

2023 Regular Session

HOUSE BILL NO. 269

BY REPRESENTATIVE LANDRY

DISTRICTS/CRIME PREVENT: Provides relative to the Delachaise Security and Improvement District in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 33:9091.25(B), (D)(1) and (2), and (F)(1), (2)(d), and (3)(b),
3 relative to Orleans Parish; to provide relative to the Delachaise Security and
4 Improvement District; to provide relative to the boundaries and governance of the
5 district; to provide relative to the appointment of board members; to provide relative
6 to district funding; to provide relative to the parcel fee imposed and collected in the
7 district; to provide relative to the term of the fee; to provide for an effective date; and
8 to provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9091.25(B), (D)(1) and (2), and (F)(1), (2)(d), and (3)(b) are
14 hereby amended and reenacted to read as follows:

15 §9091.25. Delachaise Security and Improvement District

16 * * *

17 B. Boundaries. The boundaries of the district shall be that area within and
18 including the following perimeter: beginning at the intersection of Louisiana Ave.
19 and Carondelet St. and proceeding along Carondelet St. (~~both sides~~ interior side) to
20 its intersection with Napoleon Ave., along Napoleon Ave. (interior side) to its

1 intersection with Freret St., then along Freret St. (interior side) to its intersection
2 with Louisiana Ave., and finally along Louisiana Ave. (interior side) back to its
3 intersection with Carondelet St.

4 * * *

5 D. Governance. (1) The district shall be governed by a board of
6 commissioners, referred to in this Section as the "board", consisting of ~~seven~~ five
7 members, all of whom shall be qualified voters and residents of the district,
8 composed as follows:

9 (a) The ~~presidents~~ president of the Delachaise Neighborhood Association,
10 referred to in this Section as the "DNA"; ~~and the Milan Neighborhood Association,~~
11 ~~referred to in this Section as the "MNA".~~

12 (b) The governing board of the DNA shall appoint ~~two~~ three members who
13 may be members of the governing board.

14 ~~(c) The governing board of the MNA shall appoint two members who may~~
15 ~~be members of the governing board.~~

16 ~~(d)~~(c) The member of the governing authority of the city of New Orleans
17 who represents Council District B shall appoint one member.

18 (2)(a) The ~~members~~ member serving pursuant to Subparagraph (1)(a) of this
19 Subsection shall serve during ~~their~~ his term of office.

20 (b) The members appointed pursuant to ~~Subparagraphs (1)(b) and (c)~~
21 Subparagraph (1)(b) of this Subsection shall serve two-year terms after initial terms
22 as provided in this Subparagraph. One member shall serve an initial term of one year
23 and two members shall serve an initial term of two years, as determined by lot at the
24 first meeting of the board.

25 (c) The member appointed pursuant to ~~Subparagraph (1)(d)~~ Subparagraph
26 (1)(c) of this Subsection shall serve a term concurrent with the appointing authority.

27 * * *

28 F. Parcel fee. The governing authority of the city of New Orleans is hereby
29 authorized to impose and collect a parcel fee within the district subject to and in
30 accordance with the provisions of this Subsection.

1 (1) The amount of the fee shall be as requested by duly adopted resolution
2 of the board. ~~The fee shall be a flat fee per parcel of land not to exceed three~~
3 ~~hundred dollars per year for each parcel.~~ For each residential parcel which is
4 unimproved or contains a single-family dwelling, the fee shall be a flat fee not to
5 exceed three hundred fifty dollars. For each residential parcel which contains two
6 to four dwelling units, the fee shall be a flat fee not to exceed four hundred dollars.
7 For each residential parcel which contains five or more dwelling units, the fee shall
8 be a flat fee not to exceed one thousand dollars. For each unimproved and improved
9 parcel zoned for commercial use, the fee shall be a flat fee not to exceed five
10 hundred dollars.

11 * * *

12 (2)

13 * * *

14 (d) If Notwithstanding the provisions of Paragraph (1) of this Subsection, if
15 multiple adjacent parcels are combined for the purpose of housing a single-family
16 dwelling, the flat fee for the combined parcel shall be calculated to be one and four
17 tenths times the single parcel fee for two adjacent parcels and one and six tenths
18 times the single parcel fee for three or more adjacent parcels.

19 * * *

20 (3)

21 * * *

22 (b)(i) If approved, the fee shall expire at the ~~time provided in the proposition~~
23 ~~authorizing the fee, not to exceed a duration of three years~~ end of the term provided
24 for in the proposition authorizing the fee, not to exceed five years, but the fee may
25 be renewed if approved by a majority of the registered voters of the district voting
26 on the proposition at an election as provided in Subparagraph (a) of this Paragraph.
27 If renewed, the term of the imposition of the fee shall be as provided in the
28 proposition authorizing such renewal, not to exceed five years.

1 (ii) The amount of the fee may be changed by duly adopted resolution of the
2 board, not to exceed the maximum amount authorized by this Subsection. No other
3 election shall be required for such change in the amount of the fee.

4 * * *

5 Section 2. The terms of the members of the board of commissioners of the
6 Delachaise Security and Improvement District in office on the effective date of this Act shall
7 terminate on the effective date of this Act; however, such members shall remain in office
8 until the board members appointed as provided in this Act take office. The members of the
9 board of commissioners of the Delachaise Security and Improvement District shall be
10 appointed and shall take office as provided in this Act and shall serve terms of office as
11 provided in this Act.

12 Section 3. The provisions of this Act shall not affect the parcel fee levied within the
13 Delachaise Security and Improvement District on the effective date of this Act. The
14 governing authority of the city of New Orleans shall continue to levy the fee until such time
15 as it expires, as provided in the proposition approved by a majority of the district's registered
16 voters voting on the proposition at an election held on November 8, 2022. After expiration
17 of the fee, the governing authority of the city shall then begin to levy a parcel fee as provided
18 in this Act if the parcel fee has been approved by the voters as provided in this Act.

19 Section 4. This Act shall become effective upon signature by the governor or, if not
20 signed by the governor, upon expiration of the time for bills to become law without signature
21 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
22 vetoed by the governor and subsequently approved by the legislature, this Act shall become
23 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 269 Original 2023 Regular Session Landry

Abstract: Provides relative to the boundaries, governance, and parcel fee for the Delachaise Security and Improvement District in Orleans Parish.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

Present 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.

Proposed law retains present law but makes changes to the district's boundaries.

Present law provides that the district is governed by a seven-member board of commissioners composed as follows:

- (1) The presidents of the Delachaise Neighborhood Assoc. (DNA) and the Milan Neighborhood Assoc. (MNA).
- (2) Two members appointed by the governing board of the DNA.
- (3) Two members appointed by the governing board of the MNA.
- (4) One member appointed by the member of the governing authority of the city of New Orleans who represents Council District B.

Present law provides that the presidents of the DNA and MNA serve during their terms of office. Provides that the member appointed by the city council member serves a term concurrent with the council member. All other appointed members serve two-year terms.

Proposed law instead provides that the district is governed by a five-member board of commissioners composed as follows:

- (1) The president of DNA.
- (2) Three members appointed by the governing board of DNA.
- (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 that the president of the DNA serves during his term of office. Provides that the member appointed by the city council member serves a term concurrent with the council member. All other appointed members serve two-year staggered terms. Additionally provides that the terms of the board members in office on the effective date of proposed law terminate on that date.

Present law authorizes the governing authority of the city of New Orleans, 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 as requested by duly adopted resolution of the board and shall not exceed \$300 per parcel per year.

Proposed law instead authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose and collect a fee on each parcel within the district as follows:

- (1) For each residential parcel which is unimproved or contains a single-family dwelling, the fee shall be a flat fee not to exceed \$350.
- (2) For each residential parcel which contains two to four dwelling units, the fee shall be a flat fee not to exceed \$400.
- (3) For each residential parcel which contains five or more dwelling units, the fee shall be a flat fee not exceed \$1000.
- (4) For each unimproved and improved parcel zoned for commercial use, the fee shall be a flat fee not to exceed \$500.

Present law 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 retains present law.

Proposed law provides that the amount of the fee may be changed by duly adopted resolution of the board, not to exceed the maximum amount authorized by proposed law.

Present 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 instead provides that the fee expires at the end of the term provided for in the proposition authorizing the fee, not to exceed five years, but authorizes renewal of the fee. Provides that the term of renewal shall be as provided in the proposition authorizing the renewal, not to exceed five years.

Proposed law requires the governing authority of the city of New Orleans to continue to levy the fee until such time as it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on Nov. 8, 2022. Requires the governing authority, after expiration of the fee, to begin to levy a parcel fee as provided in proposed law if the parcel fee has been approved by the voters.

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

(Amends R.S. 33:9091.25(B), (D)(1) and (2), and (F)(1), (2)(d), and (3)(b))