

RÉSUMÉ DIGEST

ACT 322 (HB 325)

2015 Regular Session

Wesley Bishop

New law creates the Faubourg Marigny Security and Improvement District in Orleans Parish as a political subdivision of the state for the purpose of promoting and encouraging the security of the district and quality of life initiatives to district residents. Provides for district boundaries and that the district is governed by a board of seven members, all of whom shall be residents and qualified voters of the district, composed as follows:

- (1) Three members appointed by the board of directors of the Faubourg Marigny Improvement Assoc.
- (2) One member appointed by the member or members of the La. House of Representatives who represent the district.
- (3) One member appointed by the member or members of the La. Senate who represent the district.
- (4) One member appointed by the member or members of the New Orleans city council who represent the district.
- (5) One member appointed by the mayor of the city of New Orleans.

Requires members to reside within the district and be qualified voters of the district.

New law authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the fee shall be a flat, annual fee not to exceed \$200 per unimproved parcel and improved residential parcel with fewer than three family units, \$300 per improved parcel with three or more family units, and \$500 per improved parcel zoned for commercial use. Requires that the fee be imposed on each parcel located within the district.

New law defines "parcel" as a lot, a subdivided portion of ground, an individual tract, or a condominium parcel as defined in existing law (R.S. 9:1121.103).

New law provides that the fee shall expire on Dec. 31, 2018, but authorizes renewal of the fee. Provides that the term of the renewal shall be as provided in the proportion authorizing such renewal, not to exceed four years.

New law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. New law requires that the fee proceeds be used solely and exclusively for the district's purpose and benefit. Authorizes the city to retain 1% of the amount collected as a collection fee and requires the city to remit to the district all amounts collected not more than 60 days after collection.

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

New law provides that it is the purpose and intent of new law that the additional law enforcement personnel and their services provided for through the fees authorized by new law shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans Police Dept. Requires transmittal of all funds of the district to the city of New Orleans if the district ceases to exist. Provides further with respect to the management of the funds by the city.

New law requires the district to indemnify its officers and board members to the fullest extent permitted by existing law (relative to indemnification of officers, directors, employees, and agents of nonprofit corporations) as fully as if the district were a nonprofit corporation governed thereby and as may be provided in district bylaws. Provides further with respect to the liability of officers and board members.

Effective August 1, 2015.

(Adds R.S. 33:9091.22)