

2023 Regular Session

HOUSE BILL NO. 565

BY REPRESENTATIVES FREIBERG, MARCELLE, CARRIER, ECHOLS, FONTENOT,  
LAFLEUR, SELDERS, AND THOMPSON

DISTRICTS/NEIGHBORHOOD: Creates the University Security District in East Baton  
Rouge Parish

1 AN ACT

2 To enact R.S. 33:9097.37, relative to East Baton Rouge Parish, to create the University  
3 Security District; to provide relative to the boundaries, purpose, governance, and  
4 powers and duties of the district; to provide relative to district funding, including the  
5 authority to impose a parcel fee within the district; to provide for an effective date;  
6 and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9097.37 is hereby enacted to read as follows:

12 §9097.37. University Security District

13 A. There is hereby created within the parish of East Baton Rouge, as more  
14 specifically provided in Subsection B of this Section, a body politic and corporate  
15 which shall be known as the University Security District, referred to in this Section  
16 as the "district". The district shall be a political subdivision of the state as defined  
17 in the Constitution of Louisiana.

18 B. The district shall encompass an area within the city of Baton Rouge,  
19 generally bounded on the north by Roosevelt Street, on the east by University Lake,

1 Parker Blvd, and Burbank Drive, on the south by River Road, Laurel Lakes Sub. and  
2 Farr Park, and on the west by River Road, exclusive of the Riverbend Crime  
3 Prevention and Improvement District, and being more fully described as follows:

4 Commence at a point which is the intersection of the west right of way line  
5 of River Road with the extension of the north right of way line of West Roosevelt  
6 St.;

7 Thence proceed in an easterly direction along the north right of way line of  
8 West Roosevelt St., across Highland Rd to East Roosevelt St., and continuing  
9 easterly across Thomas Delpit Dr., then southerly and easterly along the north right  
10 of way line of East Roosevelt St. to its intersection with the southwest property line  
11 of McKinley High School property;

12 Thence proceed in a southeasterly then easterly direction along the south  
13 boundary of McKinley High School to a point which is the intersection of the  
14 southeast boundary of McKinley High School with the edge of water of a body of  
15 water commonly referred to as Lake Crest;

16 Thence proceed in a southerly and easterly direction along the westerly and  
17 southerly edge of Lake Crest to a point which is the intersection of the extension of  
18 the southern edge of Lake Crest with the east right of way line of Dalrymple Dr.;

19 Thence proceed in a southerly direction along the east right of way line of  
20 Dalrymple Drive to the southwest corner of Lot 3 of the division of a portion of Lot  
21 27, Richland Plantation;

22 Thence proceed easterly along the south line of Lot 3 of the division of a  
23 portion of Lot 27, Richland Plantation the water's edge of University Lake;

24 Thence proceed in a general southeasterly direction following along the  
25 various meanders of the water's edge of University Lake as it existed in April of  
26 2023, continuing along the water's edge along the south side of West Lakeshore Dr.  
27 to a point which is the intersection of the extension of the existing water's edge of  
28 University Lake with the center of Corporation Canal, at a point which is 30 feet  
29 south of the centerline of West Lakeshore Dr.;

1           Thence proceed southerly along a line that is parallel to and 30 feet south and  
2           east of the centerline of West Lakeshore Dr. to a point which is the intersection of  
3           a line that is 30 feet east of the centerline of the East Parker Blvd roadway;

4           Thence proceed in a southwesterly direction along a line that is 30 feet  
5           southeast of the centerline of East Parker Blvd. to a point which is the northwest  
6           corner of Lot 1-A, Lehavre Subdivision, which point is also on the south right of way  
7           line of East Parker Blvd.;

8           Thence proceed along the south right of way line of East Parker Blvd. to the  
9           intersection of the north right of way line of Highland Rd.;

10          Thence proceed in a southeast direction along the north right of way line of  
11          Highland Rd. to a point which is the intersection of the northeasterly extension of the  
12          easterly line of Lot A-2 of the former Hazel L. Kelley property with the north right  
13          of way line of Highland Rd.;

14          Thence proceed across Highland Rd along the southeast line of Lot A-2 of  
15          the former Hazel L. Kelley property to the north line of Highland Estates, aka,  
16          Highland Hideaway Townhomes;

17          Thence proceed in an westerly and southerly direction along the southeast  
18          line of said Highland Estates, aka, Highland Hideaway Townhomes, across the east  
19          branch of Bayou Fountain, and along the southeast line of Lot 4-A of the J.T.  
20          Williams Subdivision to the north right of way line of Burbank Dr.;

21          Thence proceed in a southeasterly direction along the north right of way line  
22          of Burbank Dr. to the intersection of the west right of way line of West Lee Dr.;

23          Thence proceed in a northeasterly direction along the west right of way line  
24          of West Lee Dr. to a point which is on the extension of the north line of Parcel 7,  
25          Circle N Ranch property;

26          Thence proceed in a southeasterly direction along the north line of Parcel 7,  
27          Circle N Ranch property, crossing Ben Hur Rd., and along the north and east line  
28          of Tract D-1-A of the Nelson Property to a point of the north right of way line of  
29          Burbank Dr.;

1           Thence proceed in a southeasterly direction along the north right of way line  
2           of Burbank Dr to a point which is 600 feet south of the southeast corner of Lot 8-A,  
3           University Acres Subdivision;

4           Thence proceed in a southwesterly direction, across Burbank dr., to a point  
5           which is the most northerly corner of Tract C-2-A-1-A-1 of the Nelson Property;

6           Thence proceed in a southerly direction along the east line of Tract  
7           C-2-A-1-A-1 of the Nelson Property to the southeast corner of Tract C-2-A-1-A-1  
8           of the Nelson Property;

9           Thence proceed in a southeasterly and easterly direction along the east  
10          property lines of Tracts C-2-A-1-A-1, C-2-A-2-A and C-2-A-3-A of the Nelson  
11          Property to a point on the north right of way line of Nicholson Dr.;

12          Thence proceed in a southeasterly direction along the north right of way line  
13          of Nicholson Dr. to a point which is the intersection of the east property line of the  
14          LSU Ag Center site, said line being the west line of Section 79, Township 8 South,  
15          Range 1 East and Section 73, Township 8 South , Range 1 West;

16          Thence proceed in a southerly direction along said Section line to a point  
17          which is the intersection of said Section line with the southerly right of way line of  
18          River Rd.;

19          Thence proceed in a westerly direction along the south right of way line of  
20          River Rd. to the intersection of the west property line of the LSU Ag Center Site,  
21          said line being the west line of Section 65, Township 8 South, Range 1 West;

22          Thence proceed northerly along the west property line of the LSU Ag center  
23          Site, said line being the west line of Section 65, Township 8 South, Range 1 East to  
24          the northwest corner of said Section 65;

25          Thence proceed in an easterly direction along the north line of said Section  
26          65 to the northeast corner of Section 65, said corner being the southwest corner of  
27          Section 41, Township 8 South, Range 1 West;

28          Thence proceed northerly along the west line of said Section 41 to the south  
29          property line of Laurel Lakes Estates Subdivision;

1           Thence proceed along the property line of Laurel Lakes Estates Subdivision  
2           in an easterly, then northerly, then westerly direction to a point on the eastern line  
3           of Riverbend Subdivision Third filing;

4           Thence proceed in a northerly direction along the east line of Riverbend  
5           Subdivision, Third and First Filings to a point at the northeast corner of Lot 65 of  
6           Riverbend Subdivision, First Filing;

7           Thence proceed in a easterly, then northerly, then northwesterly direction  
8           along the property line of Tract X, Riverbend Subdivision, First filing to the east line  
9           of Riverbend Subdivision, Fifth Filing, said point being the southeast corner of Lot  
10          314 of said Riverbend Subdivision Fifth filing;

11          Thence proceed in a northerly direction along the east line of Riverbend  
12          Subdivision Fifth Filing to the south right of way line of Brightside Lane;

13          Thence proceed in a westerly direction along the south right of way line of  
14          Brightside Lane to a point which is on the west line of Riverbend Subdivision,  
15          Eighth Filing;

16          Thence proceed in a westerly and southerly direction along the west line of  
17          Riverbend Subdivision Eighth Filing to the southwest corner of Lot 810, said point  
18          being the southeast corner of Riverbend Landing Subdivision, Third Filing, Part 3;

19          Thence proceed in a westerly direction along the south line of Riverbend  
20          Landing Subdivision, Third Filing, Parts 3, 4 and Second Filings to the southwest  
21          corner of Lot 658-A, Riverbend Landing Subdivision, Second Filing, said point  
22          being on the east line of Lake Beau Pre' Subdivision;

23          Thence proceed in a southerly then westerly direction along the east and  
24          south line of Lake Beau Pre' Subdivision and Lake Beau Pre' Townhomes, said south  
25          line of Lake Beau Pre' and Lake Beau Pre' Townhomes also being the north line of  
26          Tracts A, B and M-1-A of the BREC Farr Park, to the west right of way line of River  
27          Road;

28          Thence proceed in a northerly direction along the west right of way line of  
29          River Road to the point of beginning.

1           C. The purpose of the district shall be to aid in crime prevention and to add  
2           to the security of district residents by providing for an increase in the presence of law  
3           enforcement personnel in the district and to serve the needs of the residents of the  
4           district by funding beautification and improvements for the overall betterment of the  
5           district.

6           D.(1) The district shall be governed by an eleven-member board of  
7           commissioners, referred to in this Section as the "board". The board shall be  
8           composed as follows:

9           (a) The president of Louisiana State University and Agricultural and  
10          Mechanical College shall appoint four members.

11          (b) The board of directors of the Northgate Merchants Association shall  
12          appoint one member.

13          (c) The board of directors of the Southgate Merchants Association shall  
14          appoint one member.

15          (d) The member of the Louisiana House of Representatives whose district  
16          encompasses all or the greater number of property owners in the area of the district  
17          shall appoint one member.

18          (e) The member of the Louisiana Senate whose district encompasses all or  
19          the greater number of property owners in the area of the district shall appoint one  
20          member.

21          (f) A person appointed by each councilperson of the East Baton Rouge  
22          Metropolitan Council whose district, either wholly or in part, is included in the  
23          boundaries of the district.

24          (2) Except for those members appointed by the president of Louisiana State  
25          University and Agricultural and Mechanical College, all members of the board shall  
26          own property and reside within the district and shall be qualified voters of the  
27          district.

28          (3)(a) Members shall serve four-year terms after initial terms as provided in  
29          this Subparagraph. Three members shall serve an initial term of one year; three shall

1 serve two years; three shall serve three years, and two shall serve four years, as  
2 determined by lot at the first meeting of the board.

3 (b) Any vacancy which occurs prior to the expiration of the term for which  
4 a member of the board has been appointed shall be filled for the remainder of the  
5 unexpired term in the same manner as the original appointment. Board members  
6 shall be eligible for reappointment.

7 (4) The board shall elect from its members a chairman, a vice chairman, a  
8 secretary, a treasurer, and such other officers as it may deem necessary. The duties  
9 of the officers shall be fixed by the bylaws adopted by the board.

10 (5) The minute books and archives of the district shall be maintained by the  
11 secretary of the board. The monies, funds, and accounts of the district shall be in the  
12 official custody of the board.

13 (6) The board shall adopt such bylaws as it deems necessary or advisable for  
14 conducting its business affairs. Rules and regulations of the board relative to the  
15 notice and conduct of meetings shall conform to applicable law, including, if  
16 applicable, the Open Meetings Law. The board shall hold regular meetings as shall  
17 be provided for in the bylaws and may hold special meetings at such times and  
18 places within the district as may be prescribed in the bylaws.

19 (7) The members of the board shall serve without compensation but shall be  
20 reimbursed for their reasonable out-of-pocket expenses directly related to the  
21 governance of the district.

22 E. The district, acting through its board, shall have the following powers and  
23 duties:

24 (1) To sue and be sued.

25 (2) To adopt, use, and alter at will a corporate seal.

26 (3) To receive and expend funds collected pursuant to Subsections F and G  
27 of this Section and in accordance with a budget adopted as provided by Subsection  
28 H of this Section.

29 (4) To enter into contracts with individuals or entities, private or public.

1           (5) To provide or enhance security patrols in the district, to provide for  
2           improved lighting, signage, or matters relating to the security of the district, to  
3           provide for the beautification of and improvements for the district, or to provide  
4           generally for the overall betterment of the district.

5           F. The district, through the board, may impose and collect a parcel fee within  
6           the district subject to and in accordance with the provisions of this Subsection.

7           (1)(a) The fee shall be imposed on each improved and unimproved parcel  
8           located within the district. The owner of the parcel shall be responsible for payment  
9           of the fee.

10           (b) For purposes of this Section, the fee shall be a flat fee per parcel not to  
11           exceed four hundred dollars per year for unimproved parcels zoned residential, four  
12           hundred dollars per year for unimproved and improved single-family parcels zoned  
13           residential, six hundred dollars per year for multiple adjacent residential parcels  
14           housing a single family dwelling; five thousand dollars per year for multi-family  
15           parcels zoned residential, and five thousand dollars per year for unimproved and  
16           improved parcels zoned commercial.

17           (2)(a) The initial amount of the fee shall be as provided in a duly adopted  
18           resolution of the governing authority of the district. The initial fee shall not exceed  
19           one hundred fifty dollars per parcel per year.

20           (b) The fee shall be imposed only after the question of its imposition has  
21           been approved by a majority of the registered voters of the district voting on the  
22           proposition at an election held for that purpose in accordance with the Louisiana  
23           Election Code.

24           (3) Not less than three years after approval of the parcel fee by a majority of  
25           registered voters of the district as provided in this Subsection, the governing  
26           authority of the district may increase the amount of the parcel fee one time without  
27           an election. The amount of the increased fee shall be as provided in a duly adopted  
28           resolution of the board, not to exceed two hundred fifty dollars per parcel per year.



1 However, the amount of the increased fee shall not exceed the maximum amount  
2 provided in Subparagraph(1)(b) of this Subsection.

3 (4) The parcel fee shall expire at the end of the term provided for in the  
4 proposition authorizing the fee, not to exceed fifteen years, but the fee may be  
5 renewed if approved by a majority of the registered voters of the district voting on  
6 the proposition at an election as provided in Subparagraph (2)(b) of this Subsection.  
7 Any election to authorize the renewal of the fee shall be held for that purpose in  
8 accordance with the Louisiana Election Code. If the fee is renewed, the term of the  
9 imposition of the fee shall be as provided in the proposition authorizing such  
10 renewal, not to exceed fifteen years.

11 (5) The fee shall be collected at the same time and in the same manner as ad  
12 valorem taxes are collected by the sheriff, as ex officio tax collector, of the parish of  
13 East Baton Rouge. The sheriff shall collect and remit to the district all amounts  
14 collected. The district may enter into an agreement with the sheriff to authorize the  
15 sheriff to retain a collection fee not to exceed one percent of the amount collected.

16 (6) Any parcel fee which is unpaid shall be added to the tax rolls of East  
17 Baton Rouge Parish and shall be enforced with the same authority and subject to the  
18 same penalties and procedures as unpaid ad valorem taxes.

19 (7) No fee shall be imposed on any parcel owned by the East Baton Rouge  
20 Parish Housing Authority or its affiliated or subsidiary entities, including parcels  
21 subject to a ground lease by the East Baton Rouge Parish Housing Authority.

22 G. The district is authorized to solicit and accept additional voluntary  
23 contributions and grants to further the purposes of the district.

24 H.(1) The board of commissioners shall adopt an annual budget in  
25 accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

26 (2) The district shall be subject to audit by the legislative auditor pursuant  
27 to R.S. 24:513.

28 I.(1) It is the purpose and intent of this Section that the additional law  
29 enforcement personnel and their services provided for through the fees authorized

1 in this Section shall be supplemental to and not in lieu of personnel and services  
2 provided in the district by the city of Baton Rouge, parish of East Baton Rouge.

3 (2) If the district ceases to exist, any funds of the district shall be transmitted  
4 to the governing authority of the city Baton Rouge, parish of East Baton Rouge and  
5 shall be used for law enforcement purposes in the area which comprised the district.

6 J.(1) The district shall indemnify its officers and board members to the  
7 fullest extent permitted by R.S. 12:227, as fully as if the district were a nonprofit  
8 corporation governed thereby, and as may be provided in the district's bylaws.

9 (2) No board member or officer of the district shall be liable to the district  
10 or to any individual who resides, owns property, visits, or otherwise conducts  
11 business in the district for monetary damages for breach of his duties as a board  
12 member or officer, provided that this provision shall not eliminate or limit the  
13 liability of a board member or officer for any of the following:

14 (a) Acts or omissions not in good faith or which involve intentional  
15 misconduct or a knowing violation of law.

16 (b) Any transaction from which he derived an improper personal benefit.

17 (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.  
18 9:2792.1 through 2792.9, a person serving the district as a board member or officer  
19 shall not be individually liable for any act or omission arising out of the performance  
20 of his duties.

21 Section 2. This Act shall become effective upon signature by the governor or, if not  
22 signed by the governor, upon expiration of the time for bills to become law without signature  
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
25 effective on the day following such approval.

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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)]

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HB 565 Reengrossed

2023 Regular Session

Freiberg

**Abstract:** Creates the University Security District in East Baton Rouge Parish. Provides for the district's boundaries, purpose, governance, and funding, including the authority to impose a parcel fee.

Proposed law creates the University Security District in East Baton Rouge 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. Provides that the district shall be governed by a board of commissioners composed as follows:

- (1) Four members appointed by the president of La. State University and Agricultural and Mechanical College.
- (2) One member appointed by the board of directors of the Northgate Merchants Association.
- (3) One member appointed by the board of directors of the Southgate Merchants Association.
- (4) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater number of property owners in the area of the district.
- (5) One member appointed by the member of the La. Senate whose district encompasses all or the greater number of property owners in the area of the district.
- (6) One member appointed by each councilperson of the East Baton Rouge Metropolitan Council whose district, either wholly or in part, is included in the boundaries of the district.

Provides that members serve four-year staggered terms.

Proposed law provides for the district's powers and duties including the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds from an authorized parcel fee and other contributions and in accordance with an adopted budget.
- (4) To enter into contracts with individuals or entities, private or public.
- (5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district, to provide for the beautification of and improvement to the district, and to provide generally for the overall betterment of the district.

Proposed law authorizes the district, subject to voter approval, to impose and collect a parcel fee on each improved and unimproved parcel. Further provides that the amount of the fee shall be as follows:

- (1) For unimproved parcels zoned residential the fee shall be a flat fee per parcel of land not to exceed \$400 per year.
- (2) For unimproved and improved single-family parcels zoned residential the fee shall be a flat fee per parcel of land not to exceed \$400 per year.
- (3) For multiple adjacent residential parcels housing a single family dwelling the fee shall be a flat fee not to exceed \$600 per year.
- (4) For improved multi-family parcels zoned residential the fee shall be a flat fee not to exceed \$5,000 per year.
- (5) For unimproved and improved parcels zoned commercial the fee shall not exceed \$5,000 per year.

Provides that the initial fee shall not exceed \$150 per parcel per year.

Proposed law provides that the fee shall expire at the end of the term provided for in the proposition authorizing the fee, not to exceed 15 years. Authorizes the board to increase the fee one time without election not less than three years after initial approval. Provides that the increased fee shall not exceed \$250 per parcel per year, but shall not exceed the maximum amount provided in proposed law. Authorizes renewal of the fee, subject to voter approval, for a term not to exceed 15 years. Prohibits the imposition of the fee on parcels owned by the East Baton Rouge Parish Housing Authority or its affiliated or subsidiary entities.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Requires the tax collector to remit to the district all amounts collected not more than 60 days after collection and authorizes the district to enter into an agreement with the tax collector to authorize the retention of a collection fee, not to exceed 1% of the amount collected.

Proposed law requires the district's board to adopt an annual budget in accordance with the La. Local Government Budget Act and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to, and not in lieu of, personnel and services provided in the district by the city-parish.

Proposed law provides that if the district ceases to exist, all district funds shall be transmitted to the governing authority of East Baton Rouge Parish and used for law enforcement purposes in the area that comprised the district.

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

(Adds R.S. 33:9097.37)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Change the district's boundaries.
2. Prohibit the imposition of the fee on parcels owned by the East Baton Rouge Parish Housing Authority or its affiliated or subsidiary entities.