

HOUSE SUMMARY OF SENATE AMENDMENTS**HB 652****2022 Regular Session****Hilferty**

SEWERAGE/N O WATER BD: Provides relative to the Sewerage and Water Board of New Orleans

Synopsis of Senate Amendments

1. Deletes designation of the Sewerage and Water Board of New Orleans as a public utility.
2. Authorizes rather than mandates the New Orleans City Council to establish, by ordinance, procedures regarding billing policies of the board, including the reduction or modification of customers' bills or charges.
3. Requires the New Orleans City Council to establish a billing ordinance working group and provides for its purposes and composition.
4. Defines the term "catastrophic failure".
5. Makes technical changes.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 33:4090(A)) requires the owner of any lot of record to bear all costs for initial connections extended from a property line and for additional costs from the property line to an onsite facility.

Proposed law retains present law in part but creates an exception to present law which requires the Sewerage and Water Board (board) to bear the costs of one sewer connection and one water connection extending from the respective main to the property line for a lot of record which existed prior to 1954.

Present law (R.S. 33:4071) provides that the public water, sewerage, and drainage systems of the city of New Orleans shall be constructed, controlled, maintained, and operated by a sewerage and water board.

Proposed law retains present law.

Proposed law grants the New Orleans City Council (city council) the power to compile financial statements and to examine, audit, or review the books and accounts of the board. Authorizes the city council to examine all papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation, including but not limited to computers and recording devices.

Proposed law further authorizes the city council, in lieu of examinations of the records and accounts of the board, to accept an audit or review report prepared by a licensed certified public accountant. Requires that the audit or review be performed in accordance with generally accepted governmental auditing standards and the La. Governmental Audit Guide. Further requires that audits be completed within six months of the close of the board's fiscal year.

Proposed law authorizes the city council to issue subpoenas to the board to compel the production of public and private books, documents, records, papers, films, tapes, and electronic data processing media. Provides that if the board refuses to obey a subpoena, a judicial district court may issue an order requiring a board representative to appear before the

court. Further provides that failure to obey a subpoena may be punished as a contempt of court.

Proposed law shall not be construed to limit the power of the legislative auditor.

Proposed law authorizes the city council to establish, by ordinance, procedures regarding the billing policies of the board. Allows the procedures to reduce or modify a customer's bill and to waive late charges and interest accrued.

Proposed law requires the city council to establish a billing ordinance review working group. Requires the working group to review ordinances before any such ordinance may be considered by the Public Works, Sanitation and Environmental Committee of the city council. Provides that the findings of the working group shall be made a part of the official record before consideration of any such ordinance drafted pursuant to proposed law.

Proposed law provides that the working group shall be comprised of the following members:

- (1) The chairman of the New Orleans City Council Budget, Audit and Board of Review Committee or his designee.
- (2) The chairman of the New Orleans City Council Public Works, Sanitation and Environment Committee or his designee.
- (3) The chairman of the New Orleans City Council Governmental Affairs Committee or his designee.
- (4) A member of the House of Representatives residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (5) A member of the Senate residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (6) The executive director of the Sewerage and Water Board of New Orleans or his designee.
- (7) The president of the Sewerage and Water Board of New Orleans or his designee.

All procedures established by the city council pursuant to proposed law shall be uniformly implemented.

Proposed law allows the city council to open an investigation of the board after a catastrophic failure of the city's sewerage and drainage infrastructure. If the city council requests from the board, in writing, any information regarding a catastrophic failure, the board is required to submit the information not later than 30 days after receipt of the written request.

Proposed law defines "catastrophic failure" for the purposes of proposed law.

Proposed law allows the city council to request the attendance of a board representative at certain council meetings.

Proposed law requires the board to implement provisions of proposed law within 90 days of the enactment of proposed law.

(Amends R.S. 33:4090(A); Adds R.S. 33:4159.1 and 4159.2)