

2025 Regular Session

HOUSE BILL NO. 55

BY REPRESENTATIVE DAVIS

DISTRICTS/CRIME PREVENT: Creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish

1 AN ACT

2 To enact R.S. 33:9097.42, relative to East Baton Rouge Parish; to provide for the creation  
3 of the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement  
4 District; to provide for the boundaries, purpose, governance, and powers and duties  
5 of the district; to provide for district funding; to provide for an effective date; and to  
6 provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9097.42 is hereby enacted to read as follows:

12 §9097.42. Cross Gates Subdivision Crime Prevention and Neighborhood  
13 Improvement District

14 A. There is hereby created within the parish of East Baton Rouge, as more  
15 specifically provided in Subsection B of this Section, a body politic and corporate  
16 which shall be known as the Cross Gates Subdivision Crime Prevention and  
17 Neighborhood Improvement District, referred to in this Section as the "district". The  
18 district shall be a political subdivision of the state as defined in the Constitution of  
19 Louisiana.

1           B. The boundaries of the district shall include the area encompassed within  
2           the following streets: Cross Gate Drive, North Antioch Crossing, Antioch Crossing,  
3           Antioch Court, and Gateway Drive.

4           C. The purpose of the district shall be to aid in crime prevention, to enhance  
5           security within the district, to provide for an increase in security patrols in the  
6           district, and to provide for the overall betterment of the district.

7           D.(1) The district shall be governed by a five-member board of  
8           commissioners, referred to in this Section as the "board". The board shall be  
9           composed as follows:

10           (a) The board of directors of the Cross Gates Homeowners Association shall  
11           appoint four members.

12           (b) The member of the Louisiana House of Representatives and the member  
13           of the Louisiana Senate whose district encompasses all or the greater portion of the  
14           area of the district shall jointly appoint one member.

15           (2) All members of the board shall own property and reside within the  
16           district and shall be qualified voters of the district.

17           (3)(a) Members shall serve four-year terms after the initial terms as provided  
18           in this Subparagraph. Two members shall serve an initial term of two years; two  
19           shall serve three years; and one shall serve four years, as determined by lot at the  
20           first meeting of the board.

21           (b) Members shall be eligible for reappointment.

22           (4) Any vacancy in membership of the board shall be filled in the manner of  
23           the original appointment. If the appointing authority responsible for the appointment  
24           of a member fails to fill a vacancy within thirty days, the remaining members of the  
25           board may appoint an interim successor to serve until the position is filled by the  
26           appointing authority.

27           (5) The board shall elect from its members a chairman, a vice chairman, a  
28           secretary, a treasurer, and such other officers as it deems necessary. The duties of  
29           the officers shall be fixed by the bylaws adopted by the board.

1           (6) The members of the board shall serve without compensation but shall be  
2           reimbursed for reasonable out-of-pocket expenses directly related to the governance  
3           of the district, not to exceed one hundred dollars per year.

4           (7) The board shall keep minutes of all meetings and shall make them  
5           available through the secretary of the board. The minute books and archives of the  
6           district shall be maintained by the secretary of the board. The monies, funds, and  
7           accounts of the district shall be in official custody of the board.

8           (8) The board shall adopt such rules and regulations as it deems necessary  
9           or advisable for conducting its business affairs. Rules and regulations of the board  
10          relative to the notice and conduct of meetings shall conform to applicable provisions  
11          of the Open Meetings Law. The board shall hold meetings as shall be provided for  
12          in the bylaws and may hold special meetings at such times and places within East  
13          Baton Rouge Parish as may be prescribed in the bylaws.

14          (9) A majority of the membership of the board shall constitute a quorum for  
15          the transaction of business, and all official action of the board shall require the  
16          favorable vote of a majority of those members present and voting. All members of  
17          the board shall be voting members.

18          (10) The domicile of the board shall be in East Baton Rouge Parish.

19          E. The district, acting through its board, shall have the following powers and  
20          duties:

21               (1) To sue and be sued.

22               (2) To adopt, use, and alter at will a corporate seal.

23               (3) To receive and expend funds collected pursuant to Subsections F and G  
24          of this Section and in accordance with a budget adopted as provided by Subsection  
25          H of this Section.

26               (4) To enter into contracts with individuals or entities, private or public.

27               (5) To provide or enhance security patrols in the district, to provide for  
28          improved lighting, signage, or matters relating to the security of the district, to

1 provide for the beautification of and improvement to the district, and to provide  
2 generally for the overall betterment of the district.

3 (6) To enter into contracts and agreements with one or more other districts  
4 for the joint security, improvement, or betterment of all participating districts.

5 (7) To provide for such services and make such expenditures as the board  
6 deems proper to carry out the purposes of the district.

7 (8) To acquire or lease items and supplies which the board deems proper to  
8 carry out the purposes of the district.

9 (9) To procure and maintain liability insurance against any personal or legal  
10 liability of a board member that may be asserted or incurred based upon service as  
11 a member of the board or that may arise as a result of actions taken within the scope  
12 and discharge of duties as a member of the board.

13 (10) To perform or have performed any other function or activity necessary  
14 or appropriate to carry out the purposes of the district or for the overall betterment  
15 of the district.

16 F.(1) The governing authority of the district may impose and collect a parcel  
17 fee within the district subject to and in accordance with the provisions of this  
18 Subsection.

19 (2)(a) The fee shall be imposed on each improved and unimproved parcel  
20 located within the district.

21 (3)(a) The amount of the fee shall be as provided in a duly adopted  
22 resolution of the board. The fee shall be a flat fee per parcel not to exceed four  
23 hundred dollars per year for each parcel; however, the initial fee for the first calendar  
24 year shall not exceed one hundred fifty dollars per parcel.

25 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion  
26 of ground, an individual tract, or a "condominium parcel" as defined in R.S.  
27 9:1121.103.

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

1           (4)(a) A fee shall be imposed only after the question of its imposition has  
2           been approved by a majority of registered voters of the district voting on the  
3           proposition at an election held for that purpose in accordance with the Louisiana  
4           Election Code. The amount of the fee may be changed by duly adopted resolution  
5           of the board, not to exceed the maximum amount authorized by this Subsection and  
6           approved by the voters. No other election shall be required except as provided by  
7           this Paragraph.

8           (b) The fee shall expire at the time provided in the proposition authorizing  
9           the fee, not to exceed ten years from its initial imposition, but the fee may be  
10           renewed as provided in Subparagraph (a) of this Paragraph. Any election to  
11           authorize renewal of the fee shall be held for that purpose in accordance with the  
12           Louisiana Election Code. If the fee is renewed, the term of the imposition of the fee  
13           shall be as provided in the proposition authorizing the renewal, not to exceed ten  
14           years.

15           (5) The fee shall be collected at the same time and in the same manner as ad  
16           valorem taxes are collected for East Baton Rouge Parish. The tax collector shall  
17           collect and remit to the district all amounts collected not more than sixty days after  
18           collection; however, the district may enter into an agreement with the tax collector  
19           to authorize retention of an annual collection fee, not to exceed one percent of the  
20           amount collected.

21           (6) Any parcel fee which is unpaid shall be added to the tax rolls of East  
22           Baton Rouge Parish and shall be enforced with the same authority and subject to the  
23           same penalties and procedures as unpaid ad valorem taxes.

24           G. The district is authorized to solicit, accept, and expend additional  
25           voluntary contributions and grants to carry out the purposes of the district.

26           H.(1) The board shall adopt an annual budget in accordance with the  
27           Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

28           (2) The district shall be subject to audit by the legislative auditor pursuant  
29           to R.S. 24:513.

1           I.(1) It is the purpose and intent of this Section that any additional law  
2           enforcement personnel and services provided for through the fees authorized in this  
3           Section shall be supplemental to, and not in lieu of, personnel and services to be  
4           provided in the district by publicly funded law enforcement agencies.

5           (2) If the district ceases to exist, any funds, equipment, and property of the  
6           district shall be transmitted to the governing authority of the parish of East Baton  
7           Rouge and shall be used only within the district for the purposes set forth in this  
8           Section.

9           J.(1) The district shall indemnify its officers and board members to the  
10          fullest extent permitted by R.S. 12:227, as fully as if the district were a nonprofit  
11          corporation governed thereby, and as may be provided in the district's bylaws.

12          (2) No board member or officer of the district shall be liable to the district  
13          or to any individual who resides, owns property, visits, or otherwise conducts  
14          business in the district for monetary damages, for breach of his duties as a board  
15          member or officer, provided that this provision shall not eliminate or limit the  
16          liability of a board member or officer for any of the following:

17          (a) Acts or omissions not in good faith or which involve intentional  
18          misconduct or a knowing violation of law.

19          (b) Any transaction from which the board member or officer derived an  
20          improper personal benefit.

21          (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.  
22          9:2792.1 through 2792.9, a person serving the district as a board member or officer  
23          shall not be individually liable for any act or omission arising out of the performance  
24          of his duties.

25          Section 2. This Act shall become effective upon signature by the governor or, if not  
26          signed by the governor, upon expiration of the time for bills to become law without signature  
27          by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
28          vetoed by the governor and subsequently approved by the legislature, this Act shall become  
29          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)]

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HB 55 Original

2025 Regular Session

Davis

**Abstract:** Creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish.

Proposed law creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish as a political subdivision of the state for the purpose of aiding in crime prevention by providing for an increase in security patrols in the district and providing for the overall betterment of the district. Provides for district boundaries. Provides that the district will be governed by a five-member board of commissioners composed as follows:

- (1) Four members appointed by the board of directors of the Cross Gates Homeowners Association.
- (2) One member appointed jointly by the member of the La. House of Representatives and La. Senate whose districts encompasses all or the greater portion of the area of the district.

Requires board members to own property and reside in the district and to be qualified voters of the district.

Proposed law provides for the district's powers and duties including the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds from an authorized parcel fee and in accordance with an adopted budget.
- (4) To enter into contracts with individuals or entities, private or public.
- (5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district.
- (6) To enter into contracts and agreements with one or more other districts for the joint security, improvement, or betterment of all participating districts.

Proposed law authorizes the board, subject to voter approval, to impose a parcel fee on each improved and unimproved parcel within the district, not to exceed \$400 per parcel per year. Provides however, that the initial fee for the first calendar year shall not exceed \$150 per parcel. Authorizes the board to change the fee amount, not to exceed the maximum. Provides that the fee expires at the time provided in the proposition authorizing the fee, not to exceed ten years. Authorizes renewal of the fee for a term provided in the proposition, not to exceed ten years. Defines "parcel" to mean a lot, a subdivided portion of ground, an individual tract, or a "condominium parcel".

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid

ad valorem taxes. Requires the tax collector to remit to the district all amounts collected not more than 60 days after collection and authorizes the district to enter into an agreement with the tax collector to authorize the retention of a collection fee, not to exceed 1% of the amount collected.

Proposed law requires the district's board to adopt an annual budget in accordance with the La. Local Government Budget Act and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to, and not in lieu of, personnel and services provided in the district by publicly funded law enforcement agencies.

Proposed law provides that if the district ceases to exist, all district funds and property shall be transmitted to the parish of East Baton Rouge and used to promote and enhance the security and overall betterment of the area included in the district.

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

(Adds R.S. 33:9097.42)