
DIGEST

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HB 626 Original

2021 Regular Session

Garofalo

Abstract: Requires payment for flood control, flood protection, or drainage projects that encompass multiple levee districts be paid proportionately as determined by mutual agreement of the districts impacted. Develops a formula, using certain criteria, to determine the proportionate share of the costs to be paid by each district.

Present law authorizes two or more contiguous levee districts to make agreements for the purpose of engaging jointly in the construction, acquisition, or improvement of any public flood control or drainage project or improvement, the promotion and maintenance or the exercise of any power related to such projects provided that at least one of the districts is authorized by law to undertake such projects. Present law makes the agreements retroactive to Jan. 1, 1997.

Proposed law maintains present law.

Proposed law requires payment of the joint costs of management, planning, design, construction, operation and maintenance, repair, replacement, and rehabilitation of any flood control or flood protection project that impacts multiple levee districts to be shared by the districts and apportioned by mutual agreement of the districts within six months of when the projects are first proposed.

Proposed law requires the Coastal Protection and Restoration Authority Bd. (CPRA Bd.), in the absence of a timely mutual agreement by the districts, to develop a formula to apportion the costs of the project to the districts impacted.

Proposed law requires the CPRA Bd. to use, at a minimum, the value of the property being protected as criteria for developing the formula for any flood control or protection project, or drainage project; or to use the proportionate volumetric flows contributed to each levee district's jurisdiction as a criteria in developing the formula for any drainage project.

Proposed law further provides that payment for the cost of any drainage project under the jurisdiction of an individual levee district will be borne by the levee district within which the project is physically located.

Proposed law authorizes each levee district to establish individual accounts to deposit funds for the joint costs of management, planning, design, construction, operation and maintenance, repair, replacement, and rehabilitation for any flood control, flood protection, or drainage project, under the jurisdiction of multiple levee districts, proportionate to methods created by proposed law.

(Amends R.S. 38:330)