

## RÉSUMÉ DIGEST

**ACT 319 (HB 409)**

**2023 Regular Session**

**Edmonds**

Prior law authorized any political subdivision to create one or more stormwater utility systems to manage stormwater flooding and adopt stormwater utility fees sufficient to plan, construct, acquire, extend, improve, operate, and maintain stormwater management systems, either within or outside of its boundaries.

New law authorizes parish and municipal governing authorities to create stormwater management utility districts as political subdivisions of the state to manage stormwater flooding. Authorizes such a district to create and operate one or more stormwater management utility systems within its boundaries. Provides that the governing authority of the respective parish or municipality shall be the governing authority of the district.

New law further provides that any system created pursuant to new law is a revenue-producing public utility pursuant to existing law and shall have all the rights, powers, and privileges granted to the utilities by existing law. Existing law defines a "revenue-producing public utility" as a revenue-producing business or organization that regularly supplies the public with a commodity, service, project, or undertaking owned and operated by a political subdivision, from the conduct and operation of which revenue can be derived.

New law additionally authorizes the districts to levy fees, subject to voter approval, to aid in the planning, construction, acquisition, extension, improvement, operation, and maintenance of stormwater management utility systems. Provides that the purpose, term, and amount of the fees shall be as provided in the board's resolution.

Effective August 1, 2023.

(Amends R.S. 33:4161.1)