

## RÉSUMÉ DIGEST

ACT 402 (HB 760)

2024 Regular Session

Stagni

Prior law defined "authority" as the Regional Transit Authority (RTA) which is to be composed of the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent parishes as may elect to participate in accordance with the provisions of this Chapter.

New law removes the parishes that the RTA is to be composed of and now simply defines "authority" as the RTA.

Existing law defines "regional area" as the jurisdictional area of the authority comprising the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent parishes as may elect to participate, but excluding the territory of any local government which may decline membership on the board.

Existing law specifies that such parishes must be a participant in the authority and its rights and responsibilities must, insofar as possible, be the same as if it had participated in the authority from its beginning, provided that said parish assume its pro rata share of the then current expenses of the authority, as determined by the authority.

Prior law specified by virtue of their participation in the authority, whether initially or subsequently by board approval, all participating parishes must concur fully and accept without reservation, the exclusive rights and power of the authority as stated herein, and further agree and obligate themselves to remain in the authority until all outstanding obligations of the authority are liquidated or until the authority is abolished, whichever occurred first.

New law removes prior law.

New law authorizes a participating parish, by resolution of its local governing body, to withdraw from participation in the authority. Specifies that the withdrawal will be effective 45 days following the authority's receipt of the resolution. Additionally, specifies that after such withdrawal the authority will not have any jurisdiction within that parish.

Prior law specified that the authority has no power of eminent domain, but authorizes the city of New Orleans and the parishes of Orleans, Jefferson, and St. Bernard, for purposes of the authority, to exercise the broadest power of eminent domain; however, no local governing body may exercise any power of eminent domain with respect to property located beyond its territorial limits, nor may it expropriate any business enterprise or any of its assets for the purpose of operating that enterprise or halting competition with a government enterprise.

New law removes Orleans, Jefferson and St. Bernard parishes and instead references "participating parishes".

Prior law required a certification process for local government to participate in the authority. Additionally, required approval of Orleans, Jefferson, St. Tammany, and St. Bernard parishes for the board to determine the extent of financial participation of local governments.

New law removes the certification process and changes the board approval of the local governing body of each parish to each of the participating parishes.

Effective upon signature of the governor (August 1, 2024).

(Amends R.S. 48:1653(1) and (17), 1655(E)(3), 1661, and 1665(B); Adds R.S. 48:1655(E)(4))