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## DIGEST

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Price

HB No. 768

**Abstract:** Provides relative to the procedures and time limits for the petition for the incorporation of an unincorporated area.

Present law provides that residents of any unincorporated area with a population of at least two hundred people may propose the incorporation of the area. The petitioners must submit to the secretary of state a petition for incorporation that contains the following information:

- (1) A legal description of the area proposed for incorporation, the statement that all lands included in the area constitute a contiguous area, and a list of every parish in which the proposed area of incorporation is wholly or partially situated.
- (2) A statement of the number of inhabitants residing in the unincorporated area, based on the latest federal decennial census or another current population report or count which is verifiable.
- (3) A statement of the assessed value of the real property located in the unincorporated area.
- (4) A listing of the public services the municipal corporation proposes to render to the area and a plan for the provision of these services.
- (5) A statement of the corporate name desired for the new municipality.
- (6) The names of two or more chairpersons for the petition for incorporation who shall serve as agents for the petitioners in all legal matters, including the receipt of notices.
- (7) The signatures of 25% of the electors residing in the area proposed for incorporation.

Proposed law generally retains present law and additionally provides the following with respect to such a petition: requires the secretary of state to provide a form for such a petition. Requires, prior to the collection of signatures, submission of the proposed petition to the secretary of state. Provides that the secretary of state shall review the petition for compliance with present law and proposed law and certify that the petition meets all legal requirements and endorse the fact and the date of filing. Provides that if the petitioners fail to get secretary of state approval of the petition after two attempts, no proposal for incorporation of the area shall be submitted for two years thereafter. Prohibits collection of signatures until notification of such endorsement; provides that petitioners have 180 days from the date of endorsement to collect signatures, except

in an area that contains fewer than 1,000 electors, the time limit is 90 days.

(Amends R.S. 33:1)