayette Economic Development Authority is established for the
 8 purpose of having a council composed of representatives from the business
 9 community, parish and city governments, the University of Louisiana at Lafayette,
 10 and the South Louisiana Community College to perform the functions of an
 11 economic and industrial development agency. Such functions may include, without
 12 limitation:

13 * * *

14 **(m) Leveraging economic and community development strategies to**
 15 **engage in and foster redevelopment and revitalization activities within**
 16 **distressed areas with the parish.**

17 * * *

18 §292. Board of commissioners

19 * * *

20 B.(1) The commissioners shall be appointed as follows:

21 * * *

22 (b) Two members, **one of whom shall be a racial minority**, shall be
 23 appointed by the Lafayette Mayor-President. The Lafayette Mayor-President may
 24 serve as one of the appointments.

25 * * *

26 §293. Powers of board; title to structures

27 A.(1) The board has the power to regulate the commerce and traffic of the
 28 harbor and terminal district in any manner that may in its judgment be best for the
 29 public interest. It has all the rights, privileges, and immunities granted to

1 corporations in Louisiana. It may administer, contract for, operate, and maintain
 2 wharves, warehouses, landings, docks, sheds, belt and connecting railroads, canals,
 3 basins, locks, elevators, and other structures and facilities necessary or proper for the
 4 use and development of the business of the district, including buildings and
 5 equipment for the accommodation of passengers and in the handling, storage,
 6 transportation, and delivery of freight, express, and mail. It may maintain proper
 7 depths of water to accommodate the business of the district; provide mechanical
 8 facilities and equipment for use in connection with the wharves, sheds, docks,
 9 elevators, warehouses, and other structures; provide light, water, and police
 10 protection for the district and for all harbor and terminal facilities situated therein.
 11 It may make and collect reasonable charges for the use of all structures, works, and
 12 facilities administered, and for any and all services rendered by it. It may regulate
 13 reasonably the fees or rentals and ~~charges~~ charged ~~to be made by~~ for use of
 14 privately owned wharves, docks, warehouses, elevators, or other privately owned
 15 facilities located on property owned or sold by the authority ~~and other facilities~~
 16 within the limits of the district when the same are offered for the use of the public
 17 or by a private industrial, commercial, research, or other economic
 18 development entity or activity.

19 * * *

20 §293.1. Additional powers; industrial development

21 A. The district shall have authority to construct and/or acquire land and
 22 improvements to construct, operate, and maintain facilities, improvements,
 23 infrastructure, industrial parks and/or industrial plant buildings within the district,
 24 including sites and other necessary property or appurtenances therefor, and to
 25 acquire, construct, improve, operate, maintain and provide improvements and
 26 services necessary therefor, including but not limited to buildings, roads, street
 27 lighting, bridges, rail facilities, drainage, sewers, sewerage disposal facilities, solid
 28 waste disposal facilities, waterworks and other utilities and related properties. The
 29 district shall also have the authority to sell, lease or otherwise dispose of, by suitable

1 and appropriate contract, to any enterprise locating or existing within the district, all
2 or any part of an industrial plant site, industrial plant building or other property
3 owned by the district. In determining the consideration for any contract to lease, sell
4 or otherwise dispose of lands, buildings or other property of the district, the board
5 may take into consideration the value of the lands, buildings or other properties
6 involved as well as the potential value of the economic impact of the industrial or
7 business enterprise being induced to locate or expand within the district. Such
8 economic impact shall include increased employment, increased use of local labor,
9 wages and salaries to be paid, consumption of local materials, products and resources
10 and special tax revenues to be generated by the industrial or business enterprise
11 acquiring or leasing lands, buildings or other property from the district. In no event,
12 however, and under no circumstances shall the board dispose of any property of the
13 district for less than fifty percent of the appraised value of the property without the
14 prior approval of the governing authority of the parish, which approval shall be by
15 resolution adopted by a simple majority.

16 * * *

17 E.(1) The district shall have authority to enter into any cooperative endeavor.
18 "Cooperative endeavor" means any form of economic development assistance
19 between or among the district and the state, any of its local governmental
20 subdivisions, political corporations, or public benefit corporations, the United States
21 or its agencies, or any public or private association, corporation, or individual. **The**
22 **district shall have the authority to convey to the United States, the state, or to**
23 **any political subdivision of the state any land, property, right-of-way, easement,**
24 **servitude, or other thing of value, which the authority may own or acquire, for**
25 **use by such governmental entity to accomplish the objectives and purposes of**
26 **the authority, pursuant to the terms of any appropriate cooperative endeavor**
27 **agreement.** The term "cooperative endeavor" shall include, but not be limited to,
28 cooperative financing, cooperative development, or any other form of cooperative
29 economic development activity.

* * *

F. The authority is likewise hereby authorized and shall have the authority and power necessary in order to carry out and effectuate the purposes and provisions of this Part, including, without limiting the generality of the foregoing, the following specific authority and powers, which shall be in addition to others herein granted:

(1) To apply for and to receive and accept for or from any federal agency, the state, or political subdivision of the state or for or from any public or private source any grants, loans, leases, contributions, or advances, or any form of financial assistance for or in the aid of an economic development cooperative endeavor, project, or projects, to give and accept such equity or security as may be required, and to enter into and carry out a contract or contracts of agreements in connection therewith, ~~provided that public notice is given prior to such action.~~

* * *

§293.2. Additional powers; redevelopment

With regard to redevelopment functions, the authority, through the board, shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this Part within the territory comprised of all of the territory included within House of Representatives District No. 44 and Districts 1 and 5 of the Lafayette City Council as geographically drawn on June 20, 2022, including but not limited to the following:

(1) The authority shall have the power to create and execute redevelopment plans for specified areas within the territory defined in this Section. The implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. In the execution of such redevelopment plan, the authority shall have the powers provided in this Subsection.

(2) To undertake and carry out redevelopment projects and related activities.

(3) To develop, test, and report methods and techniques and carry out

1 demonstrations and other activities for the prevention and the elimination of
2 slums and urban blight.

3 (4) To plan, develop, regulate, operate, and maintain activities and
4 planned land uses to foster any type of property development.

5 (5) The authority may purchase adjudicated properties within the
6 territory defined in this Section from any political subdivision of the state of
7 Louisiana.

8 (6) The authority may purchase, sell, lease, exchange, or otherwise
9 dispose of or transfer to or with other political subdivision of this state or public
10 or private persons at public or private sale any land, property, improvements,
11 or portions thereof, including immovable property and housing, which is, in the
12 opinion of the board, appropriate to accomplish the objective and purposes of
13 the district. Prior to any sale, lease, conveyance, disposition, or transfer of
14 property pursuant to this Paragraph, the authority shall fix the price and terms
15 of the sale, lease, exchange, or other contract to be made with reference to the
16 property. Such sale, lease, conveyance, disposition, or transfer shall comply with
17 the terms and provisions of this Part.

18 (7) The authority may sell, lease, exchange, or otherwise transfer
19 immovable property or any interest therein acquired by it for residential
20 commercial or industrial uses or for public use, subject to such covenants,
21 conditions, and restrictions, including covenants running with the land, as it
22 may deem to be necessary or desirable to assist in carrying out the purposes of
23 this Part.

24 (8) The authority may temporarily operate, maintain, or lease
25 immovable property acquired by it in a redevelopment area for or in connection
26 with a redevelopment project pending disposition of the property as authorized
27 in this part for such uses and purposes as may be deemed desirable even though
28 not in connection with the redevelopment plan.

29 (9) The authority may dispose of any immovable property within a

1 redevelopment area acquired by purchasing adjudicated properties.

2 Notwithstanding any other provision of law, immovable property acquired in

3 accordance with the redevelopment plan may be disposed of to a public body for

4 public reuse.

5 (10) To require and issue licenses.

6 (11) To levy and collect sales and use taxes within the boundaries of the

7 district for such purposes and at such rate as provided by the propositions

8 authorizing their levy, not to exceed in aggregate on percent, which taxes may

9 not exceed the limitation set forth in the Constitution of Louisiana, provided the

10 proposition submitted to a vote in accordance with the Louisiana Election Code

11 shall be approved by a majority of the qualified electors of the jurisdiction of

12 the authority voting in an election held for that purpose.

13 Section 2. R.S. 33:4720.171 is hereby repealed in its entirety.

14 Section 3. This Act shall become effective upon signature by the governor or, if not
15 signed by the governor, upon expiration of the time for bills to become law without signature
16 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
17 vetoed by the governor and subsequently approved by the legislature, this Act shall become
18 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by James Benton.

DIGEST

SB 480 Reengrossed

2024 Regular Session

Boudreaux

Present law (R.S. 34:291) creates the Lafayette Economic Development Authority (LEDA).

Proposed law retains present law.

Present law provides that the LEDA is established for the purpose of having a council composed of representatives from the business community, parish and city governments, the University of Louisiana at Lafayette, and the South Louisiana Community College to perform the functions of an economic and industrial development agency. Such functions may include, without limitation:

- (1) Public relations, advertising, marketing, providing and disseminating information.
- (2) Government relations, ombudsman, and government liaison.
- (3) Financial and financing assistance.

- (4) Tax abatement.
- (5) Planning and coordination for economic development and resource utilization, including such functions as industrial and economic research and industrial programming and solicitation.
- (6) Industrial training, technical assistance, and technology transfer.
- (7) The use of public and other legal powers to facilitate development.
- (8) Promoting transfer mechanisms to take ideas from their point of origin or development to commercially successful utilization by local enterprises.
- (9) Fostering entrepreneurial activity in the parish and region.
- (10) Promoting the development of new products, processes, or services or new uses for existing products, processes, or services manufactured or marketed in the parish or region.
- (11) Supporting market research aimed at identifying new markets for local or regional products and processes.
- (12) Fostering and supporting economic and industrial development and education in cooperation with private business enterprises, financial institutions, educational institutions, nonprofit institutions and organizations, state government and political subdivisions of the state, the federal government, and other organizations or persons concerned with research, development, education, commercial application, and economic or industrial development.

Proposed law retains present law but adds the additional power to leverage economic and community development strategies to engage in and foster redevelopment and revitalization activities within distressed areas with the parish.

Present law (R.S. 34:292) provides that the governing authority of the district shall be known as the board of commissioners of the Lafayette Economic Development Authority. The board shall consist of 12 members who shall be citizens of the U.S. residing within the limits of the district during their terms of office.

Proposed law retains present law.

Present law provides that the commissioners shall be appointed as follows:

- (1) Two members, one of whom shall be nominated by the Lafayette Parish Farm Bureau, shall be appointed by a majority vote of the mayors of the incorporated municipalities of Lafayette Parish other than the city of Lafayette.
- (2) Two members shall be appointed by the Lafayette Mayor-President. The Lafayette Mayor-President may serve as one of the appointments.
- (3) Two members, one of whom shall be a racial minority, shall be appointed by the Lafayette City Council.
- (4) Two members, one of whom shall be a racial minority, shall be appointed by the Lafayette Parish Council.
- (5) One member shall be appointed by One Acadiana.
- (6) Two members, one of whom shall be a racial minority, shall be appointed by the

president of the University of Louisiana at Lafayette. The president may serve as one of the appointments.

- (7) One member shall be appointed by the chancellor of South Louisiana Community College. The chancellor may serve as the appointment.

Proposed law retains present law but provides that one of the members appointed by the Lafayette Mayor-President shall be a racial minority.

Present law (R.S. 34:293.1) provides that the district shall have authority to enter into any cooperative endeavor.

Proposed law (R.S. 34:293.2) retains present law but provides that the district shall have the authority to convey to the U.S., the state, or to any political subdivision of the state any land, property, right-of-way, easement, servitude, or other thing of value, which the authority may own or acquire.

Proposed law provides that the district, through the board, shall have all powers necessary or convenient to carry out and effectuate the purposes and provisions of this proposed law, including but not limited to the following:

- (1) The authority shall have the power to create and execute redevelopment plans for specified areas within the territory defined in this proposed law.
- (2) To undertake and carry out redevelopment projects and related activities.
- (3) To develop, test, and report methods and techniques and carry out demonstrations and other activities for the prevention and the elimination of slums and urban blight.
- (4) To plan, develop, regulate, operate, and maintain activities and planned land uses to foster any type of property development.
- (5) The authority may purchase adjudicated properties within the territory.
- (6) The authority may purchase, sell, lease, exchange, or otherwise dispose of or transfer to or with other political subdivision of this state or public or private persons at public or private sale any land, property, improvements, or portions thereof.
- (7) The authority may sell, lease, exchange, or otherwise transfer immovable property or any interest therein acquired by it for residential commercial or industrial uses or for public use, subject to such covenants, conditions, and restrictions.
- (8) The authority may temporarily operate, maintain, or lease immovable property.
- (9) Any immovable property within a redevelopment area acquired by purchasing adjudicated properties may be disposed of.
- (10) To require and issue licenses.
- (11) To levy and collect sales and use taxes within the boundaries of the district.

Proposed law repeals the North Lafayette Redevelopment Authority.

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

(Amends R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1); adds R.S. 34:291(B)(1)(m) and 34:293.2; repeals 33:4720.171)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Makes technical changes.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.