

2024 Regular Session

HOUSE BILL NO. 354

BY REPRESENTATIVE BRASS

DISTRICTS/ROAD LIGHTING: Provides for the renaming of road lighting districts and the allocation of funding

1 AN ACT

2 To amend and reenact the heading of Chapter 7 of Title 48 of the Louisiana Revised Statutes
3 of 1950, R.S. 48:1301, 1303, 1304, 1306, 1307, 1308, 1308.1, 1308.2, 1308.3,
4 1308.4, and 1309 and to enact R.S. 48:1306.1, relative to expanding the use of
5 security and road lighting district funds to allow for electronic safety equipment; to
6 change the name of road lighting districts to security and road lighting districts; to
7 allow for security and lighting district funds to be spent on electronic safety
8 equipment; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. The heading of Chapter 7 of Title 48 of the Louisiana Revised Statutes
11 of 1950, R.S. 48:1301, 1303, 1304, 1306, 1307, 1308, 1308.1, 1308.2, 1308.3, 1308.4, and
12 1309 are hereby amended and reenacted and R.S. 48:1306.1 is enacted to read as follows:

13 CHAPTER 7. SECURITY AND ROAD LIGHTING DISTRICTS

14 §1301. Authorization to create consolidated security and road lighting districts

15 The governing authority of any parish may create within such parish one or
16 more consolidated security and road lighting districts comprised of one or more
17 existing security and road lighting districts, together with, if so determined by the
18 governing authority, territory not within the boundaries of an existing security and
19 road lighting district. Consolidated security and road lighting districts so created
20 shall constitute security and road lighting districts within the meaning of ~~Sub-section~~

1 Subsection C.1 of Section 14 of Article XIV of the Constitution and, as such, shall
2 enjoy all rights, powers and privileges enjoyed by security and road lighting districts
3 under and by virtue of the provisions of said Sub-section, including the right to levy
4 taxes as provided therein. The governing authority of each such consolidated
5 security and road lighting district shall be the governing authority of the parish
6 creating the district.

7 * * *

8 §1303. Tax-levying power vested in consolidated district

9 At the expiration of such thirty-day period, security and road lighting districts
10 included in any such consolidated district shall no longer have the right to levy taxes,
11 and the said consolidated district shall be vested with full authority to levy taxes
12 within and for the consolidated district pursuant to and in accordance with the
13 original authorization for the levy of taxes granted to each of the underlying districts
14 included within the consolidated district. It shall be the duty of the governing
15 authority of the consolidated district to cause taxes to continue to be levied under and
16 in accordance with the original authorization granted to each of the security and road
17 lighting districts included within the consolidated district, and such taxes as may be
18 levied by the governing authority of the consolidated district shall, to the extent
19 hereafter provided, be entitled to the benefit of the exemption and to the reimbursal
20 authorized by R.S. 39:253.

21 §1304. ~~Security and Road~~ road lighting districts in existence prior to Aug. 1, 1956;
22 status as to exemptions; new territory

23 Where security and road lighting districts consolidated into any consolidated
24 district hereunder have been in existence prior to August 1, 1956, the creation of the
25 consolidated district will be solely for the purpose of continuing the security and
26 road lighting programs for which the districts so consolidated were originally
27 created, and the provisions of R.S. 39:253 shall be regarded as applicable in all
28 respects to taxes levied by any such consolidated district, and such district shall be
29 considered to be a district created prior to August 1, 1956, for all purposes of said

1 section, provided, however, the exemption authorized herein shall not apply to new
2 territory added to any consolidated district as authorized herein, nor shall the
3 exemption apply to taxes levied by a consolidated district for the benefit of
4 underlying districts not eligible therefor under existing provisions of R.S. 39:253.

5 §1306. Power of parish governing authorities to create security and road lighting
6 districts

7 Parish governing authorities may create security and road lighting districts,
8 composed of territory wholly within a parish. A district so created shall be a
9 political and legal subdivision of the state, with full power to sue and be sued in its
10 corporate name. It may enter into contracts with any electric public utility to provide
11 and maintain electronic safety equipment and electric lights on the streets, roads,
12 highways, alleys, and public places of the district.

13 §1306.1. Electronic safety equipment

14 Parish governing authorities may utilize up to twenty-five percent of security
15 and road lighting district funds for electronic safety equipment within the security
16 and road lighting district.

17 §1307. Security and ~~Road~~ road lighting districts; designation

18 Each such district shall be designated Security and Road Lighting District
19 No. _____ of the parish of _____. The parish governing authority creating such
20 district shall be the governing authority thereof, and the parish treasurer shall be the
21 treasurer of the district.

22 §1308. Security and ~~Road~~ road lighting districts; tax levy

23 For the purpose of providing and maintaining such electronic safety
24 equipment and electric light on the streets, roads, highways, alleys, and public places
25 in such district, any security and road lighting district may levy taxes not to exceed
26 in any year five mills on the dollar on all of the taxable property within the
27 boundaries thereof, except railroad rights of way and tracks located thereon.
28 However, the special tax herein authorized shall not run for a longer period than ten
29 years, and the rate, purpose, and duration of any special tax first shall be submitted

1 to the electors of the district in which the tax is to be levied at an election called and
2 held for that purpose in the same manner as provided by law for elections for levying
3 taxes for the purposes set out in Section 32 of Article VI of the constitution, and a
4 majority of those voting shall have voted in favor thereof.

5 §1308.1. Assumption Parish security and road lighting districts; tax levy

6 Notwithstanding the provisions of R.S. 48:1308, the governing authority of
7 any security and road lighting district within the parish of Assumption may levy
8 taxes not to exceed in any year twenty mills on the dollar on all of the taxable
9 property within the boundaries of the district. All other provisions and limitations
10 of R.S. 48:1308 shall apply to any tax so levied.

11 §1308.2. Terrebonne Parish security and road lighting districts; tax levy

12 Notwithstanding the provisions of R.S. 48:1308, the governing authority of
13 any security and road lighting district within the parish of Terrebonne may levy taxes
14 not to exceed in any year ten mills on the dollar on all of the taxable property within
15 the boundaries of the district. All other provisions and limitations of R.S. 48:1308
16 shall apply to any tax so levied.

17 §1308.3. Jefferson Parish security and road lighting districts; additional tax

18 In addition to the tax provided for in R.S. 48:1308, the governing authority
19 of the parish of Jefferson is hereby authorized to levy in any security and road
20 lighting district in the parish an additional tax not to exceed ten mills on the dollar
21 of assessed valuation for a period not to exceed ten years, if the question of levying
22 such tax is approved by the favorable vote of a majority of the electors of the district
23 voting in an election called for that purpose. The purpose of the additional tax shall
24 be to provide and maintain artificial lighting on the streets, roads, highways, alleys,
25 and public places in the district.

26 §1308.4. Millage limitation; certain parishes; voter approval

27 Notwithstanding any provision of law to the contrary which limits ad valorem
28 tax millage which may be imposed, the governing authority of any security and road
29 lighting district of a parish that has adopted a charter for local self-government or

1 other home rule charter may levy special ad valorem tax millage in excess thereof,
2 provided such levy is not inconsistent with the parish charter or the Constitution of
3 Louisiana, for a period not to exceed ten years, if the question of levying such tax is
4 approved by the favorable vote of a majority of the electors of the district voting in
5 an election called for that purpose.

6 §1309. Service charge authorized for Ouachita Parish; assessment and collection

7 A.(1) The governing authority of any security and road lighting district
8 situated wholly within the geographical boundaries of Ouachita Parish is hereby
9 authorized to establish, by majority vote of the members of the authority, a service
10 charge or rates of service charge to be assessed to persons occupying residential and
11 nonresidential structures, and persons owning unoccupied structures located wholly
12 or partly within the boundaries of a security and road lighting district, and persons
13 owning lots located wholly or partly within the boundaries of a security and road
14 lighting district as customers of the district, subject to Subsection B of this Section.

15 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
16 governing authority of any security and road lighting district situated wholly within
17 the geographical boundaries of Ouachita Parish may establish, by majority vote of
18 the members of the authority, a service charge or rates of service charge to be
19 assessed to persons owning parcels of immovable property located wholly or partly
20 within the boundaries of a security and road lighting district, subject to Subsection
21 B of this Section.

22 (3) Such service charge or rates of service charge shall be equal for all
23 customers and shall be framed so as to cover and shall be used for the cost of any and
24 all of the following components of security and road lighting district services:

- 25 (a) Payment of utility charges incurred in the provision of road lighting.
- 26 (b) The maintenance and operation of security and road lighting district
27 facilities and equipment.
- 28 (c) Cost of collection of service charges pursuant to Subsections C and D of
29 this Section.

1 B. Service charges or rates of service charges so established shall be assessed
2 by resolution of the governing authority of the security and road lighting district.
3 However, the resolution assessing the service charges shall be adopted by the
4 governing authority only after the question of the assessment, the method of
5 assessment, and the amount of the service charge or rates of service charges
6 established have been submitted to and approved by a majority of electors of the
7 district voting at an election held for that purpose. Such election shall be conducted
8 in accordance with the election laws of the state and shall be held at the same time
9 that an election authorized by the provisions of R.S. 18:402 is held.

10 C. The governing authority of any security and road lighting district
11 assessing a service charge or rates of service charge for road lighting services to
12 customers of the district as provided in this Section shall also have the authority to
13 use any necessary and proper means to collect and enforce the collection of such
14 service charges, including contracting with another political subdivision within
15 Ouachita Parish or a utility regulated by the Louisiana Public Service Commission
16 to effect such collection.

17 D. Service charges assessed against the owners of parcels of immovable
18 property within a road lighting district pursuant to this Section shall be carried on the
19 tax rolls for Ouachita Parish and shall be added to the annual ad valorem tax bill for
20 such parcels. Such service charges shall be collected and become due and delinquent
21 at the same times as parish ad valorem taxes are collected and become due and
22 delinquent. The sheriff of Ouachita Parish may use any reasonable means to collect
23 and enforce the collection of such service charges, including any means authorized
24 by law for collection of taxes. The governing authority of the security and road
25 lighting district shall reimburse the sheriff an amount equal to five percent of the
26 amount of such service charges actually collected from property owners. The
27 collection charge shall be in addition to such service charges and shall also be added
28 to the ad valorem tax bill for such parcels.

1 Section 2. The Louisiana State Law Institute is hereby authorized and directed to
 2 review all statutes which contain phrases being changed by this Act and in all locations it
 3 deems appropriate to change such references.

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 354 Original

2024 Regular Session

Brass

Abstract: Provides for changes to the name of road lighting districts to security and road lighting districts. Further provides for security and road lighting district funds to be utilized to expand safety measures within the security and road lighting district.

Present law authorizes local governing authorities to create consolidated road lighting districts.

Proposed law retains the authorization but changes the name from road lighting districts to security and road lighting districts.

Present law provides for individual road lighting districts to no longer have the power to levy taxes when they are incorporated into a consolidated road lighting district.

Proposed law retains the provision of present law but changes the name from road lighting district to security and road lighting district.

Present law provides for consolidated districts to retain the original purpose for which they were created.

Proposed law retains provisions of present law but changes the name from road lighting districts to security and road lighting districts.

Present law provides for parish governing authorities to create road lighting districts to provide and maintain electric lights on the streets, roads, highways, alleys, and public places of the district.

Proposed law retains provisions of present law but changes the name from road lighting districts to security and road lighting districts and adds electronic safety equipment to the things the districts can provide and maintain.

Present law provides for the designation of road lighting districts, for parish governing authority to be the governing authority of the district, and for the parish treasurer to be the treasurer of the district.

Proposed law retains provisions of present law but changes the designation from road lighting districts to security and road lighting districts.

Present law provides for taxes to be levied to provide electric light on the streets, roads, highways, alleys, and public places in road lighting districts.

Proposed law retains provisions of present law but adds provision of electronic safety equipment in addition to electric lights on the streets, roads, highways, alleys, and public

places in road lighting districts and changes the name from road lighting districts to security and road lighting districts.

Present law provides for limitations on taxes levied for road lighting districts in specific parishes.

Proposed law retains provisions of present law but changes the name from road lighting districts to security and road lighting districts.

Present law provides millage limitations for certain parishes and requires voter approval for the tax to be levied.

Present law authorizes a service charge in Ouachita Parish for road lighting districts.

Proposed law retains the provision of present law but changes the name from road lighting districts to security and road lighting districts.

Proposed law allows parish governing authorities to utilize up to twenty-five percent of security and road lighting district funds for electronic safety equipment within the security and road lighting district.

Authorizes and directs the Louisiana State Law Institute to review all statutes containing phrases being changed by this Act and to change such references where it deems appropriate.

(Amends the heading of Chapter 7 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:1301, 1303, 1304, 1306, 1307, 1308, 1308.1, 1308.2, 1308.3, 1308.4, 1309; Adds R.S. 48:1306.1)