

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           ~~C.1 of Section 14 of Article XIV of the Constitution~~ R.S. 48:1306 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~~ that Section, including the  
 4           right to levy taxes as provided ~~therein~~ in R.S. 48:1308. The governing authority of  
 5           each such consolidated security and road lighting district shall be the governing  
 6           authority of the parish creating the district.

7   \*           \*           \*

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

9                                 At the expiration of ~~such thirty-day period~~ the thirty-day period prescribed  
 10                                 by R.S. 48:1302, security and road lighting districts included in any such  
 11                                 consolidated district shall no longer have the right to levy taxes, and the ~~said~~  
 12                                 consolidated district shall be vested with full authority to levy taxes within and for  
 13                                 the consolidated district pursuant to and in accordance with the original authorization  
 14                                 for the levy of taxes granted to each of the underlying districts included within the  
 15                                 consolidated district. It shall be the duty of the governing authority of the  
 16                                 consolidated district to cause taxes to continue to be levied under and in accordance  
 17                                 with the original authorization granted to each of the security and road lighting  
 18                                 districts included within the consolidated district, and such taxes as may be levied  
 19                                 by the governing authority of the consolidated district shall, to the extent hereafter  
 20                                 provided, be entitled to the benefit of the exemption and to the reimbursal authorized  
 21                                 by R.S. 39:253.

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

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

1 considered to be a district created prior to August 1, 1956, for all purposes of said  
2 section, provided, however, the exemption authorized herein shall not apply to new  
3 territory added to any consolidated district as authorized herein, nor shall the  
4 exemption apply to taxes levied by a consolidated district for the benefit of  
5 underlying districts not eligible therefor under existing provisions of R.S. 39:253.

6 \* \* \*

7 §1306. Power of parish governing authorities to create security and road lighting  
8 districts

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

15 §1306.1. Electronic safety equipment

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

19 §1307. Security and ~~Road~~ road lighting districts; designation

20 Each such district shall be designated Security and Road Lighting District  
21 No. \_\_\_\_\_ of the parish of \_\_\_\_\_. The parish governing authority creating such  
22 district shall be the governing authority thereof, and the parish treasurer shall be the  
23 treasurer of the district.

24 §1308. Security and ~~Road~~ road lighting districts; tax levy

25 For the purpose of providing and maintaining such electronic safety  
26 equipment and electric light on the streets, roads, highways, alleys, and public places  
27 in such district, any security and road lighting district may levy taxes not to exceed  
28 in any year five mills on the dollar on all of the taxable property within the  
29 boundaries thereof, except railroad rights of way and tracks located thereon.

1           However, the special tax herein authorized shall not run for a longer period than ten  
2           years, and the rate, purpose, and duration of any special tax first shall be submitted  
3           to the electors of the district in which the tax is to be levied at an election called and  
4           held for that purpose in the same manner as provided by law for elections for levying  
5           taxes for the purposes set out in Section 32 of Article VI of the ~~constitution~~  
6           Constitution of Louisiana, and a majority of those voting shall have voted in favor  
7           thereof.

8           §1308.1. Assumption Parish security and road lighting districts; tax levy

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

14           §1308.2. Terrebonne Parish security and road lighting districts; tax levy

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

20           §1308.3. Jefferson Parish security and road lighting districts; additional tax

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

1 §1308.4. Millage limitation; certain parishes; voter approval

2 Notwithstanding any provision of law to the contrary which limits ad valorem  
3 tax millage which may be imposed, the governing authority of any security and road  
4 lighting district of a parish that has adopted a charter for local self-government or  
5 other home rule charter may levy special ad valorem tax millage in excess thereof,  
6 provided such levy is not inconsistent with the parish charter or the Constitution of  
7 Louisiana, for a period not to exceed ten years, if the question of levying such tax is  
8 approved by the favorable vote of a majority of the electors of the district voting in  
9 an election called for that purpose.

10 §1309. Service charge authorized for Ouachita Parish; assessment and collection

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

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

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

29 (a) Payment of utility charges incurred in the provision of road lighting.

1 (b) The maintenance and operation of security and road lighting district  
2 facilities and equipment.

3 (c) Cost of collection of service charges pursuant to Subsections C and D of  
4 this Section.

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

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

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

1 amount of such service charges actually collected from property owners. The  
2 collection charge shall be in addition to such service charges and shall also be added  
3 to the ad valorem tax bill for such parcels.

4 Section 2. The Louisiana State Law Institute is hereby authorized and directed to  
5 review all statutes which contain phrases being changed by this Act and in all locations it  
6 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 Reengrossed

2024 Regular Session

Brass

**Abstract:** Authorizes parishes to use up to 25% of the funds of a road lighting district for electronic safety equipment and changes statutory references to road lighting districts to security and road lighting districts.

Present law authorizes parish governing authorities to create road lighting districts and to consolidate existing districts. Road lighting districts are authorized to enter into contracts with an electric public utility to provide and maintain electric lights on the roads and in public places. Provides that the parish governing authority is the governing authority of such a district and the parish treasurer is the district's treasurer. Authorizes road lighting districts to levy ad valorem taxes subject to voter approval.

Proposed law authorizes parish governing authorities to utilize up to 25% of road lighting district funds for electronic safety equipment. Changes statutory references to road lighting districts to security and road lighting districts.

(Amends the heading of Chapter 7 of Title 48 of La. Revised Statutes of 1950 and R.S. 48:1301, 1303, 1304, and 1306-1309; Adds R.S. 48:1306.1)

#### Summary of Amendments Adopted by House

##### The House Floor Amendments to the engrossed bill:

1. Make technical changes.