

RÉSUMÉ DIGEST

ACT 354 (HB 797)

2022 Regular Session

Duplessis

Existing law creates the BioDistrict New Orleans as a political subdivision of the state within the city of New Orleans. Provides that the district is governed by a board of commissioners composed of 15 members.

Prior law provided for district boundaries. New law makes changes to the district's boundaries.

Existing law provides for the district's powers and duties.

Prior law authorized the district to acquire by gift, grant, purchase, lease, or otherwise 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.

New law removes the reference to "or otherwise" and expressly prohibits the district or any subdistrict from acquiring property by expropriation or from exercising any power of eminent domain.

Existing law authorizes the board, after a public hearing, to designate one or more areas within or without the boundaries of the district as a separate subdistrict, or as an enlargement or reduction of the original district. Provides that subdistricts created outside the boundaries of the district need not be contiguous to the district. Further provides that 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 La. Existing law provides that each subdistrict constitutes a separate political subdivision of the state, governed by the district board with the same powers of the district.

New law additionally requires the approval of the governing authority of the city of New Orleans by ordinance with respect to boundary changes and the creation of subdistricts. New law provides that subdistricts are subject to the same limitations as districts. Prohibits the board from designating as a separate subdistrict any area wholly within the boundaries of the district without prior approval of the Legislature of La. and the governing authority of the city of New Orleans, by ordinance.

New law requires the district or any subdistrict to enter into a payment in lieu of taxes agreement with the city of New Orleans prior to the acquisition of any property owned by the district that was not exempt from ad valorem taxes immediately prior to the district's acquisition of such property.

Prior law authorized the district to undertake any project or program beneficial to the district whether within or outside of the district's boundaries.

New law removes the district's authority to undertake programs and requires that all projects of the district or any subdistrict be performed inside of the district's or subdistrict's boundaries. Provides that projects must comply with the city of New Orleans master plan and all ordinances and rules and regulations governing zoning, building land use, historic preservation, historic districts, and neighborhood participation plans.

New law prohibits the district or any subdistrict from adopting a district identity or any district standards without the prior approval of the governing authority of the city of New Orleans, by ordinance.

Effective upon signature of governor (June 10, 2022).

(Amends R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3), 9039.69(A)(3) and (5), and 9039.72(A)(14); Adds R.S. 33:9039.63.1, 9039.68(B)(2)(c), 9039.69(C), and 9039.72(D))