

CONFERENCE COMMITTEE REPORT

SB 220

2025 Regular Session

Cathey

June 12, 2025

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 220 by Senator Cathey, recommend the following concerning the Reengrossed bill:

1. That the House Committee Amendments Nos. 1, 2, and 3 proposed by House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House of Representatives on June 8, 2025 be adopted.
2. That the House Committee Amendment No. 4 proposed by House Committee on Municipal, Parochial and Cultural Affairs and adopted by the House of Representatives on June 8, 2025 be rejected.
3. That the following amendments to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 3, after "to enact" insert "R.S. 33:381(F) and"

AMENDMENT NO. 2

On page 1, line 16, after "reenacted and " insert "R.S. 33:381(F) and"

AMENDMENT NO. 3

On page 1, line 17, change "is" to "are"

AMENDMENT NO. 4

On page 1, after line 17, insert the following:

"§381. Municipal officers

\* \* \*

**F.(1) Notwithstanding any other provision of law to the contrary, if a vacancy in the office of chief of police or fire chief in a municipality covered by the provisions of the municipal fire and police civil service law continues for a period exceeding twelve consecutive months and the municipal governing authority has failed or declined to confirm an appointment submitted by the mayor or other appointing authority to the governing authority under the requirements of a municipal home rule charter, the governor shall have the authority to make an appointment to the position.**

**(2) The governor's appointment shall be selected from among the candidates on the certified competitive employment list for the position and recommended by the mayor or the local governing authority, notwithstanding any prior rejection or denial of confirmation of a candidate by the local governing authority.**

**(3) The mayor or appointing authority shall notify the board of the filling of the vacancy as provided in R.S. 33:2503.**

**(4) The person appointed to the position shall begin his working test as provided by R.S. 33:2495, and nothing herein shall be construed to prohibit the**

mayor, board, or appointing authority from removing the probational employee for the reasons and under the circumstances set forth pursuant to that Section.

(5) Nothing in this Section shall be construed to limit the authority of a mayor or local appointing authority to submit appointees to a local governing authority for confirmation under the requirements of a home rule charter.

(6) Any person appointed under this Section must meet all applicable statutory, regulatory, or civil service qualifications for the position of chief of police or fire chief.

(7) This Section shall apply only to municipalities with a population greater than forty-five thousand but no more than forty-eight thousand, as determined by the most recent federal decennial census.

(8) The provisions of this Section shall be retroactive to June 1, 2023.

\* \* \*

AMENDMENT NO. 5

On page 2, between line 3 and 4, insert the following:

'§4122. New Orleans; no obligation to provide funds  
There shall be no obligation on the part of the city of New Orleans to provide funds for the operation and maintenance of the sewerage system of the city of New Orleans. Revenue generated from automated speed enforcement devices within the parish of Orleans outside of a school zone, mobile speed cameras or red light cameras shall be only used for the purposes of stormwater drainage infrastructure, maintenance, and improvements.

\* \* \*

Respectfully submitted,

Senators:

Representatives:

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Senator Stewart Cathey Jr.

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Representative Michael Charles Echols

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Senator John C. "Jay" Morris III

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Representative Foy Bryan Gadberry

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Senator Alan Seabaugh

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Representative Dustin Miller

## CONFERENCE COMMITTEE REPORT DIGEST

SB 220

2025 Regular Session

Cathey

### Keyword and summary of the bill as proposed by the Conference Committee

LOCAL AGENCIES. Provides for the revision of statutes relating to local agencies. (8/1/25)

### Report adopts House amendments to:

1. Provide relative to the use of revenue generated from certain sources in certain municipalities.

### Report rejects House amendments which would have:

1. Required any revenue generated within Orleans Parish outside of a school zone to be used only for the purposes of stormwater drainage infrastructure, maintenance, and improvements.

### Report amends the bill to:

1. Require any revenue generated from automated speed enforcement devices within the parish of Orleans outside of a school zone shall be used only for the purposes of stormwater drainage infrastructure, maintenance, and improvements.
2. Provide for vacancies in the office of chief of police or fire chief in certain municipalities.
3. Authorize the governor to appoint the chief of police or fire chief in certain circumstances.
4. Require notice of the filling of vacancies.
5. Apply to populations greater than 45,000 but no more than 48,000.
6. Provide retroactive date to June 1, 2023.

### Digest of the bill as proposed by the Conference Committee

SB 220 Reengrossed

2025 Regular Session

Cathey

Proposed law (R.S. 33:381(F)) provides that notwithstanding any other provision of law to the contrary, if a vacancy in the office of chief of police or fire chief in a municipality covered by the provisions of the municipal fire and police civil service law continues for a period exceeding 12 consecutive months and the municipal governing authority has failed or declined to confirm an appointment submitted by the mayor or other appointing authority to the governing authority under the requirements of a municipal home rule charter, the governor shall have the authority to make an appointment to the position.

Proposed law provides that the governor's appointment shall be selected from among those candidates on the certified competitive employment list for the position and recommended by the mayor or the local governing authority, notwithstanding any prior rejection or denial of confirmation of a candidate by the local governing authority.

Proposed law provides that the mayor or appointing authority shall notify the board of the filling of the vacancy as provided in present law (R.S. 33:2503).

Proposed law provides that the person appointed to the position shall begin his working test as provided by present law (R.S. 33:2495), and nothing herein shall be construed to prohibit

the mayor, board, or appointing authority from removing the probational employee for the reasons and under the circumstances set pursuant to present law.

Proposed law provides that nothing in proposed law shall be construed to limit the authority of a mayor or local appointing authority to submit appointees to a local governing authority for confirmation under the requirements of a home rule charter.

Proposed law provides that any person appointed under proposed law must meet all applicable statutory, regulatory, or civil service qualifications for the position of chief of police or fire chief.

Proposed law provides that the provisions of proposed law shall apply only to municipalities with a population greater than 45,000 but no more than 48,000, as determined by the most recent federal decennial census.

Proposed law provides that the provisions of proposed law shall be retroactive to June 1, 2023.

Present law (R.S. 33:404) provides for the powers, duties, and responsibilities of mayors.

Proposed law retains present law and makes technical changes.

Present law (R.S. 33:4122) provides that there shall be no obligation on the part of the city of New Orleans to provide funds for the operation and maintenance of the sewerage system of the city of New Orleans.

Proposed law retains present law but provides that revenue generated from automated speed enforcement devices within Orleans Parish outside of a school zone, mobile speed cameras or red light cameras shall only be used for the purposes of stormwater drainage infrastructure, maintenance, and improvements.

Present law (R.S. 33:4341) provides that any municipality, the city of New Orleans excepted, or any parish or any other political subdivision or taxing district authorized to issue bonds under present law, may sell or lease any revenue-producing properties owned by it, including all proper franchises to operate the properties for a term not to exceed 60 years, provided the governing authorities have been first authorized to do so by a vote of a majority of the qualified electors, voting at an election held for that purpose as herein directed.

Present law provides that when a city, town, or village owns and operates a water, gas, or other revenue-producing public utility, serving customers outside the territorial limits of the city, town, or village, as is allowed by present law, a negotiated sale of all of the connections and utility installations outside the area of the city, town, or village and within the corporate limits of another city, town, or village may be made to the latter city, town, or village by negotiation and without any election, for such price as may be agreed upon between the parties.

Present law provides that no election shall be required to authorize the sale or lease by any municipality or parish of revenue-producing water properties to any other municipality, parish, or other political subdivision.

Proposed law retains present law and provides an exception for the governing authority of any city, town or village that owns and operates a water utility that receives a grade of "D" or "F" under the Community Drinking Water Infrastructure Sustainability Act of 2021, and the rule issue pursuant to present law, shall not be required to conduct an election to authorize the sale or lease of the utility if the governing authority finds by official action that the municipality is either financially, managerially or technically unable to restore the utility to a grade of "C" or better.

Present law (R.S. 33:4342) provides that when a written and signed proposition has been made to the governing authority of any municipality or parish for the purchase, lease or other acquisition of any of the properties owned by it, and franchise for operation of same, and

which written proposition shall contain a complete and detailed statement of all terms and provisions of the franchise, the governing authority may submit to the qualified electors, at a special election called for that purpose, the question of whether or not the offer made shall be accepted.

Proposed law retains present law but provides an exception under proposed law (R.S. 33:4341) for the governing authority of any city, town or village that owns and operates a water utility that receives a grade of "D" or "F" under the Community Drinking Water Infrastructure Sustainability Act of 2021 shall not be required to conduct an election to authorize the sale or lease of the utility if the governing authority finds by official action that the municipality is either financially, managerially, or technically unable to restore the utility to a grade of "C" or better.

Proposed law (R.S. 33:9720) provides that notwithstanding any other provision of law, any municipality or parish within the state of La. shall have the authority to create, organize, and establish districts and commissions within its jurisdictional boundaries through passage of an ordinance. Districts and commissions that already have been established by law prior to the enactment of this statute shall remain in full effect and continue to operate under the terms of each entity's respective enabling statutes or ordinances.

Present law (R.S. 38:113) provides that the various levee and drainage districts shall have control over all public drainage channels or outfall canals within the limits of the districts which are selected by the district, and for a space of 100 ft. on both sides of the banks of such channels or outfall canals, and 100 ft. continuing outward from the mouth of such channels or outfall canals.

Proposed law provides that the various levee and drainage districts, and local governing bodies, shall have a legal servitude by which control is given to the local governing body or district over all public drainage channels or outfall canals within the limits of their districts which are selected by the district, and for a space of 100 ft. on both sides of the banks of such channels or outfall canals, and 100 ft. continuing outward from the mouth of such channels or outfall canals.

Proposed law provides that property may not be taken or damaged by the districts or local governing for public purposes and with just compensation paid to the owner.

Proposed law provides that the regulation or prohibition of drainage into a public system that is not authorized by a natural servitude or other legal right does not constitute a taking or damaging of property.

Proposed law provides that the local governing authority, body, or district shall be immune from damage to its public works project by excessive, unlawful drainage into its system.

Present law (R.S. 38:141) provides that the several La. parishes, Orleans Parish excepted, may expropriate land and the improvements thereon, outside of regularly organized and acting levee districts, necessary for the construction of drainage canals or drainage projects with enough of the adjoining property on which to build spoil banks and on which to place the dirt removed from the drainage canals, and any property next to or in the vicinity of the canals or projects necessary for the construction, inspection, repair, and maintenance of the canals or projects.

Present law provides that the parishes may acquire by expropriation, in the same manner now required by existing laws regulating expropriation suits, either a clear title to the land and improvements thereon or any servitude, right, or interest necessary for that purpose.

Proposed law provides that local governing bodies, Orleans Parish excepted, shall have the expropriation power contained in present law.

Present law provides that the several parishes shall thoroughly drain all public roads which are parallel or contiguous to any public levee, shall cut across public roads all ditches and

drains necessary to effect the complete and perfect drainage of the roads and levees, and shall connect the drains and ditches with those on private property abutting on the road.

Proposed law retains present law but provides that local governing bodies shall have the responsibility of drainage all public roads which are parallel or contiguous to any public levee, shall cut across public roads all ditches and drains necessary to effect the complete and perfect drainage of the roads and levees, and shall connect the drains and ditches with those on private property abutting on the road.

Present law (R.S. 38:214) provides that no person shall dump or discharge or permit to be dumped or discharged into any waters or drains of the state any trees or other objects, substances, or materials which might interfere with the drainage.

Proposed law retains present law but provides that no person shall dump or discharge or permit to be dumped or discharged into any waters or drains of the state any trees or other objects, substances, or materials which might interfere with the drainage.

Proposed law repeals the Union Parish Railroad District.

Effective August 1, 2025.

(Amends R.S. 33:404(A)(intro para)), 4341(A) and (C), and 4342, R.S. 38:113, 141, 142 and 214; adds R.S. 33:381(F), and 9720; repeals R.S. 33:130.621.1)