

2016 Regular Session

SENATE BILL NO. 137

BY SENATOR BARROW

ECONOMIC DEVELOPMENT. Provides for boundaries, board membership and tax authority of the Baton Rouge North Economic Development District and a hotel occupancy tax in East Baton Rouge Parish. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 33:2740.67(B) and (C)(1)(j) and to enact R.S. 33:2740.67(G) and
3 R.S. 47:338.217, relative to Baton Rouge North Economic Development; to provide
4 relative to the boundaries and membership of the board; to provide for hotel
5 occupancy tax; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:2740.67(B) and (C)(1)(j) are hereby amended and reenacted and
9 R.S. 33:2740.67(G) is hereby enacted to read as follows:

10 §2740.67. Baton Rouge North Economic Development District

11 * * *

12 B. Boundaries. The district shall include the area within the following
13 boundaries: beginning at the intersection of North 22nd Street and Florida
14 Boulevard, east along Florida Boulevard to its intersection with North Sherwood
15 Forest Drive, then north along North Sherwood Forest Drive to its intersection with
16 Greenwell Springs Road, then southwest along Greenwell Springs Road to its
17 intersection with Joor Road, then north along Joor Road to its intersection with

1 Mickens Road, then west along Mickens Road to its intersection with Hooper Road,
 2 then west along Hooper Road to its intersection with Harding Boulevard, continuing
 3 west along Harding Boulevard to its intersection with **Veterans Memorial**
 4 **Boulevard, then north along Veterans Memorial Boulevard to its intersection**
 5 **with Rosenwald Road, then west along Rosenwald Road to its intersection with**
 6 Scenic Highway, then south along Scenic Highway to its intersection with Main
 7 Street, then east along Main Street to its intersection with North 22nd Street, then
 8 south along North 22nd Street to the point of beginning.

9 C. Governance. (1) In order to provide for the orderly planning, development,
 10 acquisition, construction, and effectuation of the services, improvements, and
 11 facilities to be furnished by the district and to provide for the representation in the
 12 affairs of the district of those persons and interests immediately concerned with and
 13 affected by the purposes and development of the district, the district shall be
 14 managed by a thirteen-member board of commissioners, referred to in this Section
 15 as the "board". The board shall be comprised of members as follows:

16 * * *

17 (j) ~~The branch manager of a bank~~ **One urban designer or community**
 18 **developer** located within the district to be selected by a subcommittee formed by the
 19 board.

20 * * *

21 **G. (1) The governing authority of East Baton Rouge Parish may levy and**
 22 **collect a tax upon the paid occupancy of hotel rooms located within the**
 23 **boundaries of the district. The tax shall be two percent of the rent or fee**
 24 **charged for such occupancy. The tax shall be paid by the person who exercises,**
 25 **or is entitled to, occupancy of the hotel room and shall be paid at the time the**
 26 **rent or fee for occupancy is paid. The tax shall be imposed by ordinance**
 27 **adopted by the governing authority of East Baton Rouge Parish, and the**
 28 **ordinance may provide for necessary rules and regulations for imposition,**
 29 **collection, and enforcement of the tax. Should the governing authority take**

1 action as authorized in this Paragraph to collect the hotel occupancy tax, the
2 collection shall begin no earlier than September 1, 2016.

3 (2) The net proceeds of the tax after deduction of reasonable collection
4 expenses shall be made available to the district for any of the district's lawful
5 purposes and as provided by the ordinance dedicating the proceeds.

6 Section 2. R.S. 47:338.217 is hereby enacted to read as follows:

7 §338.217. Hotel occupancy tax in East Baton Rouge Parish

8 A. Notwithstanding any other provision of law, and in addition to any
9 other tax now or hereafter levied and collected, the governing authority of East
10 Baton Rouge Parish, is hereby authorized and empowered to levy and collect a
11 tax upon the paid occupancy of hotel rooms located within East Baton Rouge
12 Parish, but not located within the municipalities of Baker, Central, or Zachary
13 or the area within the boundaries of the Baton Rouge North Economic
14 Development District, which are hereby excepted. The hotel occupancy tax shall
15 be two percent of the rent or fee charged for such occupancy. The hotel
16 occupancy tax shall be paid by the person who exercises or is entitled to
17 occupancy of the hotel room and shall be paid at the time the rent or fee for
18 occupancy is paid. "Person" as used herein shall have the same definition as
19 that contained in R.S. 47:301(8).

20 B. The governing authority shall impose the hotel occupancy tax by
21 ordinance adopted by the governing authority which may provide in the
22 ordinance or by resolution necessary and appropriate rules and regulations for
23 the imposition, collection, and enforcement of the hotel occupancy tax, including
24 but not limited to a provision that the initial collection of the tax shall begin on
25 the first of a month following the adoption of the ordinance levying the tax.
26 Should the governing authority take action as authorized in this Section to
27 collect the hotel occupancy tax, the collection shall begin no earlier than
28 September 1, 2016. The ordinance levying and imposing the hotel occupancy tax
29 may be approved by a favorable vote of a majority of the members of the

1 governing authority present and voting. The term "ordinance" means an
 2 ordinance, act, or other appropriate legislative enactment of the governing
 3 authority.

4 C. The governing authority shall have the right to contract with the state
 5 of Louisiana for the collection of the hotel occupancy tax. The tax shall be in
 6 addition to all other taxes presently being levied upon the occupancy of hotel
 7 rooms in the parish.

8 D. Fifty percent of the net proceeds of the tax after deduction of
 9 reasonable collection expenses shall be used to fund the Baton Rouge River
 10 Center and fifty percent of the net proceeds of the tax after deduction of
 11 reasonable collection expenses shall be used to fund Visit Baton Rouge.

12 Section 3. This Act shall become effective upon signature by the governor or, if not
 13 signed by the governor, upon expiration of the time for bills to become law without signature
 14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 15 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 16 effective on the day following such approval.

The original instrument was prepared by Michael Bell. The following digest,
 which does not constitute a part of the legislative instrument, was prepared
 by Ann S. Brown.

DIGEST

SB 137 Reengrossed 2016 Regular Session Barrow

Present law provides for certain boundaries of the Baton Rouge North Economic Development District.

Proposed law changes the boundaries of the Baton Rouge North Economic Development District to expand the boundaries to include a more northwest portion of East Baton Rouge Parish.

Present law provides for the board to consist of 13 members which includes a branch manager of a bank located within the district to be selected by a subcommittee formed by the board.

Proposed law retains present law except changes one of the board members from a branch manager of a bank located within the district to be selected by a subcommittee formed by the board to one urban designer or community developer to be selected by a subcommittee formed by the board.

Proposed law provides for the governing authority of East Baton Rouge Parish to levy and collect a two percent rent or fee charged for the occupancy of hotel rooms located within the

boundaries of the district. Proposed law further provides that the tax is imposed by ordinance adopted by the governing authority.

Proposed law provides for the Baton Rouge North Economic Development District to use the proceeds of the tax for any of the district's lawful purposes and as provided by the ordinance dedicating the proceeds. Provides that collection shall not begin earlier than Sept. 1, 2016.

Proposed law provides for a 2% hotel occupancy tax in East Baton Rouge Parish while exempting the municipalities of Baker, Central, or Zachary and the areas within the Baton Rouge North Economic Development District.

Proposed law provides that the ordinance levying and imposing the hotel occupancy tax may be approved by a favorable vote of a majority of the members of the governing authority and that collection shall not begin earlier than Sept. 1, 2016.

Proposed law provides that after deduction of reasonable collection expenses, fifty percent of the funds shall be used to fund the Baton Rouge River Center and fifty percent to fund Visit Baton Rouge.

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

(Amends R.S. 33:2740.67(B) and (C)(1)(j); adds R.S. 33:2740.67(G) and R.S. 47:338.217)

Summary of Amendments Adopted by Senate

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

1. Changes boundaries of district.
2. Adds authorization of a hotel tax.

Senate Floor Amendments to engrossed bill

1. Adds authorization for a 2% hotel occupancy tax in East Baton Rouge Parish.