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## DIGEST

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HB 311 Engrossed

2018 Regular Session

Leger

**Abstract:** Creates the Delachaise Security and Improvement District in Orleans Parish. Provides for the district's boundaries, purpose, governance, and funding, including the authority to impose a parcel fee.

Proposed law creates the Delachaise Security and Improvement District in Orleans Parish as a political subdivision of the state for the purpose of aiding in crime prevention and providing for overall betterment of the district. Provides for district boundaries. Provides that the district shall be governed by a board of commissioners composed as follows:

- (1) The president of the Delachaise Neighborhood Assoc.
- (2) Three members appointed by the governing board of the Delachaise Neighborhood Assoc.
- (3) One member appointed by the member of the governing authority of the city of New Orleans who represents Council District B.

Proposed law provides for the district's powers and duties including the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds from an authorized parcel fee and in accordance with an adopted budget.
- (4) To enter into contracts with individuals or entities, private or public.
- (5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district, to provide for the beautification of or improvement to the district, and to provide generally for the overall betterment of the district.
- (6) To enter into contracts and agreements with one or more other districts for the joint security, improvement, or betterment of the district.

Requires board members to be residents and qualified voters of the district.

Proposed law authorizes the governing authority of the district, subject to voter approval, to impose and collect a parcel fee on each parcel within the district. Provides that the amount of the fee shall be in a duly adopted resolution of the board and shall not exceed \$300 per parcel per year. Defines "parcel" as a lot, a subdivided portion of ground, an individual tract, or a condominium parcel. Provides that if multiple adjacent parcels are combined for the purpose of housing a single family dwelling, the flat fee for the combined parcel must be calculated to be 1.4 times the single parcel fee for two adjacent parcels and 1.6 times the single parcel fee for three or more adjacent parcels.

Proposed law provides that the fee expires at the time provided in the proposition authorizing the fee, not to exceed a duration of three years, but authorizes renewal of the fee. Provides that the term of renewal shall be as provided in the proposition authorizing the renewal.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the city tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Requires the city to remit to the district all amounts collected not more than 60 days after collection and authorizes the city to retain 1% as a collection fee.

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

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to, and not in lieu of, personnel and services provided in the district by the New Orleans Police Department.

Proposed law provides that if the district ceases to exist, all district funds shall be transmitted to the city to be used to provide for the overall betterment of the district.

Proposed law provides that no board member or officer of the district shall be liable to the district or to any individual who resides, owns property, visits, or otherwise conducts business in the district for monetary damages for breach of his duties as a board member or officer unless the board member performs an act or omission not in good faith or which involves intentional misconduct or a knowing violation of law or any transaction from which he derives an improper personal benefit.

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

(Adds R.S. 33:9091.25)