

2018 Regular Session

HOUSE BILL NO. 804

BY REPRESENTATIVE THIBAUT

PORTS/HARBORS/TERMINALS: Provides relative to leases and subleases of land and buildings owned by a port, harbor, or terminal district

1 AN ACT

2 To amend and reenact R.S. 34:340.11, relative to leases and subleases of land and buildings;
3 to provide for leasing or subleasing of land or buildings owned by ports, harbors, or
4 terminal districts for processing, manufacturing, or commercial business purposes;
5 to provide for a maximum term for the lease or sublease; to provide for an extension
6 of the term upon expiration of the original term; to provide for the ratification,
7 confirmation, and approval of a lease or sublease; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 34:340.11 is hereby amended and reenacted to read as follows:

10 §340.11. Title to property

11 A. Notwithstanding any other law to the contrary, title to property and
12 improvements thereon acquired by a port, harbor, or terminal district shall vest in the
13 district.

14 B.(1) Notwithstanding any other provision of law to the contrary, any port,
15 harbor, or terminal district may lease any land or buildings owned or acquired by it,
16 or sublease any land or buildings leased as lessee by it, for processing,
17 manufacturing, or commercial business purposes.

18 (2) The lease or sublease may run for any term not to exceed forty years at
19 a fixed rate. Upon expiration of a primary term of forty years, the lease or sublease

1 may be extended for a term not to exceed ninety-nine years, provided the lease
2 contains a clause for readjustment of the rentals upon expiration of the primary term.
3 (3) Any port, harbor, or terminal district may ratify, confirm, or approve any
4 lease or sublease entered into pursuant to this Subsection, whether as lessor or lessee,
5 provided the governing authority of the port, harbor, or terminal district authorizes
6 the lease or sublease.

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 804 Engrossed

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Abstract: Authorizes the lease or sublease of any land or buildings owned or leased by ports, harbors, or terminal districts for processing, manufacturing, or commercial business purposes.

Proposed law authorizes the lease or sublease of any land or buildings owned or leased by any port, harbor, or terminal district for processing, manufacturing, or commercial purposes.

Proposed law provides a maximum term of 40 years for a primary term at a fixed rate. Further provides an extension of the primary term of up to 99 years provided the lease contains a clause for the readjustment of the rentals upon the expiration of a primary term of 40 years.

Proposed law authorizes any port, harbor, or terminal district to ratify, confirm, or approve any lease or sublease entered into pursuant to proposed law, whether lessor or lessee, if granted such authority by the port, harbor or terminal district's governing authority.

(Amends R.S. 34:340.11)