

2022 Regular Session

SENATE BILL NO. 380

BY SENATOR PETERSON

SPECIAL DISTRICTS. Provides relative to the BioDistrict New Orleans in Orleans Parish.
(8/1/22)

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AN ACT

To amend and reenact R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3), 9039.69(A)(5), and 9039.72(A)(14), and to enact R.S. 33:9039.69(C) and 9039.72(D), relative to Orleans Parish; to provide relative to the BioDistrict New Orleans; to provide relative to the boundaries and powers and duties of the district; to provide relative to the creation of subdistrict; to require that district projects be in compliance with certain rules and regulations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3), 9039.69(A)(5), and 9039.72(A)(14) are hereby amended and reenacted and R.S. 33:9039.69(C) and 9039.72(D) are hereby enacted to read as follows:

§9039.62. BioDistrict New Orleans; creation; territorial jurisdiction

A. There is hereby created the BioDistrict New Orleans, referred to in this Chapter as the "district". The district shall be composed of all of the territory located in the parish of Orleans bounded by Earhart Blvd., Carrollton Ave., Loyola Ave., and Iberville St.

B. The district shall be a political subdivision of the state as defined in Article

1 VI, Section 44(2) of the Constitution of Louisiana. Pursuant to Article VI, Sections
 2 19 and 20 of the Constitution of Louisiana, the district, acting through its board of
 3 commissioners, the governing authority of the district, is hereby granted all of the
 4 rights, powers, privileges, and immunities accorded by law and the Constitution of
 5 Louisiana to political subdivisions of the state, including but not limited to the power
 6 to incur debt.

7 * * *

8 §9039.68. General powers

9 A. In addition to the powers and duties elsewhere granted in this Chapter, the
 10 board is hereby granted and shall have and may exercise all powers necessary or
 11 convenient for the carrying out of its objects and purposes, including but not limited
 12 to the following:

13 * * *

14 (3) To acquire by gift, grant, purchase, or lease, ~~or otherwise~~ and to hold and
 15 use any property, real, personal, or mixed, tangible or intangible, or any interest
 16 therein necessary or desirable for carrying out the objects and purposes of the
 17 district. **The district shall not have the power of expropriation.**

18 * * *

19 B.(1) At least ten days after publication of a notice in the official journal of
 20 the district, a public hearing shall be conducted, and the board may then designate
 21 one or more areas within or without the boundaries of the district as they may exist
 22 from time to time as a separate subdistrict, or as an enlargement or reduction of the
 23 original district, provided that subdistricts created by the board outside the then
 24 current boundaries of the district need not be contiguous to the district. Any territory
 25 outside the original boundaries of the district that is sought to be included or
 26 excluded in the district, or designated as a separate subdistrict, may only be so
 27 included, excluded, or designated subject to the approval of the Legislature of
 28 Louisiana **and the governing authority of the city of New Orleans.** Each
 29 subdistrict shall constitute a separate political subdivision of the state, governed by

1 the district board with the same powers of the district. Each designated subdistrict
2 area shall be representative of its geographic location and designated as "BioDistrict
3 Economic Development Subdistrict for _____".

4 (2)(a) * * *

5 (b) Subdistricts created outside the then current boundaries of the district also
6 need not be contiguous to the district. Any territory outside the district that is sought
7 to be included or excluded in the district or designated as a subdistrict, may only be
8 so subject to the approval of the Legislature of Louisiana **and the governing**
9 **authority of the city of New Orleans**. Each subdistrict shall constitute a separate
10 political subdivision of the state, governed by the district board with the same powers
11 of the district. Each designated subdistrict area shall be representative of its
12 geographic location and designated as " BioDistrict Economic Development
13 Subdistrict for _____".

14 (3) No territorial jurisdiction or boundaries of the district shall be expanded,
15 reduced, or extended and no subdistrict shall be created to include any area that is not
16 entirely contained within the New Orleans Metropolitan Statistical Area without the
17 approval of the Legislature of Louisiana **and the governing authority of the city**
18 **of New Orleans**.

19 §9039.69. Special powers

20 A. In addition to the general powers granted in this Chapter, the district shall
21 have the following special powers:

22 * * *

23 (5) To acquire real and personal property, including health education and
24 enhancement facilities, by lease, purchase, **or** donation, ~~or otherwise~~ including but
25 not limited to the following: land; improvements, oil, gas, and mineral rights; stocks;
26 bonds; notes; and any other things of value. Title thereto shall be taken in the name
27 of the district.

28 * * *

29 **C. The district shall enter into a payment in lieu of taxes agreement with**

