

2021 Regular Session

SENATE BILL NO. 88

BY SENATOR CONNICK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LEVEES. Authorizes levee boards to spend funds generated from one or more levee districts in another district that benefits an entire levee authority. (8/1/21)

1 AN ACT

2 To amend and reenact R.S. 38:330.3(A)(1)(c), and to enact R.S. 38:330.3(B)(4) and

3 330.8(D), relative to levee districts; to authorize the use of funds generated from one

4 or more levee districts for projects that benefit all participating districts; and to

5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:330.3(A)(1)(c) is hereby amended and reenacted and R.S.

8 38:330.3(B)(4) and 330.8(D) are hereby enacted to read as follows:

9 §330.3. Levee district and board reorganization; transfer of authority; obligations;

10 taxes; lands

11 A.(1)

12 \* \* \*

13 (c) ~~No~~ **Except as provided in this Subparagraph, Paragraph (B)(4) of this**

14 **Subsection, and R.S. 38:330.8(B), no** provision of law providing the Southeast

15 Louisiana Flood Protection Authority-East or Southeast Louisiana Flood Protection

16 Authority-West Bank with any authority over and management, oversight, and

17 control of the areas and levee districts provided for in R.S. 38:330.2(A) shall be

1 construed or interpreted to make the taxes levied by, or other revenue of, a levee  
 2 district within the territorial jurisdiction of the authority payable for the liability of  
 3 another levee district, or for any liability of the authority when acting on behalf of  
 4 another levee district. Notwithstanding any other provision of law to the  
 5 contrary, taxes and other revenues generated in one or more levee districts  
 6 within the jurisdiction of a levee authority may be used within any portion of  
 7 the territorial jurisdiction of the authority if use of the funds will benefit all or  
 8 a portion of the authority and the levee districts from which the taxes or  
 9 revenues are generated.

10 \* \* \*

11 B.

12 \* \* \*

13 (4) Notwithstanding any other provision of law to the contrary, taxes and  
 14 other revenues generated in one or more levee districts within the jurisdiction  
 15 of a levee authority may be used within any portion of the territorial  
 16 jurisdiction of the authority if use of the funds will benefit all or a portion of the  
 17 authority and the levee districts from which the taxes and revenues are  
 18 generated.

19 \* \* \*

20 §330.8. Funding; appropriations

21 \* \* \*

22 D. Notwithstanding any other provision of law to the contrary, taxes and  
 23 other revenues generated in one or more levee districts within the jurisdiction  
 24 of a levee authority may be used within any portion of the territorial  
 25 jurisdiction of the authority if use of the funds will benefit all or a portion of the  
 26 authority and the levee districts from which the taxes and revenues are  
 27 generated.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Xavier I. Alexander.

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DIGEST

SB 88 Original 2021 Regular Session Connick

Present law provides that no provision of law providing the Southeast Louisiana Flood Protection Authority-East or Southeast Louisiana Flood Protection Authority-West Bank with any authority over and management, oversight, and control of the areas and levee districts provided for in present law makes the taxes levied by, or other revenue of, a levee district within the territorial jurisdiction of the authority payable for the liability of another levee district, or for any liability of the authority when acting on behalf of another levee district.

Present law restricts revenue from taxes levied by an authority or a levee district to be used or expended for a purpose of the authority or levee district where the tax is levied and revenue is collected.

Proposed law provides that notwithstanding present law, taxes and other revenues generated in one or more levee districts within the jurisdiction of a levee authority may be used within any portion of the territorial jurisdiction of the authority if use of the funds will benefit all or a portion of the authority and the levee districts from which the taxes or revenues are generated.

Effective August 1, 2021.

(Amends R.S. 38:330.3(A)(1)(c); adds R.S. 38:330.3(B)(4) and 330.8(D))