

2017 Regular Session

HOUSE BILL NO. 667

BY REPRESENTATIVE GLOVER

DISTRICTS/REDEVELOPMENT: Provides relative to the Shreveport Implementation and
Redevelopment Authority

1 AN ACT

2 To amend and reenact R.S. 33:4720.301(C)(2), (G), (H)(3), (I), (J), (K), (L), (M), (N), (O),
3 (P), and (Q) and to enact R.S. 33:4720.301(H)(20), (21), and (22), (R), and (S),
4 relative to the Shreveport Implementation and Redevelopment Authority; to provide
5 relative to the membership of the authority's governing board; to provide relative to
6 the powers and duties of the authority; to grant the authority the power to levy taxes
7 and issue bonds; and to provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:4720.301(C)(2), (G), (H)(3), (I), (J), (K), (L), (M), (N), (O), (P),
13 and (Q) are hereby amended and reenacted and R.S. 33:4720.301(H)(20), (21), and (22), (R),
14 and (S) are hereby enacted to read as follows:

15 §4720.301. Shreveport Implementation and Redevelopment Authority

16 * * *

17 C.

18 * * *

19 (2) The authority shall be a special district created pursuant to Article VI,
20 Section 19 of the Constitution of Louisiana and political subdivision of the state as

1 defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,
 2 acting through its governing board, is hereby granted all of the rights, powers,
 3 privileges, and immunities accorded by the laws and the Constitution of Louisiana
 4 to political subdivisions of the state, ~~except the authority shall not have the power to~~
 5 ~~impose taxes, issue licenses, incur debt, issue bonds, or expropriate,~~ subject to the
 6 limitations provided in this Chapter.

7 * * *

8 G.(1) The authority shall be governed by a board of commissioners, referred
 9 to in this Chapter as the "board", consisting of ~~nine~~ five members appointed by the
 10 mayor of the city of Shreveport, two of whom shall be appointed as follows:

11 (a) ~~One member appointed by the mayor for an initial term of one year and~~
 12 ~~thereafter the appointment shall be for a term of five years.~~

13 (b) ~~One member appointed by the mayor for an initial term of five years and~~
 14 ~~thereafter the appointment shall be for a term of five years.~~

15 (c) ~~One member appointed by the mayor for an initial term of three years and~~
 16 ~~thereafter the appointment shall be for a term of five years.~~

17 (d) ~~One member appointed by the mayor from a list of three names from the~~
 18 ~~membership of the Greater Shreveport Chamber of Commerce, submitted by its~~
 19 ~~board of directors, who shall serve for an initial term of two years and thereafter the~~
 20 ~~appointment shall be for a term of five years.~~

21 (e) ~~One member appointed by the mayor from a list of three names from the~~
 22 ~~membership of the Shreveport Bar Association, submitted by its executive council,~~
 23 ~~who shall serve an initial term of three years and thereafter the appointment shall be~~
 24 ~~for a term of five years.~~

25 (f) ~~One member appointed by the mayor from a list of three names from the~~
 26 ~~membership of the Shreveport Chapter of the Society of Louisiana Certified Public~~
 27 ~~Accountants, submitted by the chapter officers, who shall serve an initial term of~~
 28 ~~four years and thereafter the appointment shall be for a term of five years.~~

1 ~~(g) One member appointed by the mayor from a list of three names from the~~
2 ~~membership of The Community Foundation of North Louisiana, submitted by its~~
3 ~~board of directors, who shall serve an initial term of four years and thereafter the~~
4 ~~appointment shall be for a term of five years.~~

5 ~~(h) One member appointed by the mayor from a list of three names from the~~
6 ~~membership of the Northwest Louisiana Association of REALTORS, submitted by~~
7 ~~its board of directors, who shall serve an initial term of two years and thereafter the~~
8 ~~appointment shall be for a term of five years.~~

9 ~~(i) One member appointed by the mayor from a list of three names from the~~
10 ~~membership of the Home Builders Association of Northwest Louisiana, submitted~~
11 ~~by its board of directors, who shall serve an initial term of five years and thereafter~~
12 ~~the appointment shall be for a term of five years.~~

13 (a) One member from a list of three nominees submitted by the Greater
14 Shreveport Chamber of Commerce.

15 (b) One member from a list of three nominees submitted by the Shreveport
16 Bossier African American Chamber of Commerce.

17 (2) The board shall be representative of the city's population by race and
18 gender to ensure diversity.

19 (3) All appointments shall be subject to confirmation by the governing
20 authority of the city of Shreveport.

21 (4) Each board member shall be a citizen of the United States, a domiciliary
22 of and a qualified voter in the city of Shreveport for at least one year preceding the
23 date of appointment, and shall remain a domiciliary of and a qualified voter of such
24 jurisdiction during the entirety of the term of office. Furthermore, each board
25 member shall be of good character and shall possess a certain skill, knowledge, or
26 experience that will prove useful in the accomplishment of the goals of the authority
27 as set forth in Subsection B of this Section.

28 (5)(a) After the initial term of appointment to the board as provided in
29 Subparagraph (b) of this Paragraph, each board member shall serve a term of five

1 years, unless removed for cause by the board as provided in this Chapter, or removed
2 for any reason by authorized action of the entity that nominated the person for
3 appointment by the mayor.

4 (b) ~~Any appointment to fill a vacancy which occurs during a board member's~~
5 ~~term shall be only for the remainder of the unexpired term of the position to which~~
6 ~~the board member was appointed~~ One member shall serve an initial term of one year,
7 one shall serve two years, one shall serve three years, one shall serve four years, and
8 one shall serve five years as determined by lot at the first meeting of the board.

9 (6) The board shall establish rules and requirements relative to the
10 attendance and participation of members in its meetings, regular or special. Such
11 rules and regulations may prescribe a procedure whereby, should any member fail
12 to comply with such rules and regulations, such member may be disqualified and
13 removed automatically from office by no less than a majority vote of the remaining
14 members of the board, and that member's position shall be vacant as of the first day
15 of the next calendar month. Any person removed under the provisions of this
16 Paragraph shall be ineligible for reappointment to the board, unless such
17 reappointment is confirmed unanimously by the board.

18 (7) ~~A vacancy on a board shall be filled in the same manner as the original~~
19 ~~appointment~~ Vacancies occurring prior to the expiration of a term shall be filled in
20 the manner of the original appointment for the remainder of the unexpired term.

21 (8) Board members shall serve without compensation, shall have the power
22 to organize and reorganize the executive, administrative, clerical, and other
23 departments and forces of the authority and to fix the duties, powers, and
24 compensation of all employees, agents, and consultants of the authority. The board
25 may reimburse any member for expenses actually incurred in the performance of
26 duties on behalf of the authority.

27 (9) The board shall elect yearly from its number a chairman, a vice chairman,
28 a secretary, and a treasurer and shall establish their duties as may be regulated by
29 rules adopted by the board. The offices of secretary and treasurer may be held by the

1 same person. The board may meet in regular session once each month and shall also
2 meet in special session as convened by the chairman or upon written notice signed
3 by four members. A majority of the members of the board, not including vacancies,
4 shall constitute a quorum for the conduct of business.

5 (10) All actions of the board shall be approved by the affirmative vote of a
6 majority of the members of that board present and voting. However, no action of the
7 board shall be authorized on the following matters unless approved by a majority of
8 the total board membership:

9 (a) Adoption of bylaws and other rules and regulations for conduct of the
10 authority's business.

11 (b) Hiring or firing of any employee or contractor of the authority. This
12 function may by majority vote be delegated by the board to a specified officer or
13 committee of the authority, under such terms and conditions, and to the extent, that
14 the board may specify.

15 (c) Adoption or amendment of the annual budget.

16 (d) Sale, lease, encumbrance, or alienation of ~~real~~ immovable property,
17 improvements, or ~~personal~~ movable property with a value of more than fifty
18 thousand dollars.

19 (e) Incurring of debt.

20 (f) Levy of taxes and calling any tax or other election.

21 (11) Vote by proxy shall not be permitted. Any member may request a
22 recorded vote on any resolution or action of the authority.

23 (12) The board shall cause minutes and a record to be kept of all its
24 proceedings. Except as otherwise provided in this Paragraph, the authority shall be
25 subject to the Public Records Law (Chapter 1 of Title 44 of the Louisiana Revised
26 Statutes of 1950), the Open Meetings Law (R.S. 42:11 et seq.), and the Code of
27 Governmental Ethics (Chapter 15 of Title 42 of the Louisiana Revised Statutes of
28 1950). Notwithstanding the provisions of R.S. 42:14, until thirty days prior to the
29 date the board is scheduled to consummate a final sale or lease of any immovable

1 property owned by the authority, the board may meet in executive session to discuss
 2 negotiations between the authority and any prospective seller, purchaser, lessor, or
 3 lessee of that property. R.S. 44:31 through 35 shall not apply to any records related
 4 to the negotiations of or to the terms of such a sale or lease until thirty days prior to
 5 the date the board is scheduled to consummate a final sale or lease. The board shall
 6 give written public notice of its intention to consummate a final sale or lease at least
 7 thirty days prior to the date on which the board intends to take such action. This
 8 notice shall comply with the procedural provisions of R.S. 42:19.

9 H. The authority, through the board, shall have all powers necessary or
 10 convenient to carry out and effectuate the purposes and provisions of this Chapter,
 11 including but not limited to the following:

12 * * *

13 (3) To acquire by gift, grant, purchase, or lease, and to hold and use any
 14 property, immovable, movable, mixed, corporeal, or incorporeal, or any interest
 15 therein, necessary or desirable for carrying out the objects and purposes of the
 16 authority, and to engage in any action, such as the purchase of insurance, necessary
 17 or desirable for the maintenance or improvement of such property. The authority
 18 shall not have any power to expropriate.

19 * * *

20 (20) To require and issue licenses.

21 (21) To levy annually and cause to be collected ad valorem taxes if the
 22 amount, term, and purpose of such taxes, as set out in propositions submitted to a
 23 vote in accordance with the Louisiana Election Code, is approved by a majority of
 24 the qualified electors within the boundaries of the authority voting in an election held
 25 for that purpose.

26 (22)(a) To levy and collect sales and use taxes within the boundaries of the
 27 authority for such purposes and at such rate as provided by the propositions
 28 authorizing their levy, not to exceed, in aggregate, one percent, which taxes may not
 29 exceed the limitation set forth in the Constitution of Louisiana, if the proposition

1 submitted to a vote in accordance with the Louisiana Election Code is approved by
2 a majority of the qualified electors within the boundaries of the authority voting in
3 an election held for that purpose. In submitting a sales tax proposition to a vote, the
4 board may enter into a cooperative endeavor agreement with the governing authority
5 of the city of Shreveport providing for the sales tax to be divided into parts between
6 the city and the authority for such purposes and in such amounts as may be set forth
7 in the proposition.

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

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

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

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

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

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

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

20 (4) Bonds issued under Paragraph (2) of this Subsection shall be authorized
21 by resolution of the board and shall be limited obligations of the issuing authority;
22 the principal and interest, costs of issuance, and other costs incidental thereto shall
23 be payable solely from the income and revenue derived from the sale, lease, or other
24 disposition of the project or facility to be financed by the bonds issued under this
25 Subsection, or from the income and revenue derived from the sale, lease, or other
26 disposition of any existing project or facility acquired, constructed, and improved
27 under the provision of this Subsection, or from any source available for such
28 purpose. However, in the discretion of the issuing authority, the bonds may be
29 additionally secured by mortgage or other security device covering all or part of the

1 project from which the revenues so pledged may be derived. Any refunding bonds
2 issued pursuant to this Subsection shall be payable from any source described above
3 or from the investment of any of the proceeds of the refunding bonds authorized
4 under this Subsection and shall not constitute an indebtedness or pledge of the
5 general credit of the parish of Caddo or the city of Shreveport, as appropriate, or the
6 authority within the meaning of any constitutional or statutory limitation of
7 indebtedness and shall contain a recital to that effect. Bonds of the authority issued
8 under this Subsection shall be issued in such form, shall be in such denominations,
9 shall bear interest, shall mature in such manner, and be executed by one or more
10 members of the board as provided in the resolution authorizing the issuance thereof.
11 Such bonds may be subject to redemption at the option of and in the manner
12 determined by the board in the resolution authorizing the issuance thereof.

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

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

27 (7) Bonds issued by the authority under this Chapter are deemed to be
28 securities of public entities within the meaning of Chapters 13 and 13-A of Title 39
29 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in

1 accordance with the provisions of Chapter 14 of Title 39 of the Louisiana Revised
2 Statutes of 1950, shall be subject to the refunding provisions of Chapter 14-A of
3 Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as
4 short-term revenue notes of a public entity under Chapter 15-A of Title 39 of the
5 Louisiana Revised Statutes of 1950.

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

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

13 f. J.(1) The exercise by the board of the powers conferred by virtue of this
14 Chapter shall be deemed and held to be an essential governmental function of the
15 state and city of Shreveport. As the exercise of the powers granted by this Chapter
16 will be in all respects for the benefit of the people of the state of Louisiana and city
17 of Shreveport, for the increase of their commerce and prosperity, and for the
18 improvement of their health and living conditions, the authority shall not be required
19 to pay any taxes, including but not limited to sales and use taxes, ad valorem,
20 occupational licensing, income, or any other taxes of any kind or nature, or fees or
21 assessments upon any property held, acquired, or used by the authority under the
22 provisions of this Chapter, or upon the income therefrom. Any bonds, certificates,
23 or other evidences of indebtedness issued by the authority and the income therefrom
24 shall be exempt from taxation by the state and by any parish, municipality, or other
25 political subdivision of the state. The authority shall not be deemed to be a public
26 utility and shall not be subject in any respect to the authority, control, regulation, or
27 supervision of the Louisiana Public Service Commission.

28 (2) All property of the authority, including funds owned or held by it for the
29 purpose of this Chapter, shall be exempt from levy and sale by virtue of an

1 execution, and no execution or other judicial process shall issue against the same, nor
2 shall judgment against the city of Shreveport or the authority be a charge or lien
3 upon such property. However, the provisions of this Subsection shall not apply to or
4 limit the right of obligees to pursue any remedies for the enforcement of any pledge
5 or lien given pursuant to this Chapter by the authority on its rents, fees, grants, or
6 revenues.

7 ~~¶~~ K.(1) The authority may purchase adjudicated properties within its
8 territorial jurisdiction from any political subdivision of the state of Louisiana. No
9 such purchase shall be construed to, or otherwise have the effect of, extending or
10 suspending the period prescribed by law for the redemption of the property by the
11 tax debtor or any other person.

12 (2) In addition to the authority set forth in Subpart B of Part IV of Chapter
13 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, such purchases
14 by the authority may be by a direct negotiated purchase and sale agreement between
15 the authority and a political subdivision without any other requirement of a public
16 sale prior to the transfer of such properties to the authority. Such purchases by the
17 authority shall not be considered the sale of surplus property or of property owned
18 by the political subdivision.

19 (3) Effective upon the recordation of the transfer of an adjudicated property
20 to the authority pursuant to a purchase and sale agreement, the rights of the authority
21 in and to such property shall be the rights of a purchaser at a tax sale as contemplated
22 by Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,
23 subject only to the rights of redemption of the property set forth in Article VII,
24 Section 25(B) of the Constitution of Louisiana, and the property shall no longer be
25 deemed to be adjudicated property as of such recordation. For purposes of the right
26 of redemption in Article VII, Section 25(B) of the Constitution of Louisiana, the
27 redemption period commences on the date of the recordation of the initial
28 adjudication to the political subdivision and not on the date of transfer to the
29 authority.

1 (4) Any such purchase and sale agreement shall set forth the total
2 consideration to be paid by the authority and the method and timing of payment of
3 such consideration by the authority.

4 (5) The state and any political subdivision with liens on the property may,
5 pursuant to intergovernmental agreements with the authority, cancel such liens
6 contemporaneously with or subject to the transfer of the property to the authority.

7 (6)(a) The authority shall have the right, subject to the provisions of this
8 Section, to purchase properties at tax sales conducted in accordance with Part III of
9 Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, and
10 any and all such purchases shall be a purchase pursuant to those provisions and not
11 an adjudication to a political subdivision.

12 (b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of
13 the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale
14 which is a credit bid, consisting of the obligation of the authority to satisfy the
15 component parts of the bid by payments to the respective political subdivisions and
16 taxing entities in accordance with intergovernmental agreements between the
17 authority and such political subdivisions and taxing entities.

18 (7) The authority shall submit annual reports to the House Committee on
19 Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and
20 Municipal Affairs and each member of the Shreveport legislative delegation
21 concerning property purchased by the authority. Such report shall be filed by March
22 first each year and shall cover the previous calendar year. Each report shall include:

23 (a) The legal description or other indication of the location of each property
24 purchased.

25 (b) The amount paid for each property.

26 (c) The minimum bid that was set for the property and the appraised value
27 of the property.

28 (d) A general description of the authority's plans for the property and how
29 such plans advance the purposes for which the authority is created.

1 ~~K.~~ L.(1) The authority shall have the power to create and execute
2 redevelopment or development plans for specified areas within its territorial
3 jurisdiction. The implementation of all such plans shall not proceed until, to the
4 extent required by law, the authority has obtained the approval of the local planning
5 commission or zoning board. In the execution of such a redevelopment plan, the
6 authority shall have the powers provided in this Subsection. The fact that a certain
7 power is expressed or implied in this Paragraph as pertinent to the authority's
8 execution of a redevelopment plan shall not suggest or imply that such power is
9 otherwise denied to the authority.

10 (2) A redevelopment plan shall include a definition of the redevelopment
11 area. This area, or any part thereof, may be further designated as a subdistrict of the
12 authority.

13 (3) The authority may sell, lease, exchange, or otherwise transfer immovable
14 property or any interest therein acquired by it for residential, recreational,
15 commercial, industrial, or other uses or for public use, subject to such covenants,
16 conditions, and restrictions, including covenants running with the land, as it may
17 deem to be necessary or desirable to assist in carrying out the purposes of this
18 Chapter. The purchasers or lessees and their successors and assigns shall be
19 obligated to devote such immovable property only to the uses as the authority may
20 determine to be in the public interest, including the obligation to begin within a
21 reasonable time any improvements on such immovable property. Such immovable
22 property or interest shall be sold, leased, exchanged, or otherwise transferred at not
23 less than its fair value for uses in accordance with the redevelopment or development
24 plan. In determining the fair value of immovable property for uses in accordance
25 with the redevelopment or development plans, the authority shall take into account
26 and give consideration to the use provided in such plan; the restrictions upon and the
27 covenants, conditions, and obligations assumed by the purchaser or lessee; and the
28 objectives of such plan. The authority, in any instrument of conveyance to a private
29 purchaser or lessee, may provide that such purchaser or lessee shall be without power

1 to sell, lease, exchange, or otherwise transfer the immovable property without the
 2 prior written consent of the authority until such purchaser or lessee has completed
 3 the construction of any and all improvements which he has obligated himself to
 4 construct thereon. Immoveable property acquired in accordance with the provisions
 5 of the plan shall be transferred as rapidly as feasible in the public interest, consistent
 6 with the carrying out of the provisions of the project plan. Such plan and any
 7 substantial modification of such plan shall be filed as a public record in the office of
 8 the clerk of the parish, and any conveyances, encumbrances, or other contracts may
 9 incorporate the provisions thereof by reference which shall afford notice thereof to
 10 all parties.

11 (4) The authority may dispose of, sell, exchange, or lease immovable
 12 property in a redevelopment area to any private person for the fair market value of
 13 the property as determined by a certified and competent appraiser, or to any private
 14 person pursuant to reasonable competitive bidding procedures as it shall prescribe
 15 subject to the provisions set forth in this Paragraph. Such reasonable bidding
 16 procedures must include public notice, by publication once each week for two
 17 consecutive weeks in a newspaper having a general circulation in the community,
 18 inviting proposals from and making available all pertinent information to private
 19 redevelopers or any persons interested in undertaking to redevelop or rehabilitate a
 20 redevelopment area or any part thereof. Such notice shall identify the area, or
 21 portion thereof, and shall state that proposals shall be made by those in interest
 22 within thirty days after publication of such notice, and that such further information
 23 as is available may be obtained at such office as shall be designated in the notice.
 24 The board shall consider all such redevelopment or rehabilitation proposals and the
 25 financial and legal ability of the persons making such proposals to carry them out,
 26 and may negotiate with any persons for proposals for the purchase, lease, or other
 27 transfer of any immovable property acquired by the authority in the redevelopment
 28 area. The board may accept such proposals as it deems to be in the public interest
 29 and in furtherance of the purposes of this Chapter. Such notice, and all contracts to

1 sell, lease, exchange, or otherwise transfer immovable property under the provisions
2 of this Chapter, shall be a public record and shall include the name of the redeveloper
3 or purchaser, together with the names of its officers, principal members or
4 shareholders, investors and other interested parties, the redeveloper's estimate of the
5 cost of any residential development and rehabilitations, and the redeveloper's
6 estimate of rentals and sales prices of any proposed housing involved in such
7 redevelopment and rehabilitation. Thereafter, the board may execute such contracts
8 in accordance with the provisions of this Chapter and deliver acts of sale, leases, and
9 other instruments and take all steps necessary to effectuate such contracts.

10 (5) The authority may temporarily operate, maintain, or lease immovable
11 property acquired by it in a redevelopment area for or in connection with a
12 redevelopment project pending disposition of the property as authorized in this
13 Chapter for such uses and purposes as may be deemed desirable even though not in
14 connection with the redevelopment plan.

15 (6) Any immovable property within a redevelopment area acquired pursuant
16 to ~~Subsection J~~ Subsection K of this Section may be disposed of without regard to
17 the other provisions of this Chapter. Immoveable property acquired in accordance
18 with the redevelopment plan may be disposed of to a public body for public reuse
19 without regard to the provisions of this Subsection.

20 (7) Notwithstanding any other provisions of this Chapter where an area in
21 the city of Shreveport is designated as a redevelopment area under the Federal Area
22 Redevelopment Act (Public Law 87-27), or any Act supplementary thereto, land in
23 a redevelopment project area designated under the redevelopment plan for industrial
24 or commercial uses may be disposed of to any public body or nonprofit corporation
25 for subsequent disposition as promptly as practical by the public body or corporation
26 for redevelopment in accordance with the redevelopment plan, and only the
27 purchaser from or lessee of the public body or corporation, and their assignees, shall
28 be required to assume the obligation of beginning the building of improvements
29 within a reasonable time. Any disposition of land to a public body or corporation

1 under this Paragraph shall be at its fair value for uses in accordance with the
2 redevelopment plan.

3 E. M.(1) The authority may, in the implementation of a redevelopment plan,
4 create one or more subdistricts to conduct, oversee, or assist in the implementation
5 of such redevelopment plan. The boundaries of such a subdistrict may include all
6 or part of the redevelopment area. Such a subdistrict shall have and exercise such
7 powers and responsibilities as the authority shall specify in the enabling resolution.
8 The full extent of such powers and responsibilities may include such powers as the
9 authority itself may exercise, and such other powers as are given to the subdistrict
10 by this Paragraph or any other law, but any exercise of such powers by the subdistrict
11 shall be confined solely to the geographical limits of the subdistrict. Such a
12 subdistrict may be established to exist at the pleasure of the authority, or for any
13 period of time, or until the happening of any occurrence or occurrences, that the
14 authority may specify.

15 (2) The creation of a subdistrict shall in no instance result in the detachment,
16 severance, or loss of any power or responsibility granted to the authority by this
17 Chapter, and within the confines of any subdistrict, the authority shall have full
18 jurisdiction, concurrent with that of the subdistrict, to exercise such powers and
19 responsibilities. The fact that a certain power is expressed or implied in this
20 Paragraph as pertinent to a subdistrict's conduct, oversight, or assistance in the
21 implementation of the redevelopment plan shall not suggest or imply that such power
22 is otherwise denied to the authority.

23 (3) Unless otherwise specified in the resolution or other formal act creating
24 the subdistrict, the board members of the authority shall constitute the governing
25 authority of the subdistrict.

26 (4) Unless otherwise specified in the resolution or other formal act creating
27 the subdistrict, the subdistrict shall be a distinct and separate juridical entity, and the
28 rights, interests, and liabilities of the subdistrict shall not under any circumstances
29 be considered those of the authority.

1 ~~(4)~~(5) In addition to the other powers it may be granted, a subdistrict may
2 enjoy, within its geographical boundaries, the powers of tax increment financing, the
3 power to issue revenue bonds, and those other powers that may be exercised by an
4 economic development district created by a local governmental subdivision pursuant
5 to R.S. 33:9038.32. The subdistrict shall remain subject to all limitations and
6 reservations applicable to the powers of the authority.

7 N. All banks, trust companies, bankers, savings banks and institutions,
8 building and loan associations, savings and loan associations, investment companies,
9 and other persons carrying on a banking or investment business; all insurance
10 companies, insurance associations, and other persons carrying on an insurance
11 business; and all executors, administrators, curators, trustees, and other fiduciaries
12 may legally invest any sinking funds, monies, or other funds belonging to them or
13 within their control in any bonds or other obligations issued by the authority pursuant
14 to this Chapter. Bonds and other obligations shall be authorized security for all
15 public deposits. It is the purpose of this Subsection to authorize any public or private
16 persons, political subdivisions, and officers, public or private, to use any funds
17 owned or controlled by them for the purchase of any bonds or other obligations.
18 Nothing contained in this Subsection with regard to legal investments shall be
19 construed as relieving any persons of any duty of exercising reasonable care in
20 selecting securities.

21 M. O. For the purpose of aiding in the planning, undertaking, or carrying out
22 of a redevelopment or development project and related activities authorized by this
23 Chapter, any public body may, upon such terms, with or without consideration as it
24 may determine, do any of the following:

25 (1) Dedicate, sell, convey, or lease any of its interest in any property or grant
26 easements, licenses, or other rights or privileges therein to the authority.

27 (2) Incur the entire expense of any public improvements made by such
28 public body.

1 (3) Do any and all things necessary to aid or cooperate in the planning or
2 carrying out of a redevelopment plan and related activities.

3 (4) Lend, grant, or contribute funds to the authority in accordance with an
4 appropriate cooperative endeavor agreement and borrow money and apply for and
5 accept advances, loans, grants, contributions, and any other form of financial
6 assistance from the government of the United States, the state of Louisiana, parish
7 of Caddo, city of Shreveport, or other public body, or from any other source.

8 (5) Enter into agreements which may extend over any period
9 notwithstanding any provision or rule of law to the contrary with the federal
10 government or other public body respecting action to be taken pursuant to any of the
11 powers granted by this Chapter, including the furnishing of funds or other assistance
12 in connection with a redevelopment project and related activities.

13 (6) Cause public buildings and public facilities, including parks,
14 playgrounds, recreational, community, educational, water, sewer, or drainage
15 facilities, or any other works which it is otherwise empowered to undertake to be
16 furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or
17 replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone,
18 or make exceptions from building regulations.

19 ~~N. P.~~ Any instrument executed, in proper form and with proper certification
20 of authority, by the authority purporting to convey any right, title, or interest in any
21 property under this Chapter shall be conclusively presumed to have been executed
22 in compliance with provisions of this Chapter insofar as title or other interest of any
23 bona fide purchasers, lessees, or transferees of the property is concerned.

24 ~~O. Q.~~ As used in this Chapter, the following terms shall have the meanings
25 herein ascribed to them:

26 (1) "Bonds" means any bonds, notes, interim certificates, certificates of
27 indebtedness, debenture, or other obligation.

28 (2) "Federal government" means any department, agency, or instrumentality,
29 corporate or otherwise, of the United States of America.

1 ~~(2)~~(3) "Owners of a property interest" means anyone with a corporeal or
2 incorporeal interest in immovable property filed for record in the conveyance records
3 or mortgage records of the clerk of court and ex officio recorder of mortgages for the
4 parish where the property is located, including a naked owner, a usufructuary, a
5 mortgagee, a judgment creditor, or a holder of a personal or predial servitude.

6 ~~(3)~~(4) "Public body" means the state, any parish and any city and any board,
7 authority, agency, district, subdivision, department, or instrumentality, corporate or
8 otherwise, of the state, parish, or city.

9 ~~(4)~~(5) "Real property" or "immovable property" means any and all right,
10 title, and interest in a tract of land, including its component parts and liens by way
11 of judgment, mortgage, or otherwise.

12 P. R. Insofar as the provisions of this Chapter are inconsistent with the
13 provisions of any other law, the provisions of this Chapter shall be controlling.
14 However, the authority shall be subject to the provisions of the Local Government
15 Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Chapter
16 shall be in addition and supplemental to the powers conferred by any other law.

17 ~~Q.~~ S.(1) In addition to other powers granted to the authority pursuant to this
18 Chapter, the authority may initiate an expedited quiet title and foreclosure action
19 under this Subsection to quiet title to immovable property held by the authority,
20 interests in property purchased by the authority at tax sales, or in formerly
21 adjudicated properties acquired by the authority from a political subdivision, by
22 recording with the conveyance records of the clerk of court and ex officio recorder
23 of mortgages a notice of pending expedited quiet title and foreclosure action. The
24 notice shall include a legal description of the property; the street address of the
25 property if available; the name, address, and telephone number of the authority; a
26 statement that the property is subject to expedited quiet title proceedings and
27 foreclosure under this Subsection; and a statement that any legal interests in the
28 property may be extinguished by a district court order vesting title to the property in
29 the authority. If a notice is recorded in error, the authority may correct the error by

1 recording a certificate of correction with the register of conveyances. A notice or
2 certificate under this Subsection need not be notarized and may be authenticated by
3 a digital signature or other electronic means. If the authority has reason to believe
4 that a property subject to an expedited quiet title and foreclosure action under this
5 Subsection may be the site of environmental contamination, the authority shall
6 provide the Department of Environmental Quality with any information in the
7 possession of the authority that suggests the property may be the site of
8 environmental contamination.

9 (2) After recording the notice under Paragraph (1) of this Subsection, the
10 authority shall initiate a search of records identified in this Paragraph to identify the
11 owners of a property interest in the property who are entitled to notice of the quiet
12 title and foreclosure hearing under this Subsection. The authority may enter into a
13 contract with or may request from one or more authorized representatives a title
14 search or other title product to identify the owners of a property interest in the
15 property as required under this Paragraph or to perform the other functions set forth
16 in this Subsection required for the quieting of title to property. The owner of a
17 property interest is entitled to notice under this Section if that owner's interest was
18 identifiable by reference to either of the following sources before the date that the
19 authority records the notice under Paragraph (1) of this Subsection:

20 (a) Land title records in the office of the recorder of mortgages and the
21 register of conveyances.

22 (b) Tax records in the office of the assessor.

23 (3) The authority may file a single petition with the district court to expedite
24 foreclosure under this Subsection listing all property subject to expedited foreclosure
25 by the authority and for which the authority seeks to quiet title. If available to the
26 authority, the list of properties shall include a legal description of, a tax parcel
27 identification number for, and the street address of each parcel of property. The
28 petition shall seek a judgment in favor of the authority against each property listed
29 and shall include a date, within ninety days of filing, on which the authority requests

1 a hearing on the petition. The petition shall request that a judgment be entered
2 vesting absolute title in the authority for each parcel of property listed, as provided
3 in this Paragraph. Prior to the entry of judgment under this Paragraph, the authority
4 may request the court to remove property erroneously included in the petition or any
5 tax delinquent properties redeemed prior to the hearing.

6 (4) The district court in which a petition is filed under Paragraph (3) of this
7 Subsection shall immediately set the date, time, and place for a hearing on the
8 petition for foreclosure. The date shall be set by the court and shall not be more than
9 ten days after the date requested by the authority in the petition. In no event may the
10 court schedule the hearing later than ninety days after the filing of a petition by the
11 authority under Paragraph (3) of this Subsection.

12 (5) After completing the records search under Paragraph (2) of this
13 Subsection, the authority shall determine the address or addresses reasonably
14 calculated to inform those owners of a property interest in property subject to
15 expedited foreclosure under this Subsection of the pendency of the quiet title and
16 foreclosure hearing under Paragraph (11) of this Subsection. If, after conducting the
17 title search, the authority is unable to determine an address reasonably calculated to
18 inform persons with a property interest in property subject to expedited tax
19 foreclosure, or if the authority discovers a deficiency in notice under this Subsection,
20 the following shall be considered reasonable steps by the authority to ascertain the
21 addresses of persons with a property interest in the property subject to expedited
22 foreclosure or to ascertain an address necessary to correct a deficiency in notice
23 under this Subsection:

24 (a) For an individual, a search of records of the recorder of mortgages and
25 the register of conveyances.

26 (b) For a business entity, a search of business entity records filed with the
27 commercial division of the Department of State.

1 (c) For a state or federal chartered depository financial institution, a search
2 of entity records filed with the Louisiana Office of Financial Institutions or with the
3 Federal Deposit Insurance Corporation (FDIC).

4 (6) Not less than thirty days before the quiet title and foreclosure hearing
5 under Paragraph (11) of this Subsection, the authority shall send notice by certified
6 mail, return receipt requested, of the hearing to the persons identified under
7 Paragraph (2) of this Subsection who have a property interest in property subject to
8 expedited foreclosure. The authority shall also send a notice via regular mail
9 addressed to the "Occupant" for each property subject to expedited foreclosure if an
10 address for the property is ascertainable.

11 (7) Not less than thirty days before the quiet title and foreclosure hearing
12 under Paragraph (11) of this Subsection, the authority or its authorized representative
13 or authorized agent shall visit each parcel of property subject to expedited
14 foreclosure and post on the property conspicuous notice of the hearing. In addition
15 to the requirements of Paragraph (8) of this Subsection, the notice shall also include
16 the following statement: "This Property has been transferred to the Shreveport
17 Implementation and Redevelopment Authority and is subject to an expedited quiet
18 title and foreclosure action. Persons with information regarding the prior owner of
19 the property are requested to contact the Shreveport Implementation and
20 Redevelopment Authority."

21 (8) The notices required under Paragraphs (6) and (7) of this Subsection shall
22 include all of the following:

23 (a) The date on which the authority recorded, under Paragraph (1) of this
24 Subsection, notice of the pending expedited quiet title and foreclosure action.

25 (b) A statement that a person with a property interest in the property may
26 lose his interest as a result of the quiet title and foreclosure hearing under Paragraph
27 (11) of this Subsection.

28 (c) A legal description, parcel number of the property, and the street address
29 of the property, if available.

- 1 (d) The person to whom the notice is addressed.
- 2 (e) The date and time of the hearing on the petition for foreclosure under
3 Paragraph (1) of this Subsection, and a statement that the judgment of the court may
4 result in title to the property vesting in the authority.
- 5 (f) An explanation of any rights of redemption and notice that the judgment
6 of the court may extinguish any ownership interest in or right to redeem the property.
- 7 (g) The name, address, and telephone number of the authority.
- 8 (h) A statement that persons with information regarding the owner or prior
9 owner of any of the properties are requested to contact the authority.
- 10 (9) If the authority is unable to ascertain the address reasonably calculated
11 to inform the owners of a property interest entitled to notice under this Section, or
12 is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the
13 authority shall provide notice by publication. Prior to the hearing, a notice shall be
14 published for three successive weeks, once each week, in a newspaper published and
15 circulated in the parish. The published notice shall include all of the following:
- 16 (a) A legal description, parcel number of the property, and the street address
17 of the property, if available.
- 18 (b) The name of any person not notified under Paragraphs (6) and (7) of this
19 Subsection that the authority reasonably believes may be entitled to notice under this
20 Section of the quiet title and foreclosure hearing under Paragraph (11) of this
21 Subsection.
- 22 (c) A statement that a person with a property interest in the property may
23 lose his interest as a result of the foreclosure proceeding under Paragraph (11) of this
24 Subsection.
- 25 (d) The date and time of the hearing on the petition for foreclosure under
26 Paragraph (11) of this Subsection.
- 27 (e) A statement that the judgment of the court may result in title to the
28 property vesting in the authority.

1 (f) An explanation of any rights of redemption and notice that judgment of
2 the court may extinguish any ownership interest in or right to redeem the property.

3 (g) The name, address, and telephone number of the authority.

4 (h) A statement that persons with information regarding the owner or prior
5 owner of any of the properties are requested to contact the authority.

6 (10) If prior to the quiet title and foreclosure hearing under Paragraph (11)
7 of this Subsection, the authority discovers any deficiency in the provision of notice
8 under this Subsection, the authority shall take reasonable steps in good faith to
9 correct the deficiency before the hearing. The provisions of this Subsection relating
10 to notice of the quiet title and foreclosure hearing are exclusive and exhaustive.
11 Other requirements relating to notice and proof of service under other law, rule, or
12 other legal requirement are not applicable to notice or proof of service under this
13 Subsection.

14 (11) If a petition for expedited quiet title and foreclosure is filed under
15 Paragraph (3) of this Subsection, before the hearing, the authority shall file with the
16 clerk of the district court proof of notice by certified mail under Paragraph (6) of this
17 Subsection, proof of notice by posting on the property under Paragraph (7) of this
18 Subsection, and proof of notice by publication, if applicable, pursuant to Paragraph
19 (9) of this Subsection. A person claiming an interest in a parcel of property set forth
20 in the petition for foreclosure, including a current holder of a conventional mortgage,
21 who desires to contest that petition shall file written objections with the clerk of the
22 district court and serve those objections on the authority before the date of the
23 hearing. A holder of a conventional mortgage may object to the action and is entitled
24 to a dismissal of the proceedings by the district court upon a showing that it is the
25 holder of a legally enforceable conventional mortgage and upon payment of the
26 outstanding amount of any liens, taxes, and related costs. The district court may
27 appoint and utilize as the court considers necessary a curator for assistance with the
28 resolution of any objections to the foreclosure or questions regarding the title to
29 property subject to foreclosure. If the court withholds property from foreclosure, the

1 authority's ability to include the property in a subsequent petition for expedited quiet
2 title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited
3 quiet title and foreclosure action under this Subsection. The district court shall enter
4 judgment on a petition to quiet title and foreclosure filed under Paragraph (3) of this
5 Subsection not more than ten days after the conclusion of the hearing or contested
6 case, and the judgment shall become effective ten days after the conclusion of the
7 hearing or contested case. The district court's judgment shall specify all of the
8 following:

9 (a) The legal description and, if known, the street address of the property
10 foreclosed.

11 (b) That title to property foreclosed by the judgment is vested absolutely in
12 the authority, except as otherwise provided in Paragraphs (3) and (5) of this
13 Subsection, without any further rights of redemption.

14 (c) That all liens against the property, including any lien for unpaid taxes or
15 special assessments, are extinguished.

16 (d) That, except as otherwise provided in Subparagraph (e) of this Paragraph,
17 the authority has good and marketable title to the property.

18 (e) That all existing recorded and unrecorded interests in that property are
19 extinguished, except a visible or recorded easement or right-of-way or private deed
20 restrictions.

21 (f) A finding that all persons entitled to notice and an opportunity to be heard
22 have been provided that notice and opportunity. A person shall be deemed to have
23 been provided notice and an opportunity to be heard if the authority followed the
24 procedures for provision of notice by mail, by visits to property subject to expedited
25 quiet title and foreclosure, and by publication under this Subsection, or if one or
26 more of the following apply:

27 (i) The person had constructive notice of the hearing by acquiring an interest
28 in the property after the date of the recording, under Paragraph (1) of this Subsection,
29 of the notice of pending expedited quiet title and foreclosure action.

1 (ii) The person appeared at the hearing or submitted written objections to the
2 district court under this Subsection prior to the hearing.

3 (iii) Prior to the hearing under this Paragraph, the person had actual notice
4 of the hearing.

5 (12) Except as otherwise provided in Subparagraph (11)(e) of this
6 Subsection, title to property set forth in a petition for foreclosure filed under
7 Paragraph (3) of this Subsection shall vest absolutely in the authority upon the
8 effective date of the judgment by the district court, and the authority shall have
9 absolute title to the property. The authority's title shall not be subject to any
10 recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection,
11 and shall not be stayed or held invalid, except as provided in Paragraph (13) of this
12 Subsection. A judgment entered under this Subsection is a final order with respect
13 to the property affected by the judgment and shall not be modified, stayed, or held
14 invalid after the effective date of the judgment, except as provided in Paragraph (13)
15 of this Subsection.

16 (13) The authority or a person claiming to have a property interest under
17 Paragraph (2) of this Subsection in property foreclosed under this Subsection may,
18 within twenty-one days of the effective date of the judgment under Paragraph (11)
19 of this Subsection, appeal the district court's order or the district court's judgment
20 foreclosing property to the court of appeals. The appeal of the judgment shall be
21 entitled to preference and priority and shall be handled on an expedited basis by the
22 court of appeal and, if applicable, the Louisiana Supreme Court. In such cases, the
23 record shall be prepared and filed within fifteen days of the granting of the order of
24 appeal. The court of appeal shall hear the case within thirty days after the filing of
25 the appellee's brief. An appeal under this Paragraph is limited to the record of the
26 proceedings in the district court under this Subsection. The district court's judgment
27 foreclosing property shall be stayed until the court of appeal has reversed, modified,
28 or affirmed that judgment. If an appeal under this Paragraph stays the district court's
29 judgment foreclosing property, the district court's judgment is stayed only as to the

1 property that is the subject of that appeal, and the district court's judgment
2 foreclosing other property that is not the subject of that appeal is not stayed. To
3 appeal the district court's judgment foreclosing property, a person appealing the
4 judgment shall pay to the authority any taxes, interest, penalties, and fees due on the
5 property and provide notice of the appeal to the authority within twenty-one days
6 after the district court's judgment becomes effective. If the district court's judgment
7 foreclosing the property is affirmed on appeal, the amount determined to be due shall
8 be refunded to the person who appealed the judgment. If the district court's
9 judgment foreclosing the property is reversed or modified on appeal, the authority
10 shall refund the amount determined to be due to the person who appealed the
11 judgment, if any, and forward the balance to the appropriate taxing jurisdictions in
12 accordance with the order of the court of appeal.

13 (14) The authority shall record a notice of judgment for each parcel of
14 foreclosed property in the office of the register of conveyances. If the authority
15 records a notice of judgment in error, the authority may subsequently record a
16 certificate of correction. A notice or certificate under this Paragraph need not be
17 notarized and may be authenticated by a digital signature or other electronic means.
18 After the entry of a judgment foreclosing the property under this Subsection, if the
19 property has not been transferred by the authority, the authority may cancel the
20 foreclosure by recording with the register of conveyances a certificate of error, if the
21 authority discovers any of the following:

22 (a) The description of the property used in the expedited quiet title and
23 foreclosure proceeding was so indefinite or erroneous that the foreclosure of the
24 property was void.

25 (b) An owner of an interest in the property entitled to notice of the expedited
26 quiet title and proceedings against the property under this Subsection was not
27 provided notice sufficient to satisfy the minimum due process requirements of the
28 Constitution of Louisiana and the Constitution of the United States.

1 (c) A judgment of foreclosure was entered under this Subsection in violation
2 of an order issued by a United States bankruptcy court.

3 (15) If a judgment of foreclosure is entered under Paragraph (11) of this
4 Subsection, and all existing recorded and unrecorded interests in a parcel of property
5 are extinguished as provided in Paragraph (11) of this Subsection, the owner of any
6 extinguished recorded or unrecorded interest in that property who claims that he did
7 not receive notice of the expedited quiet title and foreclosure action shall not bring
8 an action for possession of the property against any subsequent owner but may only
9 bring an action to recover monetary damages from the authority as provided in this
10 Paragraph. The district court has original and exclusive jurisdiction in any action to
11 recover monetary damages under this Paragraph. An action to recover monetary
12 damages under this Paragraph shall not be brought more than two years after a
13 judgment for foreclosure is entered under Paragraph (11) of this Subsection. Any
14 monetary damages recoverable under this Paragraph shall be determined as of the
15 date a judgment for foreclosure is entered under Paragraph (11) of this Subsection
16 and shall not exceed the fair market value of the interest in the property held by the
17 person bringing the action under this Subsection on that date, less any taxes, interest,
18 penalties, and fees owed on the property as of that date. The right to sue for
19 monetary damages under this Paragraph shall not be transferable except by testate
20 or intestate succession.

21 (16) The owner of a property interest with notice of the quiet title and
22 foreclosure hearing under Paragraph (11) of this Subsection may not assert either of
23 the following:

24 (a) That notice to the owner was insufficient or inadequate in any way
25 because some other owner of a property interest in the property was not notified.

26 (b) That any right to redeem tax-reverted property was extended in any way
27 because some other person was not notified.

1 (17) A person holding or formerly holding an interest in tax-reverted
2 property subject to expedited foreclosure under this Subsection is barred from
3 questioning the validity of the expedited foreclosure under this Subsection.

4 (18) The failure of the authority to comply with any provision of this
5 Subsection shall not invalidate any proceeding under this Subsection if a person with
6 a property interest in property subject to foreclosure was accorded the minimum due
7 process required under the Constitution of Louisiana and the Constitution of the
8 United States.

9 (19) It is the intent of the legislature that the provisions of this Subsection
10 relating to the expedited quiet title and foreclosure of property by the authority
11 satisfy the minimum requirements of due process required under the Constitution of
12 Louisiana and the Constitution of the United States but that the provisions do not
13 create new rights beyond those granted by the Constitution of Louisiana or the
14 Constitution of the United States. The failure of the authority to follow a
15 requirement of this Section relating to the expedited quiet title and foreclosure of
16 property held by the authority shall not be construed to create a claim or cause of
17 action against the authority unless the minimum requirements of due process
18 accorded under the Constitution of Louisiana or the Constitution of the United States
19 are violated.

20 (20) As used in this Subsection, "authorized representative" includes one or
21 more of the following:

22 (a) A title insurance company or agent licensed to conduct business in this
23 state.

24 (b) An attorney licensed to practice law in this state.

25 (c) A person accredited in land title search procedures by a nationally
26 recognized organization in the field of land title searching.

27 (d) A person with demonstrated experience in the field of searching land title
28 records, as determined by the authority.

1 (21) As used in this Subsection, "district court" shall mean the First Judicial
2 District Court.

3 Section 2. The terms of the members of the governing board of the Shreveport
4 Implementation and Redevelopment Authority in office on the effective date of this Act shall
5 terminate on the effective date of this Act; however, such members shall remain in office
6 until the board members are appointed as provided in this Act and take office.

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 667 Original

2017 Regular Session

Glover

Abstract: Relative to the Shreveport Implementation and Redevelopment Authority, changes the membership of the authority's governing board and grants the authority the power to levy taxes and issue bonds.

Present 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.

Proposed law retains present law.

Present law provides that the authority is governed by a nine-member board of commissioners appointed by the mayor, six of whom are appointed from nominations as follows: one from a list of three names from the membership of the Greater Shreveport Chamber of Commerce, one from a list of three names from the membership of the Shreveport Bar Assoc., one from a list of three names from the membership of the Shreveport Chapter of the Society of La. Certified Public Accountants, one from a list of three names from the membership of The Community Foundation of North La., one member from a list of three names from the membership of the Northwest La. Assoc. of REALTORS, and one from a list of three names from the membership of the Home Builders Assoc. of Northwest La.

Proposed law removes present law and instead provides that the authority shall be governed by a five-member board of commissioners appointed by the mayor, two of whom shall be appointed from nominations as follows: one member from a list of three names from the Greater Shreveport Chamber of Commerce and one member from a list of three names from the Shreveport Bossier African American Chamber.

Proposed law provides that the terms of the members of the board in office on the effective date of proposed law shall terminate on such date; however, such members shall remain in office until the board members are appointed as provided in proposed law.

Present law provides that no action of the board is authorized on the following matters unless approved by a majority of the total board membership: adoption of bylaws and other rules and regulations for conduct of the authority's business, hiring or firing of any employee or

contractor of the authority, adoption or amendment of the annual budget, and sale, lease, encumbrance, or alienation of property with an assessed value of more than \$50,000.

Proposed law retains present law and adds incurring debt, the levy of taxes, and calling an election to the list of matters that require approval of a majority of the total board membership.

Present law prohibits the authority from imposing taxes, issuing licenses, incurring and issuing debt, and expropriating.

Proposed law instead authorizes the authority, through the board, to require and issue licenses and to levy ad valorem and sales taxes, subject to voter approval. Provides that the sales tax shall not exceed 1%. Proposed law retains the prohibition on expropriation.

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.

Present law provides that the authority shall not be required to pay any taxes. Proposed law retains present law and additionally 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. Provides that all property and funds of the authority shall be exempt from levy and sale by virtue of execution, except obligees may pursue remedies for the enforcement of any pledge or lien.

Present 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. Proposed law retains present law and provides that the subdistrict shall be a distinct and separate juridical entity.

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.

(Amends R.S. 33:4720.301(C)(2), (G), (H)(3), (I), (J), (K), (L), (M), (N), (O), (P), and (Q); Adds R.S. 33:4720.301(H)(20), (21), and (22), (R), and (S))