

2024 Regular Session

HOUSE BILL NO. 690

BY REPRESENTATIVE MARCELLE

DISTRICTS/NEIGHBORHOOD: Provides relative to the Melrose East Crime Prevention District in East Baton Rouge Parish

1 AN ACT

2 To amend and reenact R.S. 33:9097.7(B), (C), and (F), relative to East Baton Rouge Parish;
3 to provide relative to the Melrose East Crime Prevention District; to provide relative
4 to the boundaries, purpose, and powers and duties of the district; to provide relative
5 to the imposition of a parcel fee within the district; to provide relative to the
6 expiration and renewal of the fee; to provide for an effective date; and to provide for
7 related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:9097.7(B), (C), and (F), are hereby amended and reenacted to
13 read as follows:

14 §9097.7. Melrose East Crime Prevention District

15 * * *

16 B.(1) Boundaries. The district shall encompass the area included within the
17 following perimeter: Renoir Avenue, North Ardenwood Drive, North Lobdell
18 Boulevard, and Florida Boulevard.

19 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
20 boundaries of the district shall also encompass the area included on both sides of the

1 following streets: Renoir Avenue, North Ardenwood Drive, North Lobdell
 2 Boulevard, and Florida Boulevard if the question of expansion and imposition of the
 3 parcel fee is approved by a majority of the registered voters in the area included
 4 within the expanded boundaries voting on a proposition at an election held for that
 5 purpose in accordance with the Louisiana Election Code. No less than thirty days
 6 prior to any election held to approve such expansion and parcel fee, the board shall
 7 mail notification of the upcoming election to each registered voter of the expanded
 8 area and to each owner of a parcel in the expanded area who is not a registered voter
 9 of the expanded area.

10 C.(1) Purpose. The purpose of the district shall be to aid in crime prevention
 11 and to add to the security of district residents by providing for an increase in the
 12 presence of law enforcement personnel in the district.

13 (2) In addition to the purposes provided for in Paragraph (1) of this
 14 Subsection, the district is also created for the purpose of adding to the overall
 15 betterment of the district by providing for beautification and other improvements
 16 within the district if the question of the additional purposes and the imposition of the
 17 parcel fee for such purposes is approved by a majority of the registered voters in the
 18 district voting on a proposition at an election held for that purpose in accordance
 19 with the Louisiana Election Code. No less than thirty days prior to any election held
 20 to approve such additional purposes and parcel fee, the board shall mail notification
 21 of the upcoming election to each registered voter of the district and to each owner
 22 of a parcel in the district who is not a registered voter of the expanded area.

23 * * *

24 F. Parcel fee. The ~~governing authority of East Baton Rouge Parish~~
 25 governing authority of the district may impose and collect a parcel fee within the
 26 district subject to and in accordance with the provisions of this Subsection:

27 (1) The amount of the fee shall be as requested by duly adopted resolution
 28 of the board. The fee, however, shall not exceed two hundred dollars per parcel per

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 year for lots zoned for residential use and two thousand dollars per parcel per year
2 for lots zoned for commercial use.

3 (2)(a) The fee shall be imposed on each improved parcel located within the
4 district.

5 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion
6 of ground, or an individual tract and does not mean a "condominium parcel" as
7 defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector
8 shall impose the parcel fee on each lot on which condominiums are situated and not
9 on individual condominium units.

10 (c) The owner of the parcel shall be responsible for payment of the fee.

11 (3)(a) The fee shall be imposed only after the question of its imposition has
12 been approved by a majority of the registered voters of the district voting on the
13 proposition at an election held for that purpose in accordance with the Louisiana
14 Election Code. At least thirty days prior to any election held to approve imposition
15 of a parcel fee, the board shall mail notification of the upcoming election to each
16 registered voter of the district and to each owner of a parcel in the district who is not
17 a registered voter of the district. No other election shall be required except as
18 provided by this Paragraph.

19 (b) The ~~initial~~ election on the question of the imposition of the fee shall be
20 held at the same time as a regularly scheduled election in the parish of East Baton
21 Rouge.

22 (c) The fee shall expire ~~ten years from its initial levy~~ at the end of the term
23 provided for in the proposition authorizing the fee, not to exceed ten years, but may
24 be renewed as provided in Subparagraph (a) of this Paragraph. If the fee is renewed,
25 the term of the imposition of the fee shall be as provided in the proposition
26 authorizing such renewal.

27 (4) The fee shall be collected at the same time and in the same manner as ad
28 valorem taxes are collected by the parish.

1 (5) Any parcel fee which is unpaid shall be added to the tax rolls of the
2 parish and shall be enforced with the same authority and subject to the same
3 penalties and procedures as unpaid ad valorem taxes.

4 (6) ~~The parish of East Baton Rouge shall remit to the district all amounts~~
5 ~~collected not more than sixty days after collection. However, the parish may retain~~
6 ~~one percent of the amount collected as a collection fee.~~ The sheriff of East Baton
7 Rouge Parish shall collect and remit to the district all amounts collected not more
8 than sixty days after collection; however, the sheriff may enter into an agreement
9 with the district to authorize the retention of an annual collection fee, not to exceed
10 one percent of the amount collected.

11 * * *

12 Section 2. (A) The provisions of this Act shall not affect the parcel fee levied within
13 the Melrose East Crime Prevention District on the effective date of this Act. The governing
14 authority of East Baton Rouge Parish shall continue to levy the fee until such time as it
15 expires, as provided in the proposition approved by a majority of the district's registered
16 voters voting on the proposition at an election held on December 10, 2022.

17 (B) Notwithstanding the provisions of Subsection A of this Section, the board of
18 commissioners of the Melrose East Crime Prevention District may call an election for the
19 purpose of submitting the question of the imposition of the fee authorized in this Act to the
20 voters prior to December 31, 2032. If the imposition of the fee is approved by a majority
21 of the district's registered voters voting on the proposition at any such election, the governing
22 authority of the district shall then begin to levy a parcel fee as provided in the proposition.

23 (C) At no time shall a property owner in the district be subject to an annual parcel
24 fee, whether paid to the district or to the parish on behalf of the district or both, that exceeds
25 the rate limits provided in R.S. 33:9097.4(F)(1) as amended by this Act.

26 Section 3. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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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)]

HB 690 Engrossed

2024 Regular Session

Marcelle

Abstract: Relative to the Melrose East Crime Prevention District in East Baton Rouge Parish, expands the district's boundaries and purposes, and provides relative to the imposition of a parcel fee.

Present law creates the Melrose East Crime Prevention District in East Baton Rouge Parish for the purpose of aiding in crime prevention and adding to the security of district residents by providing for an increase in the presence of law enforcement personnel in the district. Provides that the district is governed by a seven-member board of commissioners. Provides for district boundaries.

Proposed law retains present law but, subject to voter approval, expands the boundaries and purposes of the district to include beautification and other improvements, subject to voter approval.

Present law authorizes the governing authority of East Baton Rouge Parish, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the amount of the fee shall be as requested by the board. Further provides that the fee shall be a flat fee per improved parcel not to exceed \$200 per year for lots zoned for residential use and \$2,000 per year for lots zoned for commercial use. Requires that the fee be imposed on each improved parcel located within the district.

Proposed law authorizes the district, rather than the governing authority of East Baton Rouge Parish, to impose and collect a parcel fee within the district. Proposed law retains parcel fee amounts.

Present law requires the initial election on the question of the imposition to be held at the same time as a regularly scheduled election in East Baton Rouge Parish. Provides that the fee shall expire 10 years from its initial levy.

Proposed law provides that the fee expires at the end of the term provided for in the proposition authorizing the fee, not to exceed 10 years.

Present law requires that the fee be collected at the same time and in the same manner as ad valorem taxes are collected. Further requires the parish to collect and remit to the district all amounts collected not more than 60 days after collection. Authorizes the parish to retain a 1% collection fee.

Proposed law instead requires the sheriff of East Baton Rouge Parish to collect and remit to the district all amounts collected not more than 60 days after collection. Authorizes the sheriff to enter into an agreement with the district for the retention of a collection fee, not to exceed 1%.

Proposed law requires the governing authority of East Baton Rouge Parish to continue to levy the fee until such time as it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on

Dec. 10, 2022. However, proposed law authorizes the board to submit the question of imposition of the fee as provided in proposed law to the voters prior to the expiration of the fee. Requires the board to begin to levy a parcel fee as provided in proposed law if the parcel fee has been approved by the voters.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 33:9097.7(B), (C), and (F))