

RÉSUMÉ DIGEST

ACT 476 (HB 630)

2021 Regular Session

Horton

Existing law grants rights, powers, and privileges to the board of commissioners for Cypress- Black Bayou Recreation and Water Conservation District. Existing law also grants rights, powers, privileges, and immunities to Cypress-Black Bayou Recreation and Water Conservation District as a political subdivision of Louisiana and to the board of commissioners.

Existing law requires successors to the present members of the board of commissioners to be appointed as follows: one by the police jury of Bossier Parish; one by the mayor and governing authority of the city of Bossier City; one by the mayor and governing authority of the village of Benton; one by the Bossier Parish school board; and the fifth by the Board of Commissioners of the Bossier Levee District.

Prior law required that any vacancies in the office of commissioner due to death, resignation, or other causes be filled by the remaining commissioners for the unexpired term. New law requires any such vacancy to be filled by the appointing authority that the commissioner represented within 45 days. New law further provides for the appointment by the remaining board of commissioners if the appointing authority fails to timely do so.

New law requires the board of commissioners to notify each appointing authority as to the expiration date of that appointing authority's appointment to the board of commissioners by Aug. 15, 2021.

Existing law provides for a five-year term for each member of the board of commissioners. New law requires the member to vacate the office at the end of the term notwithstanding continuity of government provisions in existing law.

Existing law provides the board is domiciled at Benton, Louisiana.

New law provides for removal procedures for a member of the board of commissioners for cause that includes but is not limited to conflicts of interest, failure or refusal to perform the prescribed duties, conduct having a material adverse effect on the work of the district, conduct which meets the definition of a misdemeanor or felony in violation of local, state, or federal law, or failure to attend at least ½ of the meetings of the board of commissioners in any 12-month period.

New law requires the appointing authority to conduct a public removal hearing to remove its appointed commissioner to the board of commissioners upon a written petition by the appointing authority, by the board of commissioners of the district, or by at least 500 owners of immovable property within the district. New law further requires the petition list each charge against the commissioner whose removal is sought and service of the petition on the commissioner.

New law provides for a public hearing conducted by the appointing authority within 30 days after notice and for hearing procedures.

New law provides that new law has no effect on existing law dual office holding provisions.

Prior law provided for required actions of the members of the board of commissioners immediately after the members have been appointed by the governor. New law provides for required actions of the members of the board of commissioners immediately after the members have been appointed by an appointing authority.

Effective June 29, 2021.

(Amends R.S. 38:2603, 2604, and 2606; Adds R.S. 38:2604.1)