

## CONFERENCE COMMITTEE REPORT

HB 769

2015 Regular Session

Burrell

June 11, 2015

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 769 by Representative Burrell, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendments Nos. 1 through 3 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on June 2, 2015, be rejected.
2. That Amendments Nos. 1 through 15 proposed by the Legislative Bureau and adopted by the Senate on June 3, 2015, be adopted.
3. That the set of Senate Floor Amendments proposed by Senator Peacock (#2858) and adopted by the Senate on June 4, 2015, be rejected.
4. That the set of Senate Floor Amendments proposed by Senator Peacock (#2861) and adopted by the Senate on June 4, 2015, be rejected.
5. That the set of Senate Floor Amendments proposed by Senator Peacock (#3216) and adopted by the Senate on June 4, 2015, be rejected.
6. That the following amendments to the Reegrossed bill be adopted:

AMENDMENT NO. 1

On page 3, between lines 27 and 28, insert the following:

"(3) The authority shall not be deemed to be an instrumentality of the state for purposes of Article X, Section 1(A) of the Constitution of Louisiana."

AMENDMENT NO. 2

On page 4, line 17, change "three" to "four"

AMENDMENT NO. 3

On page 4, delete lines 18 through 27 in their entirety and insert the following:

"(a) One member from a list of three nominees submitted by the Shreveport Chapter of the Society of Louisiana Certified Public Accountants.

(b) One member from a list of two nominees each submitted to the mayor by the Greater Shreveport Chamber of Commerce and the Shreveport Bossier African American Chamber of Commerce.

(c) One member from a list of three nominees submitted to the mayor by the Shreveport Bar Association.

(d) One member from a list of three nominees submitted to the mayor by the Northwest Louisiana Board of Realtors."

AMENDMENT NO. 4

On page 5, line 1, change "confirmed" to "subject to confirmation"

AMENDMENT NO. 5

On page 6, between lines 21 and 22, insert the following:

- "(c) Incurring of debt.
- (d) Levy of taxes."

AMENDMENT NO. 6

On page 6, at the beginning of line 22, change "(c)" to "(e)"

AMENDMENT NO. 7

On page 6, at the beginning of line 23, change "(d)" to "(f)"

AMENDMENT NO. 8

On page 9, delete line 17 in its entirety and insert the following:

"(10)(a) To levy annually and cause to be collected ad valorem taxes, provided that the amount, term, and purpose of such taxes, as set out in propositions submitted to a vote in accordance with the Louisiana Election Code, shall be approved by a majority of the qualified electors residing within the boundaries of the authority voting in an election held for that purpose. Any election to authorize the levy of a tax pursuant to this Paragraph shall be held at the same time as a regularly scheduled statewide election.

(b) No tax shall be levied pursuant to the provisions of this Paragraph unless such levy is approved by the governing authority of the city of Shreveport.

(c) No tax revenues collected pursuant to the provisions of this Paragraph shall be expended on administrative costs of the authority.

(11)(a)(i) To levy and collect sales and use taxes within the boundaries of the authority for such purposes and at such rate as provided by the propositions authorizing their levy, not to exceed in aggregate one percent, which taxes may exceed the limitation set forth in the Constitution of Louisiana, provided the proposition submitted to a vote in accordance with the Louisiana Election Code shall be approved by a majority of the qualified electors residing within the boundaries of the authority voting in an election held for that purpose. Any election to authorize the levy of a tax pursuant to this Paragraph shall be held at the same time as a regularly scheduled statewide election.

(ii) No tax shall be levied pursuant to the provisions of this Paragraph unless such levy is approved by the governing authority of the city of Shreveport.

(iii) No tax revenues collected pursuant to the provisions of this Paragraph shall be expended on administrative costs of the authority.

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

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

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

(e) Any tax levied under this Paragraph shall be in addition to all other taxes which the city of Shreveport or any other political subdivision within the parish of Caddo is authorized to levy and collect."

AMENDMENT NO. 9

On page 9, at the beginning of line 18, change "(11)" to "(12)"

AMENDMENT NO. 10

On page 9, at the beginning of line 24, change "(12)" to "(13)"

AMENDMENT NO. 11

On page 9, at the beginning of line 26, change "(13)" to "(14)"

AMENDMENT NO. 12

On page 9, at the beginning of line 28, change "(14)" to "(15)"

AMENDMENT NO. 13

On page 10, at the beginning of line 1, change "(15)" to "(16)"

AMENDMENT NO. 14

On page 10, at the beginning of line 9, change "(16)" to "(17)"

AMENDMENT NO. 15

On page 10, at the beginning of line 21, change "(17)" to "(18)"

AMENDMENT NO. 16

On page 10, at the beginning of line 27, change "(18)" to "(19)"

AMENDMENT NO. 17

On page 11, at the beginning of line 1, change "(19)" to "(20)"

AMENDMENT NO. 18

On page 11, delete lines 3 and 4 in their entirety

AMENDMENT NO. 19

On page 11, between lines 13 and 14, insert the following:

"I.(1) The authority may incur debt and issue general obligation bonds under the authority of and subject to the provisions of Article VI, Section 33 of the Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation of authority property or to carry out the other public purposes of this Chapter, and to issue any other bonds permitted by law, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment in accordance with law.

(2) The authority may issue revenue bonds to finance the undertaking of a redevelopment project under this Chapter, 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 authorized in this Chapter, including energy and pollution abatement and control facilities and necessary property and appurtenances thereto; and may sell, lease, sublease, or otherwise dispose of by suitable and appropriate contract to any enterprise locating or existing within the jurisdiction of the authority such sites, buildings, or facilities and appurtenances thereto, all or severally. The funds derived

from the sale of such bonds may be disbursed in whole or in part upon delivery of the bonds as shall be provided in the contract between the authority and the residential, commercial, research, industrial, or other enterprise to be aided, encouraged, or benefited subject to the requirements of this Chapter.

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

(4) Bonds issued under Paragraph (2) of this Subsection shall be authorized by resolution of the board and shall be limited obligations of the issuing authority; the principal and interest, costs of issuance, and other costs incidental thereto shall be payable solely from the income and revenue derived from the sale, lease, or other disposition of the project or facility to be financed by the bonds issued under this Subsection, or from the income and revenue derived from the sale, lease, or other disposition of any existing project or facility acquired, constructed, and improved under the provision of this Subsection, or from any source available for such purpose. However, in the discretion of the issuing authority, the bonds may be additionally secured by mortgage or other security device covering all or part of the project from which the revenues so pledged may be derived. Any refunding bonds issued pursuant to this Subsection shall be payable from any source described above or from the investment of any of the proceeds of the refunding bonds authorized under this Subsection and shall not constitute an indebtedness or pledge of the general credit of the parish of Caddo or the city of Shreveport, as appropriate, or the authority within the meaning of any constitutional or statutory limitation of indebtedness and shall contain a recital to that effect. Bonds of the authority issued under this Subsection shall be issued in such form, shall be in such denominations, shall bear interest, shall mature in such manner, and be executed by one or more members of the board as provided in the resolution authorizing the issuance thereof. Such bonds may be subject to redemption at the option of and in the manner determined by the board in the resolution authorizing the issuance thereof.

(5) No bonds or other evidences of indebtedness may be issued pursuant to this Subsection without the prior approval of the governing authority of the city of Shreveport and the State Bond Commission as to the terms and provisions thereof.

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

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

(8) No bonds, other debt obligations, or contracts of the authority shall be a charge upon the income, property, or revenue of the parish of Caddo or the city of Shreveport, as appropriate, nor shall any obligations of the authority be the obligations of the applicable parish or municipality.

(9) Any bonds issued by the authority shall be subject to R.S. 13:5121 et seq., pursuant to which the issuance of the bonds may be submitted to the courts for validation."

AMENDMENT NO. 20

On page 11, at the beginning of line 14, change "I." to "J."

AMENDMENT NO. 21

On page 12, at the beginning of line 9, change "J." to "K."

AMENDMENT NO. 22

On page 13, line 1, change "three-year" to "redemptive"

AMENDMENT NO. 23

On page 14, at the beginning of line 3, change "K." to "L."

AMENDMENT NO. 24

On page 16, line 18, change "Subsection J" to "Subsection K"

AMENDMENT NO. 25

On page 17, at the beginning of line 5, change "L." to "M."

AMENDMENT NO. 26

On page 18, at the beginning of line 11, change "M." to "N."

AMENDMENT NO. 27

On page 18, at the beginning of line 25, change "N." to "O."

AMENDMENT NO. 28

On page 19, at the beginning of line 23, change "O." to "P."

AMENDMENT NO. 29

On page 19, at the beginning of line 28, change "P." to "Q."

AMENDMENT NO. 30

On page 20, at the beginning of line 16, change "Q." to "R."

AMENDMENT NO. 31

On page 20, at the beginning of line 21, change "R." to "S."

AMENDMENT NO. 32

On page 25, line 25, after "applicable" and before "A person" delete the period "." and insert a comma "," and "pursuant to Paragraph (9) of this Subsection."

Respectfully submitted,

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Representative Austin Badon

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Senator Sherri Smith Buffington

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Representative Roy A. Burrell

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Senator Barrow Peacock

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Representative Barbara M. Norton

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Senator Gregory Tarver

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)]

**CONFERENCE COMMITTEE REPORT DIGEST**

**HB 769**

**2015 Regular Session**

**Burrell**

**Keyword and oneliner of the instrument as it left the House**

DISTRICTS/REDEVELOPMENT: Creates the Shreveport Implementation and Redevelopment Authority

**Report adopts Senate amendments to:**

1. Remove provisions that grant the authority the power to require and issue licenses.

**Report rejects Senate amendments which would have:**

1. Increased the membership of the board from seven to nine.
2. Clarified that the authority has no power to impose taxes or issue bonds or otherwise incur debt.
3. Removed provisions providing that property of the authority is exempt from levy and sale and other judicial processes.
4. Removed provisions that grant subdistricts of the authority the power to issue bonds.
5. Removed provisions providing that a subdistrict of the authority is a distinct and separate juridical entity.
6. Removed provisions that authorize banks and other financial institutions to legally invest in sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the authority.
7. Removed provisions providing that the right of redemption from tax sales is terminated by expedited quiet title and foreclosure proceedings only if the redemptive period has expired.

**Report amends the bill to:**

1. Authorize the authority to levy ad valorem and sales taxes and to issue bonds and otherwise incur debt.
2. Change the method of board appointments.

**Digest of the bill as proposed by the Conference Committee**

Proposed law creates and provides for the Shreveport Implementation and Redevelopment Authority to provide for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas. Provides that the authority is a special district and political subdivision of the state. Provides that the authority shall be comprised of all of the territory located within the corporate limits of the city of Shreveport. Provides that the authority shall be activated and implemented by

the city governing authority recognizing and confirming the appointment of the initial seven members of the board.

Proposed law provides that the Shreveport Implementation and Redevelopment Authority shall be governed by a seven-member board of commissioners, referred to as the "board" in proposed law, four of whom shall be appointed as follows:

- (1) One member from a list of three nominees submitted by the Shreveport Chapter of the Society of Louisiana Certified Public Accountants.
- (2) One member from a list of two nominees each submitted to the mayor by the Greater Shreveport Chamber of Commerce and the Shreveport Bossier African American Chamber of Commerce.
- (3) One member from a list of three nominees submitted to the mayor by the Shreveport Bar Association.
- (4) One member from a list of three nominees submitted to the mayor by the Northwest Louisiana Board of Realtors.

Proposed law requires that each board member be a citizen of the U.S., a domiciliary of and a qualified voter in the city of Shreveport for at least one year preceding the date of appointment and shall remain a domiciliary of and a qualified voter of such jurisdiction during the entirety of the term of office. Additionally requires that each board member be of good character and possess some skill, knowledge, or experience that will prove useful in the accomplishment of the goals of the authority.

Proposed law requires members of the board to serve without compensation, but authorizes the board to reimburse any member for expenses actually incurred in the performance of duties on behalf of the authority.

Proposed law provides that all actions of the board shall be approved by the affirmative vote of a majority of the members present and voting. Provides however, that no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

- (1) Adoption of bylaws and other rules and regulations for conduct of the authority's business.
- (2) Hiring or firing of any employee or contractor of the authority. Provides that this function may by majority vote be delegated by the board to a specified officer or committee of the authority, under such terms and conditions, and to the extent, that the board may specify.
- (3) The incurring of debt.
- (4) Levy of taxes and call for any tax or other election.
- (5) Adoption or amendment of the annual budget.
- (6) Sale, lease, encumbrance, or alienation of property, improvements, or personal property with an assessed value of more than \$50,000.

Proposed law provides that the authority, through the board, shall have all powers necessary or convenient to carry out its objectives and purposes, 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, hold, and use any property.
- (4) To convey to the U.S., the state, or to any political subdivision of the state any property or other thing of value for use by the governmental entity to accomplish the objectives and purposes of the authority, pursuant to the terms of any appropriate cooperative endeavor agreement.
- (5) To make and collect reasonable charges for the use of property of the authority and for services rendered by the authority and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the authority when such facilities are offered for use by the public or by a private industrial, commercial, research, or other economic development entity or activity.
- (6) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.
- (7) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

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.

Proposed law additionally authorizes the authority, through the board, to levy ad valorem and sales taxes, subject to voter approval. Provides that the sales tax shall not exceed one percent. Provides that no tax may be levied unless approved by the governing authority of the city of Shreveport.

Proposed law authorizes the authority 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 authority property and provide for the manner and method of repayment in accordance with law.

Proposed law authorizes the authority 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. Prohibits the authority from issuing bonds or otherwise incurring debt without the prior approval of the governing authority of the city of Shreveport and the State Bond Commission.

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

Proposed law authorizes the authority to purchase adjudicated properties within its jurisdiction from any political subdivision of the state. Provides that no such purchase shall be construed to, or otherwise have the effect of, extending or suspending the period prescribed by law for the redemption of the property by the tax debtor or any other person.

Proposed law provides that the authority shall have the power to create and execute redevelopment or development plans for specified areas within its jurisdiction. Provides that the implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. Provides that a redevelopment plan shall include a definition of the redevelopment area. Provides that the area, or any part thereof, may be further designated as a subdistrict of the authority.

Proposed law authorizes the authority to sell, lease, or otherwise transfer immovable property or any interest therein acquired by it in redevelopment areas for residential, recreational,

commercial, industrial, or other uses or for public use, in accordance with the redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in carrying out the purposes of proposed law.

Proposed law authorizes the authority to dispose of, sell, or lease immovable property in a redevelopment area to any private person for the fair market value of the property as determined by a certified and competent appraiser, or to any private person pursuant to reasonable competitive bidding procedures as it shall prescribe subject to the provisions of proposed law. Requires public notice of such bidding procedures.

Proposed law authorizes the authority to temporarily operate, maintain, or lease property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

Proposed law provides that any property within a redevelopment area may be disposed of without regard to the provisions of proposed law. Provides that property acquired in accordance with a redevelopment plan may be disposed of to a public body for public reuse without regard to the provisions of proposed law.

Proposed law provides that where an area in the city is designated as a redevelopment area under the Federal Area Redevelopment Act (Public Law 87-27), or any act supplementary thereto, land in a redevelopment project area designated under the redevelopment plan for industrial or commercial uses may be disposed of to any public body or nonprofit corporation for subsequent disposition as promptly as practical by the public body or corporation for redevelopment in accordance with the redevelopment plan.

Proposed law authorizes the authority to, in the implementation of a redevelopment plan, create a subdistrict(s) to conduct, oversee, or assist in the implementation of such redevelopment plan. Provides that the boundaries of such a subdistrict may include all or part of the redevelopment area and provides that such a subdistrict shall have and exercise such powers and responsibilities as the authority shall specify in the enabling resolution. Provides that unless otherwise specified in the resolution or other formal act creating the subdistrict, the board members of the authority shall constitute the governing authority of the subdistrict.

Proposed law provides that the creation of a subdistrict shall in no instance result in the detachment, severance, or loss of any power or responsibility granted to the authority by and within the confines of any subdistrict the authority shall have full jurisdiction, concurrent with that of the subdistrict, to exercise said powers and responsibilities. Provides that the board members of the authority shall be the governing authority of the subdistrict.

Proposed law provides that all banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the authority.

Proposed law provides that bonds and other obligations shall be authorized security for all public deposits. Provides that it is the purpose of proposed law to authorize any public or private persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any bonds or other obligations. Provides that nothing contained in proposed law with regard to legal investments shall be construed as relieving any persons of any duty of exercising reasonable care in selecting securities.

Proposed law provides that any instrument executed, in proper form and with proper certification of authority, by an authority purporting to convey any right, title, or interest in any property pursuant to proposed law shall be conclusively presumed to have been executed

in compliance with provisions of proposed law insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Proposed law provides that insofar as the provisions of proposed law are inconsistent with the provisions of any other law, the provisions of proposed law shall be controlling. Provides however, that the authority shall be subject to the provisions of the Local Government Fair Competition Act, R.S. 45:844.41 et seq. Additionally provides that the authority conferred by proposed law shall be in addition and supplemental to the powers conferred by any other law.

Proposed law further provides for an expedited procedure to enable the authority to more efficiently quiet title and initiate a foreclosure action regarding immovable property acquired by the authority.

Proposed law requires the authority to file a notice with the clerk of court regarding the property it is attempting to seize. Requires that the notice include the legal description of the property, the street address of the property (if any), the name, address, and telephone number of the authority, a statement that the property is subject to expedited quiet title proceeding and foreclosure, and a statement that any legal interests in the property may be extinguished by a district court order vesting title to the property in the authority. Provides for additional procedures if there is a deficiency in the notice.

Proposed law requires the authority, if it has reason to believe that a property subject to an expedited quiet title proceeding and foreclosure may be the site of environmental contamination, to provide the Dept. of Environmental Quality with any information in the possession of the authority that suggests such is the case.

Proposed law requires the authority, after recording the notice, to initiate a records search in order to determine the owners who have any interest in the property subject to the expedited procedure. Authorizes the authority to enter into a contract with or request from one or more authorized representatives a title search or other title product to identify the owners of a property interest. Provides that the owner of a property interest is entitled to notice under proposed law if that owner's interest was identifiable by reference to any of the following sources before the date that the authority records the notice:

- (1) Land title records in the office of the recorder of mortgages and the register of conveyances.
- (2) Tax records in the office of the assessor.

Proposed law authorizes the authority to file a single petition with the district court which lists all of the property subject to expedited foreclosure. Requires the authority to request a hearing on the petition within 90 days seeking a judgment in favor of the authority against each property. Requires the clerk of the district court to immediately set the date, time, and place for the hearing not more than 10 days after the date requested by the authority in the petition.

Proposed law requires the authority to send notice of the hearing, not less than 30 days prior, by certified mail to any person identified as having an interest in the property subject to the expedited foreclosure proceeding. Requires the authority to also send notice via regular mail addressed to "Occupant" to each property subject to expedited foreclosure.

Proposed law further requires the authority, or its authorized representative, to post a written notice on each property at least 30 days prior to the expedited foreclosure hearing. Requires that each notice include specified information.

Proposed law requires the authority, if it is unable to provide the appropriate notice, to provide notice through publication for three consecutive weeks prior to the hearing on the matter in a newspaper published and circulated in the jurisdiction of the authority.

Proposed law requires the authority to file proof of the notice required by proposed law, proof of notice by posting on the property, if applicable, and proof of notice by publication, if applicable, with the clerk of the district court prior to the hearing. Requires any person who has an interest in the property subject to the expedited foreclosure to file written objections with the clerk and serve those objections on the authority prior to the hearing.

Proposed law requires the district court to enter judgment on the petition not more than 10 days following the conclusion of the hearing or contested case. Requires the judgment to specify certain information.

Proposed law provides that except as otherwise provided in proposed law, title to property set forth in a petition for foreclosure shall vest absolutely in the authority upon the effective date of the judgment by the district court. Provides that the authority shall have absolute title to the property and the title is not subject to any recorded or unrecorded lien, except as otherwise provided in proposed law and shall not be stayed or held invalid except as otherwise provided in proposed law. Provides that a judgment is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as otherwise provided in proposed law.

Proposed law provides that any person with an interest in the foreclosed property may appeal the district court's order or district court's judgment within 21 days following the effective date of the judgment. Provides that the appeal of the judgment shall be entitled to preference and priority and handled on an expedited basis by the court of appeal and, if applicable, the La. Supreme Court. Provides that in such cases, the record shall be prepared and filed within 15 days of the granting of the order of appeal. Requires the court of appeal to hear the case within 30 days after the filing of the appellee's brief. Further provides that an appeal is limited to the record of the proceedings in the district court. Provides that the district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment.

Proposed law provides that if an appeal stays the district court's judgment foreclosing property, the district court's judgment is stayed only as to the property that is the subject of that appeal. Provides that the district court's judgment foreclosing other property that is not the subject of that appeal is not stayed. Requires a person appealing the judgment to pay to the authority any taxes, interest, penalties, and fees due on the property and to provide notice of the appeal to the authority within 21 days after the district court's judgment is effective. Provides that if the district court's judgment foreclosing the property is affirmed on appeal, the amount determined to be due shall be refunded to the person who appealed the judgment. Provides that if the district court's judgment foreclosing the property is reversed or modified on appeal, the authority shall refund the amount determined to be due to the person who appealed the judgment, if any, and forward the balance to the appropriate taxing jurisdictions in accordance with the order of the court of appeals.

Proposed law provides that it is the intent of the legislature that the provisions of proposed law relating to the expedited quiet title and foreclosure of property by the authority satisfy the minimum requirements of due process required under the state constitution and the U.S. Constitution. Provides that the provisions do not create new rights beyond those required under the state constitution or the U.S. Constitution. Provides that the failure of the authority to follow a requirement of proposed law shall not be construed to create a claim or cause of action against the authority unless the minimum requirements of due process accorded under the state constitution or the U.S. Constitution are violated.

(Adds R.S. 33:4720.301)