

2023 Regular Session

HOUSE BILL NO. 185

BY REPRESENTATIVE HILFERTY

DISTRICTS/SPECIAL: Provides relative to the Lake Terrace Crime Prevention District in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 33:9091.4(B) and (E)(1) and (3)(c) and to repeal R.S.
3 33:9091.4(E)(3)(b), relative to Orleans Parish; to provide relative to the Lake Terrace
4 Crime Prevention District; to provide relative to the boundaries and funding of the
5 district; to provide relative to the parcel fee imposed and collected in the district; to
6 provide relative to the renewal of such fee; to provide for an effective date; and to
7 provide for related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:9091.4(B) and (E)(1) and (3)(c) are hereby amended and
13 reenacted to read as follows:

14 §9091.4. Lake Terrace Crime Prevention District

15 * * *

16 B. Boundaries. The boundaries of the district shall be the center line of
17 ~~Robert E. Lee Boulevard, Pratt Drive, St. Bernard Avenue, the shoreline of Lake~~

1 ~~Pontchartrain and Lakeshore Drive~~ Allen Toussaint Boulevard, center line of London
2 Avenue Canal, center line of Bayou St. John, and the south shoreline of Lake
3 Pontchartrain.

4 * * *

5 E. Parcel fee. The governing authority of the city of New Orleans is hereby
6 authorized to impose and collect a parcel fee within the district subject to and in
7 accordance with the provisions of this Subsection.

8 (1)(a) The fee shall be a flat fee per improved parcel of land and the amount
9 of the fee shall be three hundred not exceed five hundred fifty dollars per year for
10 each improved parcel, except that the fee shall be seven hundred dollars per year for
11 each improved parcel with three or more family units. The amount of the fee may be
12 changed by duly adopted resolution of the board, not to exceed the maximum amount
13 authorized by this Subparagraph. No election shall be required for such change in
14 the amount of the fee.

15 (b) Notwithstanding the provisions of Subparagraph (a) of this Paragraph,
16 the fee shall be seven hundred dollars per year for each improved parcel with three
17 or more family units.

18 (c) Notwithstanding the provisions of Subparagraphs (a) and (b) of this
19 Paragraph, the fee shall be a flat fee not to exceed seventeen hundred fifty dollars per
20 year for each improved parcel of land used as a short-term rental. The amount of the
21 fee may be changed by duly adopted resolution of the board, not to exceed the
22 maximum amount authorized by this Subparagraph. No election shall be required
23 for such change in the amount of the fee.

24 * * *

25 (3)

26 * * *

27 (c) ~~The fee shall expire at the time provided in the proposition authorizing~~
28 ~~the fee, not to exceed eight years from its initial imposition, but the fee may be~~
29 ~~renewed as provided in Subparagraph (a) of this Paragraph. Any election to~~

1 ~~authorize renewal or increase of the fee shall be held only at the same time as the~~
2 ~~mayoral primary election. Any such election may be called at the request of the~~
3 ~~board of commissioners. If renewed or increased, the term of the imposition of the~~
4 ~~fee shall be as provided in the proposition authorizing such renewal or increase, not~~
5 ~~to exceed eight years. The fee shall expire at the end of the term provided for in the~~
6 ~~proposition authorizing the fee, not to exceed eight years, but may be renewed as~~
7 ~~provided in Subparagraph (a) of this Paragraph. Any election to authorize the~~
8 ~~renewal of the fee shall be held for that purpose in accordance with the Louisiana~~
9 ~~Election Code. If the fee is renewed, the term of the imposition of the fee shall be~~
10 ~~as provided in the proposition authorizing such renewal, not to exceed eight years.~~

11 Section 2. R.S. 33:9091.4(E)(3)(b) is hereby repealed in its entirety.

12 Section 3.(A) The provisions of this Act shall not affect the parcel fee levied within
13 the Lake Terrace Crime Prevention District on the effective date of this Act. The governing
14 authority of the city of New Orleans shall continue to levy the fee until such time as it
15 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 18, 2017.

17 (B) Notwithstanding the provisions of Subsection A of this Section, the board of
18 commissioners of the Lake Terrace Crime Prevention District may call an election for the
19 purpose of submitting the question of the imposition of the fee authorized in this Act to the
20 voters prior to December 31, 2026. If the imposition of the fee is approved by a majority
21 of the district's registered voters voting on the proposition at any such election, the governing
22 authority of the city shall then begin to levy a parcel fee as provided in the proposition.

23 Section 4. This Act shall become effective upon signature by the governor or, if not
24 signed by the governor, upon expiration of the time for bills to become law without signature
25 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
26 vetoed by the governor and subsequently approved by the legislature, this Act shall become
27 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 185 Engrossed

2023 Regular Session

Hilferty

Abstract: Provides relative to the boundaries and the parcel fee for the Lake Terrace Crime Prevention district in Orleans Parish.

Present law creates and provides for the Lake Terrace Crime Prevention District in Orleans Parish as a political subdivision of the state for the purpose of aiding in crime prevention and enhancing the security of district residents. Provides for district boundaries. Provides that the district is governed by a seven-member board of commissioners and provides for the district's powers and duties.

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

Present law authorizes the governing authority of the city of New Orleans to impose and collect a parcel fee within the district. Provides that the fee shall be a flat fee per improved parcel of land not to exceed \$300, except that the fee shall be \$700 per year for each improved parcel with three or more family units.

Proposed law provides instead that the parcel fee shall be as follows:

- (1) For each improved parcel with three or more family units, the fee shall be \$700 per year.
- (2) For each improved parcel used as a short-term rental, the fee shall be a flat fee not to exceed \$1,750 per year.
- (3) For all other improved parcels, the fee shall be a flat fee not to exceed \$550 per year.

Proposed law provides that the amount of the fee in (2) and (3) above may be changed by duly adopted resolution of the board, not to exceed the maximum amount.

Present law requires that the initial election on the question of the imposition of the fee be held at the same time as the 2002 congressional primary election. Provides that the fee shall expire at the time provided in the proposition authorizing the fee, not to exceed eight years from its initial imposition. Authorizes renewal of the fee. Provides that any election to authorize renewal or increase of the fee shall be held only at the same time as the mayoral primary election. Provides that any such election may be called at the request of the board. Further provides that if the fee is renewed or increased, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal or increase, not to exceed eight years.

Proposed law instead provides that the fee shall expire at the end of the term provided for in the proposition authorizing the fee, not to exceed eight years. Authorizes renewal of the fee. Provides that any election to authorize the renewal of the fee shall be held for that purpose in accordance with the La. Election Code. Further provides that if the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed eight 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. 18,

2017. However, proposed law authorizes the board to submit the question of imposition of the fee as provided in proposed law to the voters prior to the expiration of the fee. Requires the governing authority 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. 33:9091.4(B) and (E)(1) and (3)(c); Repeals R.S. 33:9091.4(E)(3)(b))