

2023 Regular Session

HOUSE BILL NO. 409

BY REPRESENTATIVE EDMONDS

1 AN ACT

2 To amend and reenact R.S. 33:4161.1, relative to stormwater management; to authorize  
3 parishes and municipalities to create stormwater management utility districts; to  
4 provide relative to the purpose, boundaries, governance, and powers and duties of  
5 the districts; to provide for the funding of any such district; and to provide for related  
6 matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:4161.1 is hereby amended and reenacted to read as follows:

9 §4161.1. Stormwater ~~utility systems; political subdivisions~~ management utility  
10 districts; parishes and municipalities

11 A. ~~For the purpose of managing stormwater flooding, including abatement~~  
12 ~~of litter and other flood-causing sediments, a political subdivision may create one or~~  
13 ~~more stormwater utility systems and adopt stormwater utility fees sufficient to plan,~~  
14 ~~construct, acquire, extend, improve, operate, and maintain stormwater management~~  
15 ~~systems, either within or without its boundaries. Any stormwater utility system~~  
16 ~~created pursuant to this Section shall be a revenue-producing public utility pursuant~~  
17 ~~to R.S. 33:4161 and shall have all the rights, powers, and privileges granted to such~~  
18 ~~utilities by this Part and any other applicable provisions of law. The governing~~  
19 authority of any parish or municipality may create, by ordinance, a stormwater  
20 management utility district, referred to in this Section as the "district", for the  
21 purpose of managing stormwater flooding, including abatement of litter and other  
22 flood-causing sediments. Any such district shall be a political subdivision of the

1 state as defined in the Constitution of Louisiana. The boundaries of the district shall  
2 encompass all of the territory of the respective parish or municipality. The  
3 governing authority of the respective parish or municipality shall be the governing  
4 authority of the district, referred to in this Section as the "board".

5 B. Any district created pursuant to this Section may create and operate one  
6 or more stormwater management utility systems within the boundaries of the  
7 respective district. Any such system shall be a revenue-producing public utility and  
8 shall have all the rights, powers, and privileges granted to any such utility pursuant  
9 to this Chapter and any other applicable provisions of law.

10 C.(1) Any district created pursuant to this Section may, by duly adopted  
11 resolution of the board, levy fees within the boundaries of the district to aid in the  
12 planning, construction, acquisition, extension, improvement, operation, and  
13 maintenance of stormwater management utility systems.

14 (2)(a) The fees authorized in this Section shall be imposed by resolution of  
15 the board. However, any resolution imposing fees shall be adopted only after a  
16 proposition authorizing the levy of such fees has been approved by a majority of the  
17 electors of the district voting at an election held for that purpose in accordance with  
18 the Louisiana Election Code. The purpose, term, and amount of the fees shall be as  
19 provided in the resolution.

20 (b) The board may provide in the resolution necessary and appropriate rules  
21 and regulations for the imposition, collection, and enforcement of the fees.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_