

2018 Regular Session

HOUSE BILL NO. 67

BY REPRESENTATIVE BAGLEY

DISTRICTS/FIRE PROTECT: Authorizes DeSoto Parish Fire Protection District No. 2 to levy certain service charges

1 AN ACT

2 To amend and reenact R.S. 40:1502.16(A), relative to the assessment of service charges by  
3 the governing authority of DeSoto Fire Protection District No. 2; to provide with  
4 respect to the collection of the service charge and the enforcement of the collection;  
5 to provide for use of the proceeds of such charges; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:1502.16(A) is hereby amended and reenacted to read as follows:

11 §1502.16. Service charge authorized for DeSoto Parish; assessment and collection

12 A. In addition to the authority granted pursuant to R.S. 40:1502, the  
13 governing authority of DeSoto Parish Fire Protection District No. 2 and DeSoto  
14 Parish Fire Protection District No. 3 may establish a service charge or rates of  
15 service charges to be assessed persons owning each residential or commercial  
16 structure, whether occupied or unoccupied, located wholly or partly within the  
17 boundaries of the respective fire protection district, subject to the provisions of  
18 Subsection B of this Section. For purposes of this Section, each residential or  
19 commercial unit in a structure and each housing unit within a multiple dwelling

1 structure shall be considered a separate structure, and a mobile home, as defined in  
 2 R.S. 9:1149.2, shall be considered a structure. Such service charges or rates of  
 3 service charges shall be framed so as to cover and shall be used for the costs of any  
 4 or all fire protection and emergency medical transportation and emergency services  
 5 incidental thereto.

6 \* \* \*

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 67 Original

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Bagley

**Abstract:** Authorizes the governing authority of DeSoto Parish Fire Protection District No. 2 to establish a service charge assessed on persons owning residential or commercial structures; provides for the collection and enforcement of such service charge.

Present law (R.S. 40:1502) authorizes the governing authority of any fire protection district in DeSoto Parish to establish, assess, and collect a service charge to fund the purchase of fire protection equipment, maintenance, and operation of fire protection facilities and equipment, and obtaining water for fire protection purchases.

Present law (R.S. 40:1502.16) grants the following additional authority to DeSoto Parish Fire Protection District No. 3:

- (1) Authorizes the district, subject to voter approval, to establish a service charge for each residential or commercial structure located within the boundaries of the district. Further provides that the amount of such service charges shall be framed so as to cover and used to pay the costs of fire protection and emergency medical transportation and all emergency services incidental thereto.
- (2) Authorizes the governing authority to use any reasonable means to collect and enforce the collection of such service charges, including the assessor carrying the charges on the tax rolls and the sheriff collecting the charges at the same time as ad valorem taxes are collected and with the same authority as such taxes are collected. Authorizes the governing authority to compensate the sheriff and assessor for collecting by mutual agreement.
- (3) Authorizes the governing authority to place liens on property for unpaid fire protection service charges. Provides that service charge obligations prime all other liens, mortgages, and privileges against the property except liens previously filed for taxes or local and special assessments.
- (4) Authorizes the governing authority to recover unpaid charges, costs of court, and attorney fees by ordinary process in the 42nd Judicial District Court.
- (5) Authorizes the governing authority to provide, by resolution, for interest on the unpaid charges, which shall be paid prior to cancellation of the lien.

Proposed law grants the additional authorities granted to DeSoto Parish Fire Protection No. 3 to DeSoto Parish Fire Protection District No. 2; otherwise retains present law.

(Amends R.S. 40:1502.16(A))