

ACT No. 510

2018 Regular Session

HOUSE BILL NO. 806

BY REPRESENTATIVE JOHNSON

1 AN ACT

2 To enact R.S. 33:4715.3, relative to the construction and operation of courtroom and related
3 facilities in certain parishes; to create a special district for such purpose; to provide
4 for governance, jurisdiction, powers, and functions of the district; to provide for its
5 authority to levy taxes and incur debt; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:4715.3 is hereby enacted to read as follows:

8 §4715.3. Parish justice center district; certain parishes

9 A.(1) There is hereby created within any parish having a population of not
10 less than forty-one thousand five hundred people and not more than forty-five
11 thousand people as determined by the most recent federal decennial census a body
12 politic and corporate which shall be known as the parish justice center district,
13 hereafter in this Section referred to as the "district". The district shall have
14 boundaries coterminous with the parish. The district shall be a political subdivision
15 of the state as defined in the Constitution of Louisiana.

16 (2) The purposes of the district are to locate, build, operate, and maintain
17 courtroom facilities for the judicial district that encompasses the district, hereafter
18 in this Section referred to as the "judicial district", including all matters relating to
19 incurring debt and financing such activities as approved by the voters, all as more
20 specifically prescribed by this Section. Such courtroom facilities shall include
21 offices for judges and support staff, jury rooms, accommodations for the public, and

1 other facilities deemed appropriate for administration of justice by the governing
2 authority of the district.

3 B. The district shall be governed by a board of commissioners consisting of
4 the elected judges of the judicial district.

5 C. The district, acting through its board of commissioners, shall have all
6 powers necessary or convenient to effectuate the purposes of the district, including
7 but not limited to the following:

8 (1) To sue and be sued.

9 (2) To adopt, use, and alter at will a corporate seal.

10 (3) To receive and expend funds collected pursuant to and in accordance
11 with this Section.

12 (4)(a) To acquire and develop property to be used as a justice center.

13 (b) To develop plans for and to construct a justice center.

14 (c) To operate and maintain the justice center.

15 (5) To acquire, purchase, lease as lessee, and hold and use any property,
16 movable or immovable, corporeal or incorporeal, or any interest therein necessary
17 or desirable for carrying out the purposes of the district, and to sell, lease as lessor,
18 transfer, and dispose of any property or interest therein at any time acquired by it.

19 (6) To exercise the authority granted to political subdivisions by R.S.
20 33:4715.1. Public facilities of the district are hereby deemed to be public facilities
21 for purposes of such authority.

22 (7) To enter into contracts with any public or private entity in carrying out
23 its corporate objectives, including but not limited to contracts for construction or
24 acquisition of property and facilities incident to the purposes of the district.

25 (8) To enter into agreements with any persons, corporations, associations,
26 or other entities, including public corporations, political subdivisions, the United
27 States government and agencies thereof, the state of Louisiana or any of its agencies,
28 or any combination thereof, for the operation or use of properties and facilities of the
29 district.

1 (9) To adopt bylaws for the management and regulation of its affairs and for
 2 the regulation and control of its facilities, programs, and activities.

3 (10) To accept gifts, grants, and donations of property and money. Title to
 4 immovable property acquired shall reside with the district.

5 (11) To govern, manage, and direct the justice center; to lay out, regulate,
 6 improve, and beautify the same; to pass ordinances for the regulation and governance
 7 thereof; to appoint and employ such architects, engineers, surveyors, clerks, and
 8 others as may be necessary and to prescribe and define their respective duties and
 9 authority and the amount of their compensation; and generally to do all things in
 10 regard to the powers granted pursuant to this Section.

11 (12) To purchase items and supplies as may be necessary or convenient in
 12 performing the functions of the district.

13 (13) To contract with, employ, and fix the compensation and terms of
 14 employment of attorneys, clerks, or any other agents or employees.

15 (14) To perform or have performed any other function or activity necessary
 16 for the achievement of the purpose of the district.

17 D.(1) The board of commissioners may, subject to the provisions of this
 18 Subsection and other applicable provisions of law, levy ad valorem taxes within the
 19 district.

20 (2) The board of commissioners may, subject to the provisions of this
 21 Subsection and other applicable provisions of law, levy sales and use taxes. Any
 22 such tax shall be in addition to all other sales and use taxes authorized by law and
 23 shall be excluded when calculating the combined rate of sales and use taxes levied
 24 in the parish pursuant to Article VI, Section 29(B) of the Constitution of Louisiana
 25 including but not limited to sales and use taxes authorized by R.S. 47:338.54. Such
 26 tax shall be levied upon the sale at retail, the use, lease or rental, the consumption,
 27 and the storage for use or consumption, of tangible personal property, and on sales
 28 of services, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana
 29 Revised Statutes of 1950, R.S. 47:301 et seq., in the district. Sales and use taxes

1 shall be collected at the same time and in the same manner as set forth in R.S. 47:301
2 through 316.

3 (3)(a) No tax may be levied pursuant to Paragraph (1) or (2) of this
4 Subsection unless the levy is authorized by a majority of the electors of the district
5 who vote at an election held for that purpose in accordance with the Louisiana
6 Election Code.

7 (b) A tax proposition submitted to the voters shall state the rate, duration,
8 and purpose of the tax as requested by duly adopted resolution of the governing
9 authority of the district. The rate, duration, and use of any tax shall be as so stated
10 in the proposition authorizing its levy.

11 (4)(a) The board of commissioners may, subject to the provisions of this
12 Subsection and other applicable provisions of law, incur debt and fund tax revenues
13 into bonds in the manner provided by Part III of Chapter 4 of Subtitle II of Title 39
14 of the Louisiana Revised Statutes of 1950.

15 (b) Any proposition submitted to the voters for the issuance of bonds secured
16 by sales and use taxes shall state the amount of bonds to be issued, and the district
17 governing authority shall not issue such bonds in an amount exceeding the stated
18 amount.

19 (5) The district may, on its own initiative, call a special election to submit
20 to the qualified electors of the district a proposition or propositions authorizing the
21 levy of a tax or the issuance of bonds or both.

22 (6) The district, through the board, may also seek any additional sources of
23 funding, specifically including grants, from both public or private entities to
24 accomplish the purposes of the district.

25 E. The governing authority of the district shall exercise the authority granted
26 in this Section to the extent that sufficient revenues are authorized by the voters of
27 the district, and the parish governing authority shall not exercise any authority which
28 conflicts with such exercise of authority by the district. To the extent that voters do
29 not authorize the district to acquire sufficient revenues for the exercise of the
30 authority granted in this Section, the parish governing authority may, as it deems

1 appropriate, exercise its own authority, as otherwise provided by law, to provide for
2 the acquisition, construction, renovation, operation, or maintenance of the parish
3 courthouse.

4 F. The district shall be subject to audit by the legislative auditor pursuant to
5 R.S. 24:513.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____