
DIGEST

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HB 115 Reengrossed

2021 Regular Session

Davis

Abstract: Creates the Old Goodwood Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish. Provides for the district's boundaries, purpose, governance, and funding, including the authority to impose a parcel fee.

Proposed law creates the Old Goodwood Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish for the purpose of aiding in crime prevention by providing increased security for the district residents and promoting the beautification and overall betterment of the district. Provides for district boundaries.

Proposed law provides that the district shall be governed by a seven-member board of commissioners, all of whom shall be property owners, residents, and qualified voters of the district, composed as follows:

- (1) Four members appointed by the board of directors of the Goodwood Property Owners Assoc.
- (2) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (3) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.
- (4) One member appointed by the member of the governing authority of the city of Baton Rouge, parish of East Baton Rouge (city-parish) whose district encompasses all or the greater portion of the area of the district.

Proposed law provides that members serve without compensation but may receive reimbursement for approved expenses.

Proposed law provides relative to the powers and duties of the district.

Proposed law authorizes the board, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the maximum fee shall be \$150 per year for unimproved residential parcels and improved single-family residential parcels, and \$500 per year for improved multi-family residential parcels and unimproved and improved commercial parcels. Provides that the initial parcel fee for the first calendar year shall be \$125 for residential parcels and \$400 for commercial parcels. Defines parcel as a lot, a subdivided portion of ground, an individual tract, or a

condominium improved parcel as defined in present law (R.S. 9:1121.103).

Proposed law provides that if multiple adjacent residential parcels are combined for the purpose of housing a single-family dwelling, the combined parcel shall constitute a single improved parcel for the purposes of the imposition of the fee.

Proposed law provides that the fee shall expire 10 years after its initial levy but authorizes renewal of that fee. Provides that the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed 10 years.

Proposed law requires the sheriff of East Baton Rouge Parish to collect the fee in the same manner and at the same time as ad valorem taxes and requires that any unpaid fee be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Further requires the sheriff to remit to the district all amounts collected not more than 60 days after collection. Authorizes the board to enter into an agreement with the sheriff to authorize the sheriff to retain a collection fee.

Proposed law provides that the district shall adopt an annual budget in accordance with present law (R.S. 39:1301 et seq.) and shall be subject to audit by the legislative auditor's office.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to and not in lieu of personnel and services provided in the district by the city-parish.

Proposed law requires, if the district ceases to exist, that the imposition of the parcel fee shall cease. Additionally requires the transmittal of all district funds to the city-parish. Requires that such funds together with any other funds collected by the city-parish pursuant to proposed law be maintained in a separate account by the city-parish. Requires that such funds be used only to promote, encourage, and enhance the security, beautification, and overall betterment of the area included in the former district.

Proposed law provides that no board member or officer of the district shall be liable to the district or to any individual who resides, owns property, visits, or otherwise conducts business in the district for the monetary damages for breach of his duties as a board member or officer unless the board member performs an act or omission not in good faith or which involves intentional misconduct or a knowing violation of law, or any transaction from which he or she derives an improper personal benefit.

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

(Adds R.S. 33:9097.33)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Remove proposed law that classifies parcels as only residential or commercial for purposes of the imposition of the maximum parcel fee and instead reclassifies parcels as unimproved residential, improved single-family or multi-family residential, and unimproved or improved commercial.
2. Remove proposed law that authorizes a maximum parcel fee of \$150 per year for residential parcels and \$500 per year for commercial parcels and instead makes the \$150 per year maximum parcel fee applicable to unimproved residential parcels and improved single-family parcels, and the \$500 per year maximum parcel fee applicable to improved multi-family residential parcels and unimproved and improved commercial parcels.
3. Remove proposed law requirement that the parcel fee be imposed on each unit within a multi-family dwelling.
4. Specify that multiple adjacent *residential* parcels that house a single-family dwelling constitute only a single improved parcel for purposes of the imposition of the fee.