

ACT No. 209

2024 Regular Session

HOUSE BILL NO. 237

BY REPRESENTATIVE NEWELL

1 AN ACT

2 To amend and reenact R.S. 33:9091.23(B), (D), (E)(4), (F)(1), (2)(b) and (c), and (3), and
3 (I)(1), relative to Orleans Parish; to provide relative to the Faubourg Marigny
4 Security and Improvement District; to provide relative to the boundaries,
5 governance, and powers and duties of the district; to provide relative to the parcel fee
6 imposed within the district; to provide relative to the amount, expiration, and
7 renewal of the fee; to provide for an effective date; and to provide for related
8 matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9091.23(B), (D), (E)(4), (F)(1), (2)(b) and (c), and (3), and (I)(1)
14 are hereby amended and reenacted read as follows:

15 §9091.23. Faubourg Marigny Security and Improvement District

16 * * *

17 B. Boundaries. The boundaries of the district shall be that area within and
18 including the following perimeter: beginning at the intersection of Esplanade
19 Avenue and North Peters Street proceeding along Esplanade Avenue (interior side)
20 to its intersection with North Rampart Street, along North Rampart (~~interior side~~)
21 (both sides) to ~~McShane Place~~ Joseph Guillaume Place, along ~~McShane Place~~
22 (~~interior side~~) Joseph Guillaume Place (both sides) to St. Claude Avenue, then
23 proceeding along St. Claude Avenue (~~interior side~~) (both sides) to its intersection
24 with ~~Press Street~~ Homer Plessy Way, then proceeding along ~~Press Street~~ Homer
25 Plessy Way(interior side) to its intersection with Chartres Street, then proceeding
26 along Chartres Street (both sides) to its intersection with St. Ferdinand Street, along

1 St. Ferdinand Street (both sides) to its intersection with North Peters Street, and
2 along North Peters Street (both sides) back to its intersection with Esplanade
3 Avenue.

4 * * *

5 D. Governance. ~~(1) The district shall be governed by a board of~~
6 ~~commissioners consisting of seven members as follows:~~

7 ~~(a) The board of directors of the Faubourg Marigny Improvement~~
8 ~~Association shall appoint three members.~~

9 ~~(b) The member or members of the Louisiana House of Representatives who~~
10 ~~represent the area which comprises the district shall appoint one member.~~

11 ~~(c) The member or members of the Louisiana Senate who represent the area~~
12 ~~which comprises the district shall appoint one member.~~

13 ~~(d) The member or members of the governing authority of the city of New~~
14 ~~Orleans who represent the area which comprises the district shall appoint one~~
15 ~~member.~~

16 ~~(e) The mayor of the city of New Orleans shall appoint one member.~~

17 ~~(2) All members shall be qualified voters and residents of the district.~~

18 ~~(3) Board members appointed pursuant to Subparagraph (1)(a) of this~~
19 ~~Subsection shall serve two-year terms after serving initial terms as provided in this~~
20 ~~Paragraph. One member shall serve an initial term of one year and two shall serve~~
21 ~~initial terms of two years, as determined by lot at the first meeting of the board held~~
22 ~~after such members are appointed.~~

23 ~~(4) Each member serving pursuant to Subparagraphs (1)(b) through (c) of~~
24 ~~this Subsection shall serve on the board during the term of his respective appointing~~
25 ~~authority.~~

26 ~~(5) Any vacancy which occurs prior to the expiration of the term for which~~
27 ~~a member of the board has been appointed shall be filled for the remainder of the~~
28 ~~unexpired term in the same manner as the original appointment. Board members~~
29 ~~shall be eligible for reappointment.~~

1 ~~(6) The board shall elect from its members a chairman, a vice chairman, a~~
2 ~~secretary-treasurer, and other such officers as it may deem necessary. The duties of~~
3 ~~the officers shall be fixed by the bylaws adopted by the board.~~

4 ~~(7) The minute books and archives of the district shall be maintained by the~~
5 ~~secretary-treasurer of the board. The monies, funds, and accounts of the district shall~~
6 ~~be in the official custody of the board.~~

7 ~~(8) The board shall adopt such rules and regulations as it deems necessary~~
8 ~~or advisable for conducting its business affairs. Rules and regulations of the board~~
9 ~~relative to the notice and conduct of meetings shall conform to applicable law. The~~
10 ~~board shall hold regular meetings as shall be provided for in the bylaws and may~~
11 ~~hold special meetings at such times and places within the district as may be~~
12 ~~prescribed in the bylaws.~~

13 ~~(9) A majority of the members of the board shall constitute a quorum for the~~
14 ~~transaction of business. The board shall keep minutes of all meetings and shall make~~
15 ~~them available through the secretary-treasurer of the board.~~

16 ~~(10) The members of the board shall serve without compensation but shall~~
17 ~~be reimbursed for reasonable out-of-pocket expenses directly related to the~~
18 ~~governance of the district.~~

19 (1) The board of directors of the Faubourg Marigny Improvement
20 Association shall manage the affairs of the district, referred to in this Section as the
21 "board".

22 (2) The board shall elect from its members a chairman, a vice chairman, a
23 treasurer, a secretary, and other officers as it deems necessary. The duties of the
24 officers shall be fixed by the bylaws adopted by the board.

25 (3) The monies, funds, and accounts of the district shall be in the official
26 custody of the board and not commingled with that of the Faubourg Marigny
27 Improvement Association. The financial books and records of the district shall be
28 maintained by the treasurer of the board.

1 (4) The board shall keep minutes of all meetings and shall make them
2 available through the secretary of the board. The minute books and archives of the
3 district shall be maintained by the secretary of the board.

4 (5) The board shall adopt rules and regulations as it deems necessary or
5 advisable for conducting its business affairs. Rules and regulations of the board
6 relative to the notice and conduct of meetings shall conform to applicable law. The
7 board shall hold regular meetings as provided for in the bylaws and may hold special
8 meetings at such times and places within the district as prescribed in the bylaws.

9 (6) A majority of the members of the board constitutes a quorum for the
10 transaction of business.

11 (7) The members of the board shall serve without compensation but shall be
12 reimbursed for reasonable out-of-pocket expenses directly related to the governance
13 of the district.

14 E. Powers and duties. The district, acting through its board, shall have the
15 following powers and duties:

16 * * *

17 ~~(4) To perform or have performed any other function or activity necessary~~
18 ~~for the achievement of the purpose of the district~~ To enter into any cooperative
19 endeavor between or among the district and the state, any of its local governmental
20 subdivisions, political corporations, or public benefit corporations; the United States
21 or its agencies; or any public or private association, corporation, or individual. The
22 term "cooperative endeavor" shall include but not be limited to cooperative financing
23 and cooperative development.

24 * * *

25 F. Parcel fee. The governing authority of the city of New Orleans may
26 impose and collect a parcel fee within the district subject to and in accordance with
27 the provisions of this Subsection.

28 (1)(a) The amount of the fee shall be as requested by duly adopted resolution
29 of the board. ~~The fee shall be a flat fee per parcel of land not to exceed two hundred~~
30 ~~dollars per year for each unimproved parcel and improved residential parcel with~~

1 fewer than three family units, except that the fee shall be three hundred dollars per
2 year for each improved residential parcel with three or more family units, and five
3 hundred dollars per year for each improved parcel zoned for commercial use. No fee
4 shall be imposed upon any parcel whose owner qualifies for the special assessment
5 level provided by Article VII, Section 18(G)(1) of the Constitution of Louisiana.

6 (b) ~~If multiple adjacent parcels are combined for the purpose of housing a~~
7 ~~single family dwelling, the flat fee for the combined parcel shall be calculated to be~~
8 ~~one and four tenths times the single parcel fee for two adjacent parcels and one and~~
9 ~~six tenths times the single parcel fee for three or more adjacent parcels. The fee for~~
10 ~~the initial calendar year shall be a flat fee per parcel of land not to exceed two~~
11 ~~hundred fifty dollars per year for each unimproved residential parcel and each~~
12 ~~improved residential parcel with a single dwelling unit, except that the fee shall be~~
13 ~~three hundred dollars per year for each improved residential parcel with two dwelling~~
14 ~~units, five hundred dollars per year for each improved residential parcel with three~~
15 ~~to four dwelling units, seven hundred fifty dollars per year for each improved~~
16 ~~residential parcel with five to nine dwelling units, twelve hundred fifty dollars per~~
17 ~~year for each improved residential parcel with ten or more dwelling units, five~~
18 ~~hundred dollars per year for each unimproved parcel zoned for commercial use,~~
19 ~~seven hundred fifty dollars per year for each improved parcel zoned for commercial~~
20 ~~use, and eighteen hundred dollars per year for each improved parcel, residential or~~
21 ~~commercial, used for the purposes of a rooming and boarding house, bed and~~
22 ~~breakfast, hostel, hotel/motel, etc., referred to in this Section as "transient housing".~~
23 ~~The fee amounts provided for in this Subparagraph shall be increased by twenty-five~~
24 ~~dollars per year for each calendar year after the initial calendar year.~~

25 (b) For improved residential parcels whose owner qualifies for a special
26 assessment level pursuant to Article VII, Section 18(G)(1) of the Constitution of
27 Louisiana, the fee shall be assessed at fifty percent of the respective fee amount;
28 however, no reduction shall apply to improved parcels used for the purposes of
29 transient housing.

1 (a) of this Paragraph. If renewed, the term of the imposition of the fee shall be as
2 provided in the proposition authorizing such renewal, not to exceed ~~four~~ eight years.

3 * * *

4 I. Miscellaneous provisions. (1) It is the purpose and intent of this Section
5 that ~~the any additional law enforcement or security personnel and their services~~
6 ~~provided for security patrols, public or private, or any other security or other services~~
7 or betterments provided by the district through the fees authorized in this Section
8 shall be supplemental to and not in lieu of personnel and services to be provided in
9 the district by the ~~New Orleans Police Department~~ state or the city of New Orleans
10 or their departments or agencies or by other political subdivisions.

11 * * *

12 Section 2. This Act shall become effective upon signature by the governor or, if not
13 signed by the governor, upon expiration of the time for bills to become law without signature
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
16 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____