

2017 Regular Session

HOUSE BILL NO. 182

BY REPRESENTATIVE JIMMY HARRIS

DISTRICTS/NEIGHBORHOOD: Provides relative to the Kenilworth Improvement District in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 33:9078(D) and (F)(2) and (4), relative to Orleans Parish; to
3 provide relative to the Kenilworth Improvement District; to provide relative to the
4 governing board of the district; to provide relative to the membership of the board;
5 to provide relative to the parcel fee imposed within the district; to provide relative
6 to the maximum rate, expiration, and renewal of the fee; and to provide for related
7 matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:9078(D) and (F)(2) and (4) are hereby amended and reenacted to
13 read as follows:

14 §9078. Kenilworth Improvement District

15 * * *

16 D. Governance. ~~(1) The district shall be governed by a board of~~
17 ~~commissioners, referred to in this Section as the "board", consisting of nine members~~
18 ~~appointed as follows:~~

1 ~~(a) The board of directors of the Kenilworth Civic and Improvement~~
2 ~~Association shall appoint five members, one of whom shall be the president of the~~
3 ~~Kenilworth Civic and Improvement Association.~~

4 ~~(b) The member or members of the Louisiana House of Representatives who~~
5 ~~represent the area which comprises the district shall appoint one member.~~

6 ~~(c) The member or members of the Louisiana Senate who represent the area~~
7 ~~which comprises the district shall appoint one member.~~

8 ~~(d) The member or members of the city council of the city of New Orleans~~
9 ~~who represent the area which comprises the district shall appoint one member.~~

10 ~~(e) The mayor of the city of New Orleans shall appoint one member.~~

11 ~~(2) Every member of the board shall be a property owner in or a resident of~~
12 ~~the district.~~

13 ~~(3)(a) Members of the board shall serve two-year terms after initial terms as~~
14 ~~provided in Subparagraph (b) of this Paragraph.~~

15 ~~(b) Three members shall serve initial terms of one year, three shall serve~~
16 ~~initial terms of eighteen months, and three shall serve initial terms of two years, all~~
17 ~~as determined by lot at the first meeting of the board.~~

18 ~~(4) Vacancies resulting from the expiration of a term or for any other reason~~
19 ~~shall be filled in the manner of the original appointment. Members shall be eligible~~
20 ~~for reappointment.~~

21 ~~(5) The members of the board shall select from among themselves a~~
22 ~~president and such other officers as they deem appropriate. The terms and~~
23 ~~responsibilities of officers shall be as provided in the bylaws of the board.~~

24 ~~(6) All members of the board, including the officers of the board, shall be~~
25 ~~voting members.~~

26 ~~(7) The members of the board shall serve without compensation but shall~~
27 ~~receive reimbursement for reasonable expenses directly related to the governance of~~
28 ~~the district.~~

1 proposition at an election held for that purpose at the same time as a regularly
2 scheduled election in the city of New Orleans and conducted in accordance with the
3 Louisiana Election Code. The amount of the fee may be changed by duly adopted
4 resolution of the board, not to exceed the maximum amount authorized by this
5 Subsection and approved by the voters. No other election shall be required except as
6 provided in this Paragraph.

7 ~~(b) The initial election on the question of the imposition of the fee shall be~~
8 ~~held at the same time as the regularly scheduled election in the city of New Orleans~~
9 ~~to be held on November 2, 2004, or if not held on that date, it shall be held at the~~
10 ~~same time as a regularly scheduled election in the city of New Orleans held after that~~
11 ~~date.~~

12 ~~(c)(b) The fee shall expire on December 31, 2010, but the fee may be~~
13 ~~renewed, the amount of the fee provided in Paragraph (2) of this Subsection may be~~
14 ~~changed, or a maximum fee amount in excess of the amount of the fee provided in~~
15 ~~Paragraph (2) of this Subsection may be established, if approved by a majority of the~~
16 ~~registered voters of the district voting on the proposition at an election held for that~~
17 ~~purpose in accordance with the Louisiana Election Code. If the fee is renewed, if the~~
18 ~~amount of fee is changed with voter approval, or if a new maximum fee amount is~~
19 ~~established, the term of the imposition of the fee shall be as provided in the~~
20 ~~proposition authorizing such renewal, change in fee amount, or maximum fee~~
21 ~~amount, not to exceed eight years. If a new maximum fee amount is established as~~
22 ~~provided in this Subparagraph, the amount of the fee shall be determined and such~~
23 ~~amount may be changed by duly adopted resolution of the board without the~~
24 ~~necessity of an election, provided that the fee amount shall not exceed the maximum~~
25 ~~fee amount and the term of imposition shall not exceed the term of imposition~~
26 ~~established with voter approval. at the end of the term provided for in the proposition~~
27 ~~authorizing the fee, not to exceed eight years, but may be renewed as provided in~~
28 ~~Subparagraph (a) of this Paragraph. Any election to authorize the renewal of the fee~~
29 ~~shall be held at the same time as the regularly scheduled election in the city of New~~

(5) One member appointed by the mayor of the city of New Orleans.

Present law requires each board member to be a property owner in or a resident of the district and provides that board members serve two-year staggered terms. Provides for the filling of vacancies.

Proposed law removes present law and instead provides that the district is governed by the members of the board of directors of the Kenilworth Civic and Improvement Assoc.

Present law requires members to select from among themselves a president and such other officers as they deem appropriate and requires the board to provide in its bylaws for the terms and responsibilities of the officers. Requires members of the board to serve without compensation but authorizes reimbursement for reasonable expenses directly related to the governance of the district.

Proposed law retains present law.

Present law authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the fee shall be a flat fee and shall be imposed on each parcel located within the district. Provides that the amount of the fee shall be \$200 per parcel. Proposed law provides instead that the amount of the fee shall not exceed \$225 per parcel per year. Proposed law otherwise retains present law.

Proposed law authorizes the board to change the amount of the fee by duly adopted resolution of the board, not to exceed the maximum amount authorized by proposed law and approved by the voters.

Present law provides that the initial election on the question of the imposition of the fee shall be held on Nov. 2, 2004. Provides that the fee expires Dec. 31, 2010. Provides that the fee may be renewed, the amount of the fee provided in present law may be changed, or a maximum fee amount in excess of the amount of the fee provided in present law may be established if approved by a majority of the registered voters of the district voting on the proposition at an election as provided in present law. Requires that any election to authorize renewal of the fee, to change the amount of the fee, or to establish a new maximum fee amount be held in accordance with the La. Election Code.

Proposed law removes present law and instead provides that the fee expires at the end of the term provided for in the proposition, not to exceed eight years. Authorizes renewal of the fee, subject to voter approval, and requires that the election for renewal be held at the same time as a regularly scheduled election in the city of New Orleans.

Proposed law provides that the terms of the members of the board in office on the effective date of proposed law shall terminate on such date; however, the members must remain in office until all members of the board of directors of the Kenilworth Civic and Improvement Assoc. take office.

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

(Amends R.S. 33:9078(D) and (F)(2) and (4))