

2021 Regular Session

SENATE BILL NO. 227

BY SENATOR BARROW

SPECIAL DISTRICTS. Creates the Plank Road Economic Development District in East Baton Rouge Parish. (gov sig)

1 AN ACT

2 To enact R.S. 33:2740.67.1, relative to economic development in East Baton Rouge Parish;
3 to create and provide for the Plank Road Economic Development District within
4 such parish; to provide for boundaries, the governance, powers, duties, and plans of
5 the district; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:2740.67.1 is hereby enacted to read as follows:

9 **§2740.67.1. Plank Road Economic Development District**

10 **A. Creation. The Plank Road Economic Development District, referred**
11 **to in this Section as the "district", is hereby created in the parish of East Baton**
12 **Rouge. The district shall be a political subdivision of the state created for the**
13 **purpose of developing the area included within the district in order to provide**
14 **for substantial economic activity and employment opportunities.**

15 **B. Boundaries. The district shall be coterminous with the boundaries of**
16 **the area known as North Baton Rouge.**

17 **C. Governance. (1) In order to provide for the orderly planning,**

1 development, acquisition, construction, and effectuation of the services,
2 improvements, and facilities to be furnished by the district and to provide for
3 the representation in the affairs of the district of those persons and interests
4 immediately concerned with and affected by the purposes and development of
5 the district, the district shall be managed by a five-member board of
6 commissioners, referred to in this Section as the "board". The board shall be
7 comprised of members appointed by the state senator for Senate District No. 15.

8 (2) Any vacancy which occurs prior to the expiration of the term for
9 which a member of the board has been appointed shall be filled for the
10 remainder of the unexpired term in the same manner as the original
11 appointment.

12 (3) The board shall elect from its members a chairman, a vice chairman,
13 a secretary-treasurer, and such other officers as it may deem necessary. The
14 duties of the officers shall be fixed by the bylaws adopted by the board.

15 (4) The minute books and archives of the district shall be maintained by
16 the secretary of the board. The monies, funds, and accounts of the district shall
17 be in the official custody of the board.

18 (5) The board shall adopt such rules and regulations as it deems
19 necessary or advisable for conducting its business affairs. It shall hold regular
20 meetings as shall be provided in the bylaws and may hold special meetings at
21 such times and places within the district as may be prescribed in the bylaws.

22 (6) A majority of the members of the board shall constitute a quorum for
23 the transaction of business. The board shall keep minutes of all meetings and
24 shall make them available through the secretary of the board.

25 (7) The members of the board shall serve without compensation. The
26 board may reimburse any member for expenses actually incurred in the
27 performance of his duties pursuant to this Section.

28 D. Powers and duties. (1) The district, through the board, shall have and
29 exercise all powers of a political subdivision necessary or convenient for the

1 carrying out of its objects and purposes, including but not limited to the
2 following:

3 (a) To sue and to be sued.

4 (b) To adopt, use, and alter at will a corporate seal.

5 (c) To adopt bylaws and rules and regulations.

6 (d) To receive by gift, grant, donation, or otherwise any sum of money,
7 property, aid, or assistance from the United States, the state of Louisiana, or
8 any political subdivision thereof, or any person, firm, or corporation.

9 (e) To enter into contracts, agreements, or cooperative endeavors with
10 the state and its political subdivisions or political corporations and with any
11 public or private association, corporation, business entity, or individual.

12 (f) To appoint officers, agents, and employees, prescribe their duties, and
13 fix their compensation.

14 (g) To acquire by purchase, gift, grant, donation, lease, or otherwise such
15 property as may be necessary or desirable for carrying out the objectives and
16 purposes of the board.

17 (2) The district shall not be deemed to be an instrumentality of the state
18 for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

19 E. District plan. (1) The board shall prepare or cause to be prepared a
20 plan or plans, referred to in this Section as the "plan", specifying the public
21 improvements, facilities, and services proposed to be furnished, constructed, or
22 acquired for the district and shall conduct public hearings, publish notice with
23 respect thereto, and disseminate information as it, in the exercise of its sound
24 discretion, may deem to be appropriate or advisable and in the public interest.

25 (2) Any plan may specify and encompass any public services, capital
26 improvements, and facilities which the parish of East Baton Rouge is authorized
27 to undertake, furnish, or provide under the constitution and laws of the state of
28 Louisiana, and such specified public services, improvements, and facilities shall
29 be special and in addition to all services, improvements, and facilities which the

1 parish of East Baton Rouge is then furnishing or providing or may then or in
2 the future be obligated to furnish or provide within the district.

3 (3) Any plan shall include an estimate of the annual and total cost of
4 acquiring, constructing, or providing the services, improvements, or facilities
5 set forth therein.

6 (4) Any monies received by the district shall be used exclusively for the
7 development of the district plan.

8 (5) The board shall submit the plan to the governing authority of the
9 parish of East Baton Rouge. The parish governing authority shall review and
10 consider the plan, but the board need not receive approval of the parish
11 governing authority prior to implementing such plan.

12 F. Services and improvements. (1) All services to be furnished within the
13 district pursuant to any plan finally and conclusively adopted may be furnished,
14 supplied, and administered by the parish of East Baton Rouge through its
15 regularly constituted departments, agencies, boards, commissions, and
16 instrumentalities. All capital improvements and facilities to be acquired,
17 constructed, or provided within the district may likewise be so acquired,
18 constructed, or provided by the parish of East Baton Rouge through its
19 regularly constituted departments, agencies, boards, commissions, and
20 instrumentalities, it being the intention of this Paragraph to avoid the
21 duplication of administrative and management efforts and expense in the
22 implementation of any plan adopted for the benefit of the district.

23 (2) In order to provide services or provide, construct, or acquire capital
24 improvements or facilities, the board may enter into intergovernmental local
25 service contracts with the parish of East Baton Rouge.

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 227 Original 2021 Regular Session Barrow

Proposed law creates the Plank Road Economic Development District as a political subdivision in East Baton Rouge Parish for the purpose of developing the area included within the district in order to provide for substantial economic activity and employment opportunities. Provides for district boundaries.

Proposed law provides that the district shall be managed by a five-member board of commissioners comprised of members appointed by the state senator for Senate District No. 15 and further provides that the members of the board shall serve without compensation, but may be reimbursed for expenses actually incurred in the performance of their duties pursuant to proposed law.

Proposed law provides that the district, through the board, shall have and exercise all powers of a political subdivision necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

- (1) To sue and to be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To adopt bylaws and rules and regulations.
- (4) To receive by gift, grant, donation, or otherwise any sum of money, property, aid, or assistance from the U.S., the state, or any political subdivision thereof, or any person, firm, or corporation.
- (5) To enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual.
- (6) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.
- (7) To acquire by purchase, gift, grant, donation, lease, or otherwise such property as may be necessary or desirable for carrying out the objectives and purposes of the board.

Proposed law requires the board to prepare or cause to be prepared a plan(s), specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and to conduct public hearings, publish notice with respect thereto, and disseminate information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:2740.67.1)