SLS 22RS-527 ORIGINAL

2022 Regular Session

1

SENATE BILL NO. 380

BY SENATOR PETERSON

SPECIAL DISTRICTS. Provides relative to the BioDistrict New Orleans in Orleans Parish. (8/1/22)

AN ACT

| 2  | To amend and reenact R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3),            |
|----|---|
| 3  | 9039.69(A)(5), and 9039.72(A)(14), and to enact R.S. 33:9039.69(C) and                      |
| 4  | 9039.72(D), relative to Orleans Parish; to provide relative to the BioDistrict New          |
| 5  | Orleans; to provide relative to the boundaries and powers and duties of the district;       |
| 6  | to provide relative to the creation of subdistrict; to require that district projects be in |
| 7  | compliance with certain rules and regulations; and to provide for related matters.          |
| 8  | Be it enacted by the Legislature of Louisiana:  |
| 9  | Section 1. R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3),                      |
| 10 | 9039.69(A)(5), and 9039.72(A)(14) are hereby amended and reenacted and R.S.                 |
| 11 | 33:9039.69(C) and 9039.72(D) are hereby enacted to read as follows:                         |
| 12 | §9039.62. BioDistrict New Orleans; creation; territorial jurisdiction                       |
| 13 | A. There is hereby created the BioDistrict New Orleans, referred to in this                 |
| 14 | Chapter as the "district". The district shall be composed of all of the territory located   |
| 15 | in the parish of Orleans bounded by Earhart Blvd., Carrollton Ave., Loyola Ave., and        |
| 16 | Iberville St.   |
| 17 | <b>B.</b> The district shall be a political subdivision of the state as defined in Article  |

VI, Section 44(2) of the Constitution of Louisiana. Pursuant to Article VI, Sections 19 and 20 of the Constitution of Louisiana, the district, acting through its board of commissioners, the governing authority of the district, is hereby granted all of the rights, powers, privileges, and immunities accorded by law and the Constitution of Louisiana to political subdivisions of the state, including but not limited to the power to incur debt.

\* \* \*

## §9039.68. General powers

A. In addition to the powers and duties elsewhere granted in this Chapter, the board is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

\* \* \*

(3) To acquire by gift, grant, purchase, <u>or</u> lease, <u>or otherwise</u> and to hold and use any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the objects and purposes of the district. <u>The district shall not have the power of expropriation.</u>

\* \* \*

B.(1) At least ten days after publication of a notice in the official journal of the district, a public hearing shall be conducted, and the board may then designate one or more areas within or without the boundaries of the district as they may exist from time to time as a separate subdistrict, or as an enlargement or reduction of the original district, provided that subdistricts created by the board outside the then current boundaries of the district need not be contiguous to the district. Any territory outside the original boundaries of the district that is sought to be included or excluded in the district, or designated as a separate subdistrict, may only be so included, excluded, or designated subject to the approval of the Legislature of Louisiana and the governing authority of the city of New Orleans. Each subdistrict shall constitute a separate political subdivision of the state, governed by

| 1  | the district board with the same powers of the district. Each designated subdistrict      |
|----|---|
| 2  | area shall be representative of its geographic location and designated as "BioDistrict    |
| 3  | Economic Development Subdistrict for".  |
| 4  | (2)(a) * * *  |
| 5  | (b) Subdistricts created outside the then current boundaries of the district also         |
| 6  | need not be contiguous to the district. Any territory outside the district that is sought |
| 7  | to be included or excluded in the district or designated as a subdistrict, may only be    |
| 8  | so subject to the approval of the Legislature of Louisiana and the governing              |
| 9  | authority of the city of New Orleans. Each subdistrict shall constitute a separate        |
| 10 | political subdivision of the state, governed by the district board with the same powers   |
| 11 | of the district. Each designated subdistrict area shall be representative of its          |
| 12 | geographic location and designated as " BioDistrict Economic Development                  |
| 13 | Subdistrict for".   |
| 14 | (3) No territorial jurisdiction or boundaries of the district shall be expanded,          |
| 15 | reduced, or extended and no subdistrict shall be created to include any area that is not  |
| 16 | entirely contained within the New Orleans Metropolitan Statistical Area without the       |
| 17 | approval of the Legislature of Louisiana and the governing authority of the city          |
| 18 | of New Orleans.   |
| 19 | §9039.69. Special powers  |
| 20 | A. In addition to the general powers granted in this Chapter, the district shall          |
| 21 | have the following special powers:  |
| 22 | * * *   |
| 23 | (5) To acquire real and personal property, including health education and                 |
| 24 | enhancement facilities, by lease, purchase, or donation, or otherwise including but       |
| 25 | not limited to the following: land; improvements, oil, gas, and mineral rights; stocks;   |
| 26 | bonds; notes; and any other things of value. Title thereto shall be taken in the name     |
| 27 | of the district.  |
| 28 | * * *   |
| 29 | C. The district shall enter into a payment in lieu of taxes agreement with                |

| 1  | the city of New Orleans prior to the development of any property owned by the                   |
|----|---|
| 2  | district that was not exempt from ad valorem taxes immediately preceding the                    |
| 3  | district acquisition of such property.  |
| 4  | * * *   |
| 5  | §9039.72. Projects  |
| 6  | A.(1) * * *   |
| 7  | * * *   |
| 8  | (14)(a) The support of any other type of bioscience projects or safety,                         |
| 9  | security (police), parking, housing (student and workforce), conference and meeting             |
| 10 | facilities, transportation (pedestrian and vehicular), emergency preparedness,                  |
| 11 | emergency operations, beautification, image, district identity, centralized laundry,            |
| 12 | janitorial services, maintenance services (grass cutting, street cleaning), development         |
| 13 | and enforcement of district standards for buildings (architectural), landscaping,               |
| 14 | streets and sidewalks, lighting and signage.  |
| 15 | (b) The district shall not adopt a district identity or any district standards                  |
| 16 | without the prior approval of the governing authority of the city of New Orleans.               |
| 17 | * * *   |
| 18 | $\underline{D.(1)(a)\ The\ construction, renovation, rehabilitation, or\ repair\ of\ district}$ |
| 19 | projects including wet labs, research facilities, manufacturing facilities, clinics,            |
| 20 | laboratories, or any other facility, building, or structure shall only be performed             |
| 21 | inside of the boundaries of the district.   |
| 22 | (b) The construction, renovation, rehabilitation, or repair of district                         |
| 23 | projects shall be in compliance with the master plan for the city of New Orleans,               |
| 24 | and with all zoning, land use, historic district, and neighborhood participation                |
| 25 | rules and regulation applicable to the area in which a project is located.                      |

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

## DIGEST 2022 Regular Session

Peterson

<u>Present law</u> creates and provides for the Louisiana Biomedical Research and Development Park Commission within the Department of Economic Development. Provides that the commission will identify and review the healthcare facilities and services available in that certain sections of the city of New Orleans. Provides that the commission will determine the feasibility of the creation of a biomedical research and development park in that area.

<u>Present law</u> provides that district will have the power to acquire by gift, grant, purchase, lease, or otherwise to hold and use any property, real, personal, or mixed, tangible or intangible, or any interest therein necessary or desirable for carrying out the objects and purposes of the district.

<u>Proposed law</u> retains <u>present law</u> but additionally specifies that the district will have no power of expropriation.

<u>Proposed law</u> requires that the district enter into a payment in lieu of taxes agreement with the city of New Orleans prior to the development of any property owned by the district that was not exempt from ad valorem taxes immediately preceding the district acquisition of such property.

<u>Proposed law</u> provides that the construction, renovation, rehabilitation, or repair of district projects including wet labs, research facilities, manufacturing facilities, clinics, laboratories, or any other facility, building, or structure will only be performed inside of the boundaries of the district.

<u>Proposed law</u> provides that the construction, renovation, rehabilitation, or repair of district projects will be in compliance with the master plan for the city of New Orleans, and with all zoning, land use, historic district, and neighborhood participation rules and regulations applicable to the area in which a project is located.

Effective August 1, 2022.

SB 380 Original

(Amends R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3), 9039.69(A)(5), and 9039.72(A)(14)); adds R.S. 33:9039.69(C) and 9039.72(D))