

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 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.

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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 354 Engrossed

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)