

2022 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE BACALA

MUNICIPAL/ANNEXATION: Provides relative to annexations in Ascension Parish

1 AN ACT

2 To amend and reenact R.S. 33:154 and 172(A)(1)(a) and (D), relative to the parish of
3 Ascension; to provide relative to municipal annexations; to require municipal
4 governing authorities to notify the parish governing authority prior to annexing
5 property; and to provide for 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. 33:154 and 172(A)(1)(a) and (D) are hereby amended and reenacted
11 to read as follows:

12 §154. Notice of election

13 A. ~~Such~~ Any election shall be held under the general election laws, and
14 preceded by a notice of ten days or more in one or more newspapers published in
15 such city or town, or if there be none by posting as required in sheriff's and
16 constable's sales. The notice shall set forth specifically the manner in which such
17 election is to be conducted, and the boundaries and description of such lots or land
18 proposed to be annexed to and included in the corporate limits of such city or town.
19 It shall designate the polling place and the names of the commissioners of election,
20 as well as the manner of counting the votes and making the returns.

1 B. In addition to the requirements of Subsection A of this Section, in the
2 parish of Ascension, at least thirty days prior to an election held pursuant to this
3 Section, the municipal governing authority shall provide written notification of the
4 upcoming election to the governing authority of the parish.

5 * * *

6 §172. Petition to annex territory; valuation of property; notice of filing petition;
7 hearing concerning proposed ordinance; alternative methods

8 A.(1)(a)(i) No ordinance enlarging the boundaries of a municipality shall be
9 valid unless, prior to the adoption thereof, a petition has been presented to the
10 governing body of a municipality containing the written assent of a majority of the
11 registered voters and a majority in number of the resident property owners as well
12 as twenty-five percent in value of the property of the resident property owners within
13 the area proposed to be included in the corporate limits, all according to the
14 certificates of the parish assessor and parish registrar of voters.

15 (ii) In addition to the requirements of Item (i) of this Subparagraph, in the
16 parish of Ascension, at least thirty days prior to the adoption of an ordinance to
17 enlarge the boundaries, the municipal governing authority shall provide written
18 notification of the proposed annexation to the governing authority of the parish.

19 * * *

20 D.(1) Notwithstanding the provisions of Paragraphs (1) through (5) of
21 Subsection A of this Section, any municipality may annex contiguous areas without
22 the petitions required by Subsection A, by ordinance, provided prior to the adoption
23 of any such ordinance, the question of the annexation shall be submitted to the
24 qualified voters residing within the area proposed to be annexed in a special election
25 called for that purpose by the municipality, and a majority of those voting at such
26 election shall have voted in favor of the annexation.

27 (2) Any municipality may also call such an election after being requested to
28 do so through a petition signed by at least twenty-five percent of the resident
29 property owners residing in the area requesting annexation and by the owners of at

1 least twenty-five percent in value of the resident property within such area. The
2 valuation of the property shall be determined as set forth in Subsection A of this
3 Section. The petition presented to the municipality shall contain an accurate
4 description of the area proposed to be annexed. All elections called under the
5 provisions of this Subsection shall be conducted in the same manner as are other
6 special elections called for bond and tax purposes by municipalities.

7 (3) In addition to the requirements of Paragraphs (1) and (2) of this
8 Subsection, in the parish of Ascension, at least thirty days prior to an election held
9 pursuant to this Subsection, the municipal governing authority shall provide written
10 notification of the upcoming election to the governing authority of the parish.

11 * * *

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 563 Original

2022 Regular Session

Bacala

Abstract: Requires municipalities in Ascension Parish to notify the parish governing authority prior to annexing property.

Present law authorizes owners of property lying contiguous and adjacent to the territorial corporate limits of any municipality, except in New Orleans, to petition the mayor and governing authority of the municipality to annex their property into the municipality. Requires that the petition contain one-third in number and value of the bona fide owners of the property and that a majority in number and value of the qualified electors residing in and upon the property vote in favor of annexation at an election held for that purpose.

Proposed law retains present law and additionally requires the municipal governing authorities in Ascension Parish to notify the parish governing authority of the upcoming election at least 30 days prior to the election.

Present law generally provides for the annexation of property by municipalities. Authorizes a municipality to annex territory by ordinance or election by complying with one of the following procedures:

- (1) Written consent to the annexation is provided by a petition signed by a majority of the registered voters and a majority in number of the resident property owners as well as 25% in value of the property of the resident property owners within the area proposed to be included in the corporate limits. Provides that the requirement for voter signatures shall not apply if there are no registered voters in the area.
- (2) The annexation of a contiguous area is approved by the voters of the area proposed to be annexed in an election requested by a petition signed by at least 25% of the

resident property owners and by the owners of at least 25% in value of the resident property within such area.

- (3) A municipality may annex contiguous areas by election provided at least 90% of the boundary of the area to be annexed is common to the boundary of the municipality and a majority of the registered voters residing in the area proposed for annexation voting at an election held for that purpose vote in favor of annexation.

Proposed law retains present law and additionally requires municipal governing authorities in Ascension Parish to notify the parish governing authority of a proposed annexation at least 30 days prior to any election held or adoption of any ordinance pursuant to present law.

(Amends R.S. 33:154 and 172(A)(1)(a) and (D))