

2015 Regular Session

HOUSE BILL NO. 715

BY REPRESENTATIVE HALL

DISTRICTS/DOWNTOWN DEVEL: Provides relative to the Pineville Downtown Development District

1 AN ACT

2 To amend and reenact R.S. 33:2740.50, relative to the Pineville Downtown Development  
3 District; to provide relative to the governing board of the district; to change the  
4 membership of the board; to provide relative to the powers and duties of the district,  
5 including the authority to levy taxes and issue bonds; and to provide for related  
6 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. 33:2740.50 is hereby amended and reenacted to read as follows:

12 §2740.50. Pineville Downtown Development District

13 A. Intent. The legislature hereby finds and declares that it is necessary for  
14 the public health, safety, and welfare of the city of Pineville that the property value  
15 deterioration in the downtown area be halted and that the causes of such deterioration  
16 be halted.

17 B. Creation. (1) The Pineville Downtown Development District, ~~hereinafter~~  
18 referred to in this Section as the "district", is hereby created for the primary purpose  
19 of redevelopment of the central business district. The district shall be a political  
20 subdivision of the state as defined in the Constitution of Louisiana.

1           (2) The district shall be comprised of a certain piece, parcel, or lot of ground  
2 being, lying, and situated in Sections 2, 10, 11, 16, 17, 18, 19, 20, and 21, Township  
3 4 North, Range 1 West of the Louisiana Meridian, District North of Red River, City  
4 of Pineville, Rapides Parish, Louisiana; being more particularly described as follows,  
5 to wit:

6           Commencing at a point located at the intersection of the centerline of Red  
7 River with the western right-of-way line of Union Pacific Railroad (abandoned), said  
8 point being located in Section 10, Township 4 North, Range 1 West, District North  
9 of Red River, Rapides Parish, Louisiana, and also being the point of beginning of the  
10 tract to be described;

11           Thence proceed in a northeasterly direction, along the western right-of-way  
12 line of said Union Pacific Railroad, a distance of approximately 7,000.00 feet to a  
13 point being South 90 degrees 00 minutes 00 seconds West from the frog of the Union  
14 Pacific Railroad and the Kansas City Southern Railroad/Louisiana and Arkansas  
15 Railroad intersection, said frog being located in Section 2, Township 4 North, Range  
16 1 West, District North of Red River, Rapides Parish, Louisiana.

17           Thence turn right and proceed North 90 degrees 00 minutes 00 seconds East,  
18 a distance of approximately 100.00 feet to a point located on the eastern right-of-way  
19 line of the Kansas City Southern Railroad/Louisiana and Arkansas Railroad.

20           Thence turn right and proceed in a southeasterly direction, along the eastern  
21 right-of-way line of the Kansas City Southern/Louisiana and Arkansas Railroad, a  
22 distance of approximately 12,000.00 feet to a point located near the Pineville  
23 Expressway;

24           Thence turn right and proceed in a southwesterly direction, along the ~~eastern~~  
25 ~~right-of-way line of the Kansas City Southern Railroad/Louisiana and Arkansas~~  
26 ~~Railroad~~, center line of Highway 167 (Pineville Expressway), a distance of  
27 approximately 5,000.00 feet to a point located in the centerline of Red River, said  
28 point being located in Section 21, Township 4 North, Range 1 West, District North  
29 of Red River, Rapides Parish, Louisiana.

1           Thence turn right and proceed in a northwesterly direction, along the  
2 centerline of the Red River, a distance of approximately 11,000.00 feet to the point  
3 of beginning.

4           ~~(3) The district shall be a political subdivision of the state of Louisiana as~~  
5 ~~defined in Article VI, Paragraph 44(2) of the Constitution of Louisiana and, as such,~~  
6 ~~shall have all of the powers accorded by law to political subdivisions of the state,~~  
7 ~~including the power to cooperate with and to engage in cooperative endeavors with~~  
8 ~~other persons and entities as provided by Article VI, Section 20 and Article VII,~~  
9 ~~Paragraph 14(C) of the Constitution of Louisiana.~~

10           C. Governance. (1) ~~The governing authority of the district shall be a board~~  
11 ~~consisting of seven members~~ district shall be governed by a board of seven  
12 commissioners, referred to in this Section as the "board", appointed as follows:

13           ~~(a) The governing authority of Pineville shall appoint three members.~~

14           ~~(b) The Central Cities Development Corporation shall appoint one member.~~

15           ~~(c) The North Rapides Community Enhancement Program shall appoint one~~  
16 ~~member.~~

17           ~~(d) The District One Neighborhood Watch shall appoint one member.~~

18           ~~(e) The governing authority of Rapides Parish shall appoint one member.~~

19           (a) The governing authority of the city of Pineville shall appoint three  
20 members.

21           (b) The governing authority of the parish of Rapides shall appoint one  
22 member.

23           (c) The Central Louisiana Economic Development Alliance shall appoint one  
24 member.

25           (d) The governing board of the Central Louisiana Chamber of Commerce  
26 shall appoint one member.

27           (e) The North Rapides Business and Industry Alliance shall appoint one  
28 member.

1           (2) The appointments made pursuant to Subparagraphs (1)(b) through (e) of  
2 this Subsection shall be subject to confirmation by the governing authority of the city  
3 of Pineville.

4           (3) If any appointing authority fails to make an appointment within thirty  
5 days after notification by the board of a vacancy, the governing authority of the city  
6 of Pineville may appoint a member of its own choosing. Each member of the board  
7 shall be a registered voter of Rapides Parish. The appointing authority may remove  
8 any member for cause.

9           (4) Terms of members shall be four years, except for initial terms which  
10 shall be as follows: one shall be appointed for a term of one year, two for a term of  
11 two years, two for a term of three years, and two for a term of four years as  
12 determined by lot at the first meeting of the board. Vacancies occurring prior to the  
13 expiration of a term shall be filled in the manner of the original appointment for the  
14 remainder of the unexpired term.

15           (5) The board shall elect a chairman, a vice chairman, and a secretary-  
16 treasurer from among its members. Officers shall serve one-year terms but shall be  
17 eligible for reelection. The board shall adopt such rules for the transaction of its  
18 business as it deems necessary and shall keep a record of its resolutions, transactions,  
19 studies, findings, and determinations, which record shall be a public record.

20           (6) The board may employ or contract with an executive director and set his  
21 compensation and terms of employment. Notwithstanding any other provision of  
22 law to the contrary, the board may establish the term of such contract. The board  
23 also may employ such other employees as are necessary to carry out the functions  
24 of the district as authorized by the board.

25           D. Redevelopment activities. (1) In order to effectuate the purposes of this  
26 Section, the board shall have the specific authority provided in R.S. 33:4625(F)<sub>2</sub>,  
27 except the power of expropriation; such authority shall be exercised solely within the  
28 district.

1           (2) The board shall formulate a redevelopment plan or plans for the district  
2           and shall submit any such plan to the governing authority of Pineville for review.

3           The board shall formulate a program or programs to implement any redevelopment  
4           plan. Such a program shall implement the various plans in such a manner as to aid  
5           and encourage private development of the area and to promote and coordinate public  
6           development. In formulating such a program, the board may conduct studies and  
7           may consult with all departments of the city of Pineville and other public or private  
8           agencies concerned with matters affecting or affected by the program.

9           (3) After adoption of the development program, the board may implement  
10          any portion thereof in such manner as shall, in its judgment, most likely accomplish  
11          said program. To that end, the district may employ or contract with engineers,  
12          architects, attorneys, underwriters, and other professionals necessary for the  
13          financing and implementation of the construction, renovation, maintenance, or  
14          operation of facilities described in the redevelopment plan and may contract in  
15          accordance with law for the construction, renovation, maintenance, or operation of  
16          the facilities.

17          ~~(4) The board shall prepare each year an annual budget in accordance with~~  
18          ~~the Louisiana Local Government Budget Act, R.S. 39:1301 et seq.~~

19          ~~E. Revenues. (1) Subject to the approval of the governing authority of~~  
20          ~~Pineville and district electors as provided in Paragraph (4) of this Subsection, the~~  
21          ~~district may levy an ad valorem tax not exceeding fifteen mills for such number of~~  
22          ~~years as may be provided in the proposition authorizing its levy for the purpose of~~  
23          ~~planning, constructing, acquiring, operating, or maintaining public facilities~~  
24          ~~contemplated by the redevelopment plan and for the operating expenses of the~~  
25          ~~district.~~

26          ~~(2) Subject to the approval of the governing authority of Pineville and~~  
27          ~~district electors as provided in Paragraph (4) of this Subsection, the district may issue~~  
28          ~~general obligation bonds in accordance with the provisions of R.S. 39:551 et seq. for~~  
29          ~~the purpose of constructing, acquiring, or improving any work of public~~

1 improvement contemplated by the redevelopment plan. As provided by Article VI,  
2 Section 33 of the Constitution of Louisiana, the bonds shall have pledged thereto the  
3 full faith and credit of the district, and the district shall levy and collect taxes on all  
4 property subject to taxation in the district sufficient to pay the bonds in principal,  
5 interest, and premium, if any, as the same become due and payable.

6 (3) Any ad valorem tax levied by the district, including taxes levied under  
7 Paragraph (1) of this Subsection or levied to provide for payment of bonds  
8 authorized under Paragraph (2) of this Subsection, being special ad valorem taxes,  
9 shall be subject to homestead exemption as provided by Article VII, Section 20 of  
10 the Constitution of Louisiana.

11 (4) No ad valorem tax may be levied under the provisions of Paragraph (1)  
12 of this Subsection nor may any bonds be issued under the provisions of Paragraph  
13 (2) of this Subsection unless authorized by a majority of the electors of the district  
14 who vote at an election held for that purpose in accordance with the applicable  
15 provisions of the Louisiana Election Code. The governing authority of the city of  
16 Pineville shall call any such election.

17 (5) Any tax levied under authority of this Subsection shall be in addition to  
18 all other taxes which other political subdivisions in Rapides Parish are now or  
19 hereafter may be authorized by law to levy and collect. All services and programs  
20 to be provided from the proceeds of the tax shall be in addition to the services and  
21 programs which are otherwise provided by other governing authorities.

22 F. The district shall be authorized to enter into agreements with any person  
23 or persons, public or private, providing for contributions or payments towards the  
24 cost of financing public facilities in the district. The district is hereby authorized to  
25 issue bonds secured wholly or partly by the revenues of such agreements and wholly  
26 or partly by other revenues that may be received, from time to time, by the district  
27 provided the bonds are authorized and issued in the manner provided by R.S.  
28 39:1011 et seq.

1           ~~G. The financial records of the district shall be audited pursuant to the~~  
2           ~~provisions of R.S. 24:513.~~

3           E. Powers and duties. (1) The district, through the board, shall have all  
4           powers necessary or convenient to carry out and effectuate the purposes and  
5           provisions of this Chapter, including but not limited to the following:

6                     (a) To sue and be sued and as such to stand in judgment.

7                     (b) To adopt, use, and alter at will a corporate seal.

8                     (c) To acquire by gift, grant, purchase, or lease and to hold and use any  
9           property, immovable, moveable, mixed, corporeal, or incorporeal, or any interest  
10           therein, necessary or desirable for carrying out the objects and purposes of the  
11           district, and to engage in any action, such as the purchase of insurance, necessary or  
12           desirable for the maintenance or improvement of such property.

13                    (d)(i) To sell, lease for a term of up to ninety-nine years, exchange, or  
14           otherwise dispose of or transfer to or with other political subdivisions of this state  
15           or public or private persons at public or private sale any residential, commercial, or  
16           industrial land, property, improvements, or portions thereof, including immovable  
17           property, which is, in the opinion of the board, appropriate to accomplish the  
18           objectives and purposes of the district.

19                    (ii) Prior to any sale, lease, conveyance, disposition, or transfer of property  
20           pursuant to this Paragraph, the district shall fix the price and terms of the sale, lease,  
21           exchange, or other contract to be made with reference to the property. Such sale,  
22           lease, conveyance, disposition, or transfer shall comply with the terms and provisions  
23           of this Section.

24                    (iii) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the  
25           Louisiana Revised Statutes of 1950 and the statutes referenced therein, shall be in  
26           accordance with laws providing for the disposition or transfer of such land.

27                    (iv) Other than the requirements of this Section, no other law limiting or  
28           regulating the form or manner of the sale, lease, conveyance, disposition, or transfer  
29           of property by public bodies, including without limitation R.S. 41:1338, shall apply

1 to the sale, lease, conveyance, disposition, or transfer of property by the district. All  
2 such sales, leases, conveyance, dispositions, or transfers of property remain subject  
3 to the limitations imposed by the Constitution of Louisiana.

4 (e) To convey to the United States, the state, or to any political subdivision  
5 of the state any land, property, right-of-way, easement, servitude, or other thing of  
6 value, which the district may own or acquire, for use by such governmental entity to  
7 accomplish the objectives and purposes of the district, pursuant to the terms of any  
8 appropriate cooperative endeavor agreement.

9 (f) To make and collect reasonable charges for the use of property of the  
10 district and for services rendered by the district and to regulate fees or rentals  
11 charged for use of privately owned facilities located on property owned or sold by  
12 the district when such facilities are offered for use by the public or by a private  
13 industrial, commercial, research, or other economic development entity or activity.

14 (g) To enter into contracts and agreements with public bodies or public or  
15 private entities to achieve the district's objectives and purposes, including but not  
16 limited to contracts for professional, legal, and other services and for the purchase,  
17 lease, acquisition, sale, construction, operation, maintenance, marketing, and  
18 improvement of land, public works, and facilities, as the board may deem necessary  
19 or convenient to accomplish the objectives and purposes of the district.

20 (h) To plan, develop, regulate, operate, and maintain activities and planned  
21 land uses to foster creation of new jobs, economic development, industry, health  
22 care, general public and social welfare, commerce, manufacturing, tourism,  
23 relocation of people and businesses to the area, shipbuilding, aviation, military,  
24 warehousing, transportation, offices, recreation, housing development, and  
25 conservation.

26 (i) To acquire land and improvements to construct, operate, and maintain  
27 facilities, improvements, and infrastructure, including buildings, roads, bridges,  
28 drainage, and utilities, and to perform other functions and activities on property  
29 owned or leased by the district to accomplish the objectives and purposes of the



1 district. However, the district is prohibited from constructing, operating, or  
2 maintaining any water, electric, or gas utility facilities which duplicate, curtail,  
3 impair, or directly compete with a regulated water, electric, or gas utility facility  
4 operating in or adjacent to the property owned or leased by the district.

5 (j) To require and issue licenses.

6 (k) To develop, activate, construct, exchange, acquire, improve, repair,  
7 operate, maintain, lease, mortgage, sell, and grant a security device affecting the  
8 movable and immovable property, servitudes, facilities, and works within the  
9 jurisdiction of the district under such terms and conditions as the board may deem  
10 necessary or appropriate for any public purpose, including industrial, residential,  
11 subdivision, and commercial development.

12 (l) To borrow money and to pledge or grant a security device affecting all  
13 or part of its revenues, leases, rents, and other advantages as security for such loans.

14 (m) To appoint officers, agents, and employees, prescribe their duties, and  
15 fix their compensation.

16 (n) To undertake and carry out redevelopment projects and related activities.

17 (o) To apply for and accept advances, leases, grants, contributions, and any  
18 other form of financial assistance from the United States, the state of Louisiana,  
19 political subdivisions of the state, or other public bodies, or from any sources, public  
20 or private, for the purposes of this Section, and to give such security as may be  
21 required and to enter into and carry out contracts or agreements in connection  
22 therewith; and to include in any contract for financial assistance with the federal  
23 government such conditions imposed pursuant to federal laws as the board may deem  
24 reasonable and appropriate and which are not inconsistent with the purposes of this  
25 Section.

26 (2) The district shall not be deemed to be an instrumentality of the state for  
27 purposes of Article X, Section 1(A) of the Constitution of Louisiana.

28 F. Revenues. (1) The district, through the board, may levy and collect ad  
29 valorem taxes on all taxable immovable property situated within the boundaries of

1 the district, if the amount, term, and purpose of such taxes, as set out in propositions  
2 submitted to a vote in accordance with the Louisiana Election Code, is approved by  
3 a majority of the qualified electors residing in the district voting in an election held  
4 for that purpose.

5 (2)(a) The district, through the board, may also levy and collect sales and use  
6 taxes within the boundaries of the district for such purposes and at such rate as  
7 provided by the propositions authorizing their levy, not to exceed in aggregate one  
8 percent, which taxes may not exceed the limitation set forth in the Constitution of  
9 Louisiana, if the proposition submitted to a vote in accordance with the Louisiana  
10 Election Code is approved by a majority of the qualified electors residing in the  
11 district voting in an election held for that purpose.

12 (b) The tax shall be levied upon the sale at retail, the use, the lease or rental,  
13 the consumption, the distribution, and storage for use or consumption of tangible  
14 personal property, and upon the sales of services within the boundaries of the district,  
15 all as defined in R.S. 47:301 et seq.

16 (c) Except where inapplicable, the procedure established by R.S. 47:301 et  
17 seq. shall be followed in the imposition, collection, and enforcement of the tax, and  
18 procedural details necessary to supplement those Sections and to make them  
19 applicable to the tax authorized in this Paragraph shall be fixed in the resolution  
20 imposing the tax.

21 (d) The tax shall be imposed and collected uniformly throughout the  
22 jurisdiction of the district.

23 (e) Any tax levied under this Paragraph shall be in addition to all other taxes  
24 which the city of Pineville or any other political subdivision within the parish of  
25 Rapides is now or hereafter authorized to levy and collect.

26 G. Bonds. (1) The district may incur debt and issue general obligation bonds  
27 under the authority of and subject to the provisions of Article VI, Section 33 of the  
28 Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of  
29 Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation

1 of district property or to carry out the other public purposes of this Section, and to  
2 issue any other bonds permitted by law, borrow money, and issue certificates of  
3 indebtedness, notes, and other debt obligations as evidence thereof and provide for  
4 the manner and method of repayment in accordance with law.

5 (2) The district may issue revenue bonds to finance the undertaking of a  
6 redevelopment project under this Section, or otherwise to acquire, purchase, lease,  
7 construct, or improve residential, commercial, research, industrial, or other plant  
8 sites and buildings, or other capital improvements, including energy and pollution  
9 abatement and control facilities and necessary property and appurtenances thereto;  
10 and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate  
11 contract to any enterprise locating or existing within the jurisdiction of the district  
12 such sites, buildings, or facilities and appurtenances thereto, all or severally. The  
13 funds derived from the sale of such bonds may be disbursed in whole or in part upon  
14 delivery of the bonds as shall be provided in the contract between the district and the  
15 residential, commercial, research, industrial, or other enterprise to be aided,  
16 encouraged, or benefited subject to the requirements of this Section.

17 (3) The issuing authority may enter into, amend, or terminate, as it  
18 determines to be necessary or appropriate, any ancillary contracts (a) to facilitate the  
19 issuance, sale, resale, purchase, repurchase, or payments of bonds, including without  
20 limitation bond insurance, letters of credit, and liquidity facilities, or (b) to attempt  
21 to hedge risk or achieve a desirable effective interest rate or cash flow, all subject to  
22 the approval of the State Bond Commission.

23 (4) Bonds issued under Paragraph (2) of this Subsection shall be authorized  
24 by resolution of the board and shall be limited obligations of the issuing authority;  
25 the principal and interest, costs of issuance, and other costs incidental thereto shall  
26 be payable solely from the income and revenue derived from the sale, lease, or other  
27 disposition of the project or facility to be financed by the bonds issued under this  
28 Subsection, or from the income and revenue derived from the sale, lease, or other  
29 disposition of any existing project or facility acquired, constructed, and improved

1 under the provision of this Subsection, or from any source available for such  
2 purpose. However, in the discretion of the issuing authority, the bonds may be  
3 additionally secured by mortgage or other security device covering all or part of the  
4 project from which the revenues so pledged may be derived. Any refunding bonds  
5 issued pursuant to this Subsection shall be payable from any source described above  
6 or from the investment of any of the proceeds of the refunding bonds authorized  
7 under this Subsection and shall not constitute an indebtedness or pledge of the  
8 general credit of the district within the meaning of any constitutional or statutory  
9 limitation of indebtedness and shall contain a recital to that effect. Bonds of the  
10 district issued under this Subsection shall be issued in such form, shall be in such  
11 denominations, shall bear interest, shall mature in such manner, and be executed by  
12 one or more members of the board as provided in the resolution authorizing the  
13 issuance thereof. Such bonds may be subject to redemption at the option of and in  
14 the manner determined by the board in the resolution authorizing the issuance  
15 thereof.

16 (5) No bonds or other evidences of indebtedness may be issued under this  
17 Subsection without the prior approval of the State Bond Commission of the terms  
18 and provisions thereof.

19 (6) Bonds issued under this Subsection shall be issued, sold, and delivered  
20 in accordance with the terms and provisions of a resolution adopted by the board.  
21 The board may sell such bonds in such manner, either at public or at private sale, and  
22 for such price as it may determine to be in the best interests of the district, subject  
23 to the approval of the State Bond Commission. The resolution issuing bonds shall  
24 be published in a newspaper of general circulation within the jurisdiction of the  
25 district, and for a period of thirty days after the publication, any interested citizen  
26 may bring an action to contest the bonds and the security therefor, as provided in the  
27 Constitution of Louisiana. If, after the expiration of thirty days, no suit has been  
28 filed, the issuance, sale, and security of the bonds shall be incontestable, and no court  
29 shall have authority to entertain any action questioning or contesting such matters.

1           (7) Bonds issued by the district under this Section are deemed to be  
2           securities of public entities within the meaning of Chapters 13 and 13-A of Title 39  
3           of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in  
4           accordance with the provisions of Chapter 14 of Title 39 of the Louisiana Revised  
5           Statutes of 1950, shall be subject to the refunding provisions of Chapter 14-A of  
6           Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as  
7           short-term revenue notes of a public entity under Chapter 15-A of Title 39 of the  
8           Louisiana Revised Statutes of 1950.

9           (8) No bonds, other debt obligations, or contracts of the district shall be a  
10          charge upon the income, property, or revenue of the parish of Rapides or the city of  
11          Pineville, as appropriate, nor shall any obligations of the district be the obligations  
12          of the parish or city.

13          (9) Any bonds issued by the district shall be subject to the Bond Validation  
14          Law (R.S. 13:5121), pursuant to which the issuance of the bonds may be submitted  
15          to the courts for validation.

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

18          (2) The financial records of the district shall be audited pursuant to the  
19          provisions of R.S. 24:513.

20          I. Governmental functions. The exercise by the board of the powers  
21          conferred by this Section shall be deemed and held to be essential governmental  
22          functions of the state. As the exercise of the powers granted hereby will be in all  
23          respects for the benefit of the people of the state, for the increase of commerce and  
24          prosperity, and for the improvement of their health and living conditions, the district  
25          shall not be required to pay any taxes including but not limited to sales and use taxes,  
26          ad valorem taxes, income, or any other taxes of any kind or nature, or assessments  
27          upon any property acquired or leased by the district pursuant to the provisions of this  
28          Section, or upon the income therefrom, and any bonds issued pursuant to this Section

1           and the income therefrom shall be exempt from taxation by the state and by any  
2           parish, municipality, or other political subdivision of the state.

3           Section 2. The terms of the members of the board of commissioners of the Pineville  
4 Downtown Development District in office on the effective date of this Act shall terminate  
5 on such date; however, such members shall remain in office until the board members are  
6 appointed as provided in this Act and take office. The members of the governing board of  
7 the Pineville Downtown Development District shall be appointed and shall take office as  
8 provided in this Act and shall serve terms of office as provided in this Act.

---

#### 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)]

---

HB 715 Engrossed

2015 Regular Session

Hall

**Abstract:** Relative to the Pineville Downtown Development District, provides relative to the membership of the governing board and provides relative to the powers and duties of the district and the board.

Present law creates the Pineville Downtown Development District as a political subdivision of the state for the primary purpose of redevelopment of the central business district. Provides for district boundaries.

Proposed law retains present law.

Present law provides that the district is governed by a board of seven commissioners composed as follows:

- (1) Three members appointed by the governing authority of Pineville.
- (2) One member appointed by the Central Cities Development Corporation.
- (3) One member appointed by the North Rapides Community Enhancement Program.
- (4) One member appointed by the District One Neighborhood Watch.
- (5) One member appointed by the governing authority of Rapides Parish.

Proposed law provides instead that the seven member board is composed as follows:

- (1) Three members appointed by governing authority of the city of Pineville.
- (2) One member appointed by the governing authority of Rapides Parish.
- (3) One member appointed by the Central La. Economic Development Alliance.
- (4) One member appointed by the governing board of the Central La. Chamber of Commerce.

- (5) One member appointed by the North Rapides Business and Industry Alliance.

Present law (R.S. 33:4625) authorizes parishes to create redevelopment agencies, subject to voter approval, to provide for the utilization of appropriate public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas. Provides for the powers and duties of the redevelopment agency including but not limited to the following:

- (1) To undertake and carry out redevelopment projects and related activities within its area of operation.
- (2) To provide or to arrange or contract for the furnishing or repair by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with a redevelopment project, to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements.
- (3) To acquire by purchase, lease, option, gift, grant, bequest, devise, by expropriation or otherwise, any real property (or personal property for its administrative purposes) together with any improvements thereon; to hold, improve, clear or prepare for redevelopment any such property; to mortgage, pledge, hypothecate, or otherwise encumber or dispose of any real property.

Proposed law retains present law and grants the district the powers granted by present law to a parish redevelopment agency, except the power of expropriation.

Present law requires the district to formulate a redevelopment plan(s) and to submit any plan to the governing authority of Pineville for review. Further requires the board to formulate a program(s) to implement any redevelopment plan. Authorizes the district to employ all necessary professionals to implement the program.

Proposed law retains present law.

Proposed law additionally provides for the powers and duties of the district including but not limited to the following:

- (1) To sue and be sued and as such to stand in judgment.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire by gift, grant, purchase, or lease and to hold and use any property, immovable, movable, mixed, corporeal, or incorporeal, or any interest therein, necessary or desirable for carrying out the objects and purposes of the district.
- (4) To sell, lease for a term of up to ninety-nine years, exchange, or otherwise dispose of or transfer to or with other political subdivisions of this state or public or private persons at public or private sale any residential, commercial, or industrial land, property, improvements, or portions thereof.
- (5) To make and collect reasonable charges for the use of property of the district and for services rendered by the district and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the district.
- (6) To enter into contracts and agreements with public bodies or public or private entities to achieve the district's objectives and purposes.

Proposed law provides that the authority shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Present law authorizes the district, subject to voter approval, to levy an ad valorem tax not to exceed 15 mills for the purpose of constructing, acquiring, and maintaining public facilities contemplated by the district redevelopment plan and for the operating expenses of the district.

Proposed law authorizes the district, subject to voter approval, to levy an ad valorem tax but does not provide for the maximum amount of tax or specify the use of the tax proceeds. Additionally authorizes the district, subject to voter approval, to levy a sales and use tax not to exceed 1%.

Present law authorizes the district, subject to voter approval, to issue general obligation bonds for the purpose of constructing, acquiring, or improving any work of public improvement contemplated by the redevelopment plan.

Proposed law instead authorizes the district to issue bonds permitted by law, incur debt, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof for the acquisition and operation of district property and provide for the manner and method of repayment in accordance with law.

Proposed law authorizes the district to issue revenue bonds to finance the undertaking of a redevelopment project, or otherwise to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements. Authorizes the authority to enter into, amend, or terminate, as it determines to be necessary or appropriate, any ancillary contracts for certain purposes.

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

Proposed law retains present law.

Proposed law provides that the district shall not be required to pay any taxes. Provides that any bonds issued by the district and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state.

(Amends R.S. 33:2740.50)

#### Summary of Amendments Adopted by House

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

1. Remove authority for the district to expropriate property pursuant to present law when acting as a redevelopment agency and remove authority for the district to acquire property by means other than gift, grant, purchase, or lease when acting as a development district.