2017 Regular Session

HOUSE BILL NO. 148

BY REPRESENTATIVE JACKSON AND SENATOR WALSWORTH

DISTRICTS/ROAD LIGHTING: Authorizes the city of Monroe to create road lighting and video monitoring districts

1   AN ACT

2   To enact R.S. 48:1309.4, relative to the city of Monroe; to authorize the governing authority

3   of the city to create road lighting and video monitoring districts; to provide relative

4   to the purpose, boundaries, governance, and funding of the districts; to provide

5   relative to the powers and duties of the districts and their governing boards; and to

6   provide for related matters.

7   Notice of intention to introduce this Act has been published

8   as provided by Article III, Section 13 of the Constitution of

9   Louisiana.

10   Be it enacted by the Legislature of Louisiana:

11   Section 1. R.S. 48:1309.4 is hereby enacted to read as follows:

12   §1309.4. Road lighting and video monitoring districts; city of Monroe

13   A. Creation. The governing authority of the city of Monroe may create, by

14   ordinance, road lighting and video monitoring districts, within the boundaries of the

15   city, referred to in this Section as a "district". Each district shall be a political

16   subdivision of the state as defined in the Constitution of Louisiana.

17   B. Boundaries. The boundaries of each district shall be as provided in the

18   ordinance creating the district.

1   C. Purpose. The purpose of each district shall be to improve road lighting

2   and video monitoring infrastructure in order to enhance the beautification of the

3   district as well as aid in the protection of district residents.

4   D.   Governance.   Each district shall be governed by a board of

5   commissioners, referred to in this Section as the "board". The board shall be

6   comprised of members as provided in the ordinance creating the district.

7   E. Powers and duties. (1) Each district, acting through its board, shall have

8   the following powers and duties:

9   (a) To sue and be sued.

10   (b) To adopt, use, and alter at will a corporate seal.

11   (c) To receive and expend funds collected pursuant to Subsection F of this

12   Section and in accordance with a budget adopted as provided by Subsection G of this

13   Section.

14   (d) To enter into contracts with individuals or entities, private or public.

15   (e) To purchase and lease items and supplies necessary for achieving any

16   purpose of the district.

17   (f) To accept private grants and donations.

18   (g) To perform or have performed any function or activity the board deems

19   necessary to carry out the purposes of the district.

20   (2) Each district is deemed not to be an instrumentality of the state for

21   purposes of Article X, Section 1(A) of the Constitution of Louisiana.

22   F. Parcel fee. (1) Each district, through its board, may impose and collect

23   a parcel fee within the boundaries of the district, subject to and in accordance with

24   the provisions of this Subsection.

25   (2) The amount of the fee shall be as requested by duly adopted resolution

26   of the board.

27   (3)(a) The fee shall be imposed on each parcel located within the district

28   except as provided in Paragraph (5) of this Subsection.

1   (b) For purposes of this Section, "parcel" means a lot, a subdivided portion

2   of ground, an individual tract, or a "condominium parcel" as defined in R.S.

3   9:1121.103.

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

5   (4)(a) A fee shall be imposed only after the question of its imposition has

6   been approved by a majority of registered voters of the district voting on the

7   proposition at an election held for that purpose at the same time as a regularly

8   scheduled election in the city of Monroe and conducted in accordance with the

9   Louisiana Election Code. No other election shall be required except as provided by

10   this Paragraph.

11   (b) The fee shall expire at the time provided in the proposition authorizing

12   the fee, not to exceed ten years from its initial imposition, but the fee may be

13   renewed as provided in Subparagraph (a) of this Paragraph. Any election to authorize

14   the renewal of the fee shall be held at the same time as a regularly scheduled election

15   in the city of Monroe. If renewed, the term of the imposition of the fee shall be

16   provided in the proposition authorizing such renewal, not to exceed 10 years.

17   (5) No fee shall be imposed upon any parcel whose owner qualifies under

18   the Louisiana Special Assessment Level pursuant to Article VII, Section 18(G)(1)

19   of the Constitution of Louisiana.

20   (6)(a) The fee shall be collected in the same manner and at the same time as

21   ad valorem taxes on property subject to taxation by the parish of Ouachita are levied

22   and collected.

23   (b) Any fee which is unpaid shall be added to the tax rolls of the parish and

24   shall be enforced with the same authority and subject to the same penalties and

25   procedures as unpaid ad valorem taxes.

26   (7) The proceeds of such fee shall be used solely and exclusively for the

27   purpose and the benefit of the district.

28   G. Budget. (1) The board shall adopt an annual budget in accordance with

29   the Local Government Budget Act, R.S. 39:1301 et seq.

1   (2) Each district shall be subject to audit by the legislative auditor pursuant

2   to R.S. 24:513.

3   H. Miscellaneous provisions. It is the purpose and intent of this Section that

4   any additional road lighting and video monitoring infrastructure improvements

5   provided by each district shall be supplemental to and not in lieu of improvements

6   provided in the district by the city of Monroe or parish of Ouachita.

DIGEST

HB 148 Original   2017 Regular Session   Jackson

Abstract: Grants the city of Monroe the authority to create road lighting and video monitoring districts.

Proposed law authorizes the governing authority of the city of Monroe to create, by ordinance, road lighting and video monitoring districts as political subdivisions of the state for the purpose of enhancing the beautification of the districts as well as aiding in the protection of district residents. Provides that the boundaries and governance of each district will be as provided in the ordinance creating the district.

Proposed law provides for the powers and duties of each district, including but not limited to the following:

(1)   To sue and be sued.

(2)   To enter into contracts with individuals or entities, private or public.

(3)   To purchase and lease items and supplies necessary for achieving any purpose of the district.

(4)   To accept private grants and donations.

Proposed law provides that the district shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Proposed law authorizes each district, through its board, to impose and collect a parcel fee within the district subject to and in accordance with proposed law. Provides that the fee shall be:

(1)   In an amount that shall be as requested by duly adopted resolution of the board.

(2)   Imposed on each parcel located within the district (except upon any parcel whose owner qualifies for the special assessment level provided by present constitution).

(3)   Imposed only after approved by a majority of the registered voters of the district who vote at an election held for that purpose in accordance with the La. Election Code.

Proposed law provides that "parcel" means a lot, a subdivided portion of ground, an individual tract, or a "condominium parcel" as defined in present law. Provides that each parcel's owner shall be responsible for fee payment.

Proposed law provides that the fee shall be collected at the same time and in the same manner as ad valorem taxes on property subject to taxation by Ouachita Parish and that any unpaid fee shall be added to the tax rolls of the parish and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Provides that fee proceeds shall be used solely for the purpose and benefit of the district.

Proposed law requires the board to adopt an annual budget in accordance with the Local Government Budget Act and provides that each district shall be subject to audit by the legislative auditor.

Proposed law provides that its intent is that any additional road lighting and video monitoring infrastructure improvements provided by each district shall be supplemental to and not in lieu of improvements provided in the district by the city of Monroe or Ouachita Parish.

(Adds R.S. 48:1309.4)