
DIGEST

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HB 519 Original

2021 Regular Session

Pierre

Abstract: Provides relative to the jurisdiction, the governing board, and the powers and duties of the North Lafayette Redevelopment Authority. Authorizes the authority to engage in commercial and industrial development.

Present law creates the North Lafayette 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 in north Lafayette. Provides that the authority is a special district and political subdivision of the state.

Present law provides that the geographic jurisdiction of the authority is comprised of La. House of Rep. District No. 44 and Lafayette City-Parish Council Districts 3 and 4 as geographically drawn on August 1, 2014. Further excludes certain property from the district's boundaries. Proposed law changes the boundary of the authority to all of the territory included within the parish of Lafayette.

Present law provides that the authority shall be governed by a board of seven commissioners.

Proposed law retains present law with respect to these four commissioners:

- (1) Two commissioners appointed by the state senator representing Senate District 24.
- (2) One commissioner appointed by the La. state representative representing House District 44.
- (3) One commissioner appointed by the mayor of Carencro.

Proposed law amends present law with respect to three commissioners as follows:

- (1) Proposed law provides for one commissioner appointed by the Lafayette Chapter of the Louis A. Martinet Legal Society *rather than* by the La. state representative representing House District 96.
- (2) Proposed law provides for commissioners appointed, one each, by the councilpersons representing Lafayette City Council districts one and five *rather than* by the Lafayette City-Parish Council districts three and four.

Present law provides that the authority, through the board, shall have all powers necessary or convenient to carry out its objectives and purposes. Such powers include the authority's power to

engage in residential development. Proposed law authorizes authority to engage in commercial and industrial development. Also authorizes the authority to foster creation of new jobs, economic development, industry, health care, general public and social welfare, commerce, manufacturing, tourism, relocation of people and businesses to the area, shipbuilding, aviation, military, warehousing, transportation, offices, recreation, and conservation.

Present law authorizes the authority to purchase properties within its territorial jurisdiction from any political subdivision of the state. Further provides that a bid by the authority at a tax sale for the minimum amount shall take priority over all other bids for the same quantity of property. Proposed law provides that a higher bid submitted by a conventional mortgage holder holding a mortgage on the subject property takes priority over a bid by the authority.

Present law permits the authority to initiate an expedited quiet title and foreclosure action to quiet title to real property held by the authority. Further authorizes the authority to file a single petition with the district court to expedite foreclosure under present law listing all property subject to expedited foreclosure by the authority and for which the authority seeks to quiet title. Proposed law retains present law.

Present law requires a person claiming an interest in parcel of property set forth in the petition for foreclosure who desires to contest the petition to file written objections with the clerk of the district court and serve those objections on the authority prior to the hearing. Provides that the district court may retain a curator for assistance with the resolution of any objections to the foreclosure. Proposed law authorizes a current holder of a conventional mortgage to contest the petition. Also provides that such person may object to the action and is entitled to a dismissal of the proceedings by the district court upon a showing that it is the holder of a legally enforceable conventional mortgage and upon payment of the outstanding amount of any liens, taxes, and related costs.

Present law permits the authority or a person claiming to have a property interest in the foreclosed property to appeal the district court's order within 21 days of the effective date of the judgment. Provides that the district court's judgment shall be stayed until the court of appeals has reversed, modified, or affirmed the judgment. Requires the person appealing the judgment to pay the authority any taxes, interest, penalties, and fees due on the property and provide notice of the appeal to the authority within 21 days after the district court's judgment is effective. Proposed law provides that the appeal of the judgment is entitled to preference and priority and shall be handled on an expedited basis by the court of appeal and, if applicable, the La. Supreme Court. Further provides that, in such cases, the record shall be prepared and filed within 15 days of the granting of the order of appeal, and that the court of appeal shall hear the case within 30 days after the filing of the appellee's brief.

(Amends R.S. 33:4720.171(F)(1), (G)(1) and (2)(c), (H)(4)(a), (8), (12)(a), (13), and (22), (I)(2), (K)(6)(c), (L)(3), and (R)(11)(intro. para.) and (13))