

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

DISTRICTS/TAXING: Provides relative to a special taxing district in Jefferson Parish

DIGEST

Abstract: Relative to a special taxing district in Jefferson Parish, expands the boundaries of the district, provides for the establishment of a new governing board, and grants the district additional powers and duties.

Present law authorizes the governing authority of Jefferson Parish to create a special taxing district for the purpose of promoting, encouraging, and participating in infrastructure improvements to stimulate the economy through commerce, industry, and research and for the utilization and development of natural, physical, and human resources of the area. Provides for district boundaries.

Proposed law expands the boundaries of the district and instead provides that the purpose of the district is to promote, encourage, and participate in projects or plans, rather than infrastructure improvements, to stimulate the economy.

Present law prohibits the district from assisting in the development or redevelopment of a hotel (including infrastructure on a development site) except that the district may provide public infrastructure that benefits the public generally outside the development site of a hotel.

Proposed law retains present law.

Present law provides that the district is governed by the governing authority of Jefferson Parish.

Proposed law instead provides that the district is governed by a board of nine members all of whom are required to be qualified voters of the parish and at least seven of whom have their principal place of business in, or principal domicile in, or own property in the district composed as follows:

- (1) One member appointed by the parish president.
- (2) One member appointed by the sheriff of Jefferson Parish.
- (3) Two members appointed by the at-large members of the parish council.
- (4) Three members appointed by the district five councilperson.
- (5) One member appointed by the state senator representing the area or a majority of the area of the district.
- (6) One member appointed by the state representative representing the area or a majority of the area of the district.

Requires board members to serve five-year staggered terms.

Proposed law requires the district to take affirmative steps to provide for the full disclosure of information relating to the public financing and maintenance of improvements to immovable property undertaken by the district.

Proposed law requires the board to collaborate with the parish government to prepare, implement, and maintain a redevelopment plan for the district and a program to implement the redevelopment plan to address capital improvements, which must be a part of the parish's

comprehensive plan. Authorizes the district to collaborate to conduct studies and to consult with all departments of the parish and other public or private agencies concerned with matters affected by the program. Authorizes the district to employ or contract with contractors, engineers, architects, attorneys, underwriters, and other professionals. Requires the board to adopt an annual budget in accordance with the Local Government Budget Act.

Present law grants the district all powers of a political subdivision and special taxing district necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

- (1) To sue and be sued.
- (2) To adopt bylaws and rules and regulations.
- (3) To receive money, property, aid, or assistance from the U.S., the state, or any political subdivision thereof, or any person, firm, or corporation.
- (4) To enter contracts, agreements, or cooperative endeavors.
- (5) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.
- (6) To acquire property for carrying out the objectives and purposes of the district and to mortgage or sell such property.
- (7) To incur debt. Provides that the district shall be deemed an issuer for purposes of present law (R.S. 33:9037) relative to issuance of debt for economic development.
- (8) To establish such funds or accounts as necessary.

Proposed law grants additional powers to the district including:

- (9) To create or extend a new or existing sales or property tax increment financing district with the consent of the parish council by ordinance.
- (10) To determine, order, levy, impose, collect, enforce, and distribute a parcel fee, ad valorem tax, or other types of special assessments within the district with the consent of the parish council and subject to the approval of voters within the district. Ad valorem taxes are subject to the homestead exemption.
- (11) To charge, collect, and enforce fees and other user charges within the boundaries of the district.
- (12) To exercise all of the powers necessary and proper in connection with any of their powers, duties, or purposes.

Present law, pursuant to a cooperative endeavor agreement, authorizes the district to issue revenue bonds payable solely from up to the full amount of any sales tax increments designated by the board to finance or pay costs of projects which will result in economic development or the maintenance of existing jobs or will achieve other economic goals that will benefit the parish of Jefferson, or for any authorized purpose of the district.

Present law provides that a sales tax increment may consist of that portion of sales tax revenues of the state and any political subdivision with boundaries coterminous with the state collected from taxpayers located within the district which exceeds the sales tax revenues that were collected by such taxing authorities in the year immediately prior to the year the district is established. Provides that the sales tax increment that may be used for district purposes shall be the sales taxes collected each year in excess of the initial baseline. Provides for the calculation of the baseline; requires certification and publication of the baseline. Provides for presumption of validity thereof if not contested within 30 days of publication.

Present law requires, prior to dedication of state sales tax increments, the secretary of the Dept. of Economic Development to submit his recommendation of the proposal to the Joint Legislative Committee on the Budget for review and approval. Provides that any agreement providing for the expenditure of funds is subject to approval by the State Bond Commission prior to execution by the state.

Present law provides that dedication of sales tax increments shall not impair existing obligations and shall not include tax revenues previously dedicated for a special purpose unless a majority of the electors within the territorial jurisdiction of such tax authority approves the use of such tax for district purposes.

Proposed law retains present law and additionally authorizes the district to issue revenue bonds payable solely from ad valorem tax increments. Further authorizes the district to collect a parcel fee as requested by duly adopted resolution of the council, subject to voter approval. Provides that the fee expires four years from its initial levy, but may be renewed. Requires the Jefferson Parish Sheriff's office to remit to the district all amounts collected not more than 60 days after collection. Authorizes the sheriff's office to retain 1% of the amount collected as a collection fee.

Proposed law provides that the functions of the district are for public purposes and that all obligations authorized to be issued by the district pursuant to proposed law, together with interest thereof, income therefrom, and gain upon the sale thereof are exempt from all state and local taxes.

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

(Amends R.S. 33:1420.19)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Provides for an increase in the membership of the governing board by adding appointments by state legislators.
2. Makes technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the reengrossed bill

1. Makes technical changes.