

2017 Regular Session

SENATE BILL NO. 137

BY SENATOR JOHNS

PUBLIC LANDS. Authorizes a referendum election on the lease of certain lands owned by the city of Lake Charles. (gov sig)

1 AN ACT

2 To enact R.S. 33:4699.1(E), relative to lakefront property within the city of Lake Charles;  
3 to authorize a referendum election on a proposition regarding certain lands owned  
4 by the city; and to provide for related matters.

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

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:4699.1(E) is hereby enacted to read as follows:

8 §4699.1. City of Lake Charles; lakefront property

9 \* \* \*

10 **E.(1) Notwithstanding any other provision of this Section to the contrary,**  
11 **the governing authority of the city of Lake Charles is authorized to call a special**  
12 **election in accordance with law seeking voter approval by those electors of the**  
13 **city qualified to vote regarding the revision or modification of the existing plan**  
14 **for commercial and residential usage of all or a portion of the land areas**  
15 **described in this Section. The proposition for the election shall include the**  
16 **following information with respect to the proposed project:**

17 **(a) Reasonably and fairly identify the area of land to be used or leased**

1 for residential or commercial development.

2 (b) Describe the general nature and extent of the proposed development  
3 project and generally describe any applicable design guidelines.

4 (2) If a majority of the qualified electors of the city of Lake Charles vote  
5 to approve the commercial or residential usage of all or any portion of the areas  
6 described in the ballot proposition, the city shall have the full and exclusive  
7 right, jurisdiction, power, and authority to authorize, conduct, and effectuate  
8 development in those land areas described in the proposition for the residential,  
9 commercial, and profit-oriented purposes as provided in Subsection D of this  
10 Section.

11 (3) The city of Lake Charles may also construct, acquire, extend, or  
12 improve facilities such as marinas, motels, hotels, restaurants, residential  
13 housing, commercial office space, and boating facilities and provide roads,  
14 sewer, water, and other nonelectric utilities as may be necessary to facilitate any  
15 such plan for commercial or residential use previously approved by the voters  
16 or as may be authorized in the future as provided herein or to make such site  
17 improvements as may be necessary to comply with applicable flood plain  
18 regulations. In exercising such authority the city shall also have authorization  
19 to develop the property pursuant to the provisions of R.S. 51:1151 through R.S.  
20 51:1160.

21 (4) Nothing in this Subsection shall in any way supersede the sole  
22 authority and responsibility of the Louisiana Gaming Control Board relative to  
23 gaming as specified in R.S. 27:15 nor shall it affect any law regarding the  
24 requirement for or the conduct of any election or regarding the conduct of any  
25 form of gaming.

26 Section 2. This Act shall become effective upon signature by the governor or, if not  
27 signed by the governor, upon expiration of the time for bills to become law without signature  
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

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The original instrument was prepared by Michael Bell. The following digest, which does not constitute a part of the legislative instrument, was prepared by Tammy Crain Waldrop.

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DIGEST

SB 137 Reengrossed

2017 Regular Session

Johns

Proposed law authorizes the city of Lake Charles to call a special election to seek voter approval regarding the commercial and residential usage of all or a portion of the leased land on the lakefront.

Proposed law authorizes the city of Lake Charles to have the full and exclusive right, jurisdiction, power, and authority to conduct and effectuate development in the lakefront land areas for the residential, commercial, and profit-oriented purposes consistent with the proposition if a majority of the qualified electors vote to approve it at the referendum election.

Proposed law authorizes the city of Lake Charles to construct, acquire, extend, or improve facilities such as marinas, motels, hotels, restaurants, residential housing, commercial office space, and boating facilities and provide for roads, sewer, water and other nonelectric utilities as may be necessary to facilitate any plan for commercial or residential use approved by the voters.

Proposed law specifically provides that nothing in proposed law shall supersede the sole authority and responsibility of the Louisiana Gaming Control Board relative to gaming.

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

(Adds R.S. 33:4699.1(E))

Summary of Amendments Adopted by Senate

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

1. Clarifies the fact that the information in the proposed projects, to be included in the proposition for the election, shall affect commercial and residential land areas.
2. Technical amendment.

Senate Floor Amendments to engrossed bill

1. Includes nonelectric utilities.
2. Makes legislative bureau technical changes.