

2021 Regular Session

HOUSE BILL NO. 338

BY REPRESENTATIVE MCCORMICK

AIRCRAFT/AIRPORTS: Provides relative to the applicability of certain lease terms to the Vivian Municipal Airport

1 AN ACT

2 To enact R.S. 2:135.1(B)(2)(c), relative to the Vivian Municipal Airport; to provide for the  
3 removal of lease requirements pertaining to the addition or construction of certain  
4 improvements for non-air carrier airports and air carrier airports; and to provide for  
5 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. 2:135.1(B)(2)(c) is hereby enacted to read as follows:

11 §135.1. Authority to equip, improve, establish fees and charges, and lease airport  
12 facilities

13 \* \* \*

14 B.

15 \* \* \*

16 (2) All leases executed under the provisions of this Section shall provide for  
17 consideration to be paid annually or monthly as provided for in the lease. All such  
18 leases shall be for a period not exceeding ten years, except as follows:

19 \* \* \*

1                    (c) The provisions of this Paragraph shall not apply to the Vivian Municipal  
2                    Airport.

3    \*        \*        \*

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 338 Engrossed    2021 Regular Session    McCormick

**Abstract:** Removes lease requirements for the Vivian Municipal Airport that authorize the lessor to grant the option to extend the primary airport facility lease term for an additional period of not more than 10 years based on the monetary amount of permanent improvements added or contracted to be added.

Present law provides the length of all airport facility leases is for a period not to exceed 10 years; however, the lessor may grant the option to extend the lease term for an additional 10 years to any lessee who:

- (1) Leases land or holds a 10-year lease in effect on or after Aug. 15, 1999, and within the 10-year lease term, adds or contracts to add permanent improvements to or on the land in the amount not less than \$20,000.
- (2) Has provided written notice to the lessor of the desire to extend the primary lease.
- (3) Has provided proof that the improvements have been made or contracted for.

Present law provides the option for the lessor to extend the lease term by an additional 10 years under the following conditions:

- (1) When the lease provides that the improvements will become the property of the lessor at no additional cost to the lessor.
- (2) When such improvements are in excess of \$60,000 for non-air carrier airports or \$100,000 for air carrier airports and the lease provides for the addition or construction on or to the land in these amounts.

Present law prohibits the extended lease term from exceeding a maximum term of 100 years.

Proposed law exempts the Vivian Municipal Airport from the requirements of present law.

(Adds R.S. 2:135.1(B)(2)(c))