

2025 Regular Session

SENATE BILL NO. 141

BY SENATOR CONNICK

CORPORATIONS. Provides for nonprofit corporations in Plaquemines Parish. (8/1/25)

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AN ACT

To amend and reenact R.S. 12:202.1(A) and (D), and to enact R.S. 41:1215(B)(10), relative to nonprofit corporations in Plaquemines Parish; to provide for exceptions to the limitation on formation of nonprofit corporations; to provide with respect to the length of any lease or sublease executed by a public benefit corporation in Plaquemines Parish; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 12:202.1(A) and (D) are hereby amended and reenacted to read as follows:

§202.1. Limitation on formation; exceptions

A. Notwithstanding any other provisions of this Chapter or of any other law, no state board, commission or department, nor any other persons, acting on behalf of such state board, commission or department, shall incorporate or cause to be incorporated any nonprofit corporation ~~which~~ **that** has for its purpose any public or quasi-public function or any function for the benefit of or in connection with any public agency, purpose or function, if in the exercise of any part of the functions of

1 the corporation any bonds or other evidences of indebtedness of the corporation are
 2 or may be issued, unless the purpose for which the corporation is to be created; the
 3 amount of bonds to be issued; the method of financing said bonds, including but not
 4 restricted to the term of the bonds, the interest and other charges to be paid with
 5 respect to the bonds, and the purposes for which the bonds are to be issued shall have
 6 been first submitted to and approved by the legislature.

7 * * *

8 D. The prohibition of this Section ~~will~~ **shall** have no application to local
 9 political subdivisions of the state with a population in excess of one hundred fifty
 10 thousand **or Plaquemines Parish**, nor to their respective boards, commissions, and
 11 departments. Any provision of this Section or other provision of law
 12 notwithstanding, a quasi-public nonprofit corporation may be created by any such
 13 political subdivision of the state **or Plaquemines Parish** under the general nonprofit
 14 corporation law of Louisiana with all powers pertaining thereto, including the right
 15 to issue negotiable revenue bonds not to exceed fifteen million dollars with interest
 16 thereon not to exceed eight percent per annum which shall be exempted from
 17 taxation and which bonds shall constitute negotiable instruments within the meaning
 18 of the negotiable instruments law of the state of Louisiana; all properties and assets
 19 of whatever nature and description owned or operated by said nonprofit corporation
 20 shall be exempted from state and local taxation, including ad valorem taxation; and
 21 the governing authority of such quasi-public nonprofit corporation shall be subject
 22 to the requirements and provisions of the public contract law, the Open Meetings
 23 Law, and the Public Records Law of the state of Louisiana.

24 * * *

25 Section 2. R.S. 41:1215(B)(10) is hereby enacted to read as follows:

26 §1215. Opening of bids; execution of leases; exceptions; public benefit corporations;
 27 negotiated lease to nonprofit organizations

28 * * *

29 B. For the purposes of this Part, a "public benefit corporation" is defined to

or by the public benefit corporation, including but not limited to planning, renovating, constructing, leasing, subleasing, managing, improving, operating, and promoting the properties, which activity is declared to constitute a public purpose, and which shall meet specific requirements.

Proposed law provides that, notwithstanding present law requirements, any lease or sublease executed by a public benefit corporation under the provisions of present law in Plaquemines Parish shall be for a period not exceeding 99 years and shall provide for a rental payable in cash in a sum or installments, at the discretion of the lessor.

Effective August 1, 2025.

(Amends R.S. 12:202.1(A) and (D); adds R.S. 41:1215(B)(10))