2022 Regular Session

HOUSE BILL NO. 563

BY REPRESENTATIVE BACALA

| 1 | AN ACT |
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| 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 | <u>A.</u> Such <u>Any</u> 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. |
| 21 | B. In addition to the requirements of Subsection A of this Section, in the |
| 22 | parish of Ascension, at least thirty days prior to an election held pursuant to this |

ENROLLED

ACT No. 223

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

| 1 | Section, the municipal governing authority shall provide written notification of the |
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| 2 | upcoming election to the governing authority of the parish. |
| 3 | * * * |
| 4 | §172. Petition to annex territory; valuation of property; notice of filing petition; |
| 5 | hearing concerning proposed ordinance; alternative methods |
| 6 | A.(1)(a)(i) No ordinance enlarging the boundaries of a municipality shall be |
| 7 | valid unless, prior to the adoption thereof, a petition has been presented to the |
| 8 | governing body of a municipality containing the written assent of a majority of the |
| 9 | registered voters and a majority in number of the resident property owners as well |
| 10 | as twenty-five percent in value of the property of the resident property owners within |
| 11 | the area proposed to be included in the corporate limits, all according to the |
| 12 | certificates of the parish assessor and parish registrar of voters. |
| 13 | (ii) In addition to the requirements of Item (i) of this Subparagraph, in the |
| 14 | parish of Ascension, at least thirty days prior to the adoption of an ordinance to |
| 15 | enlarge the boundaries, the municipal governing authority shall provide written |
| 16 | notification of the proposed annexation to the governing authority of the parish. |
| 17 | * * * |
| 18 | D. (1) Notwithstanding the provisions of Paragraphs (1) through (5) of |
| 19 | Subsection A of this Section, any municipality may annex contiguous areas without |
| 20 | the petitions required by Subsection A, by ordinance, provided prior to the adoption |
| 21 | of any such ordinance, the question of the annexation shall be submitted to the |
| 22 | qualified voters residing within the area proposed to be annexed in a special election |
| 23 | called for that purpose by the municipality, and a majority of those voting at such |
| 24 | election shall have voted in favor of the annexation. |
| 25 | (2) Any municipality may also call such an election after being requested to |
| 26 | do so through a petition signed by at least twenty-five percent of the resident |
| 27 | property owners residing in the area requesting annexation and by the owners of at |
| 28 | least twenty-five percent in value of the resident property within such area. The |
| 29 | valuation of the property shall be determined as set forth in Subsection A of this |
| 30 | Section. The petition presented to the municipality shall contain an accurate |
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| 1 | description of the area proposed to be annexed. All elections called under the |
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| 2 | provisions of this Subsection shall be conducted in the same manner as are other |
| 3 | special elections called for bond and tax purposes by municipalities. |
| 4 | (3) In addition to the requirements of Paragraphs (1) and (2) of this |
| 5 | Subsection, in the parish of Ascension, at least thirty days prior to an election held |
| 6 | pursuant to this Subsection, the municipal governing authority shall provide written |
| 7 | notification of the upcoming election to the governing authority of the parish. |

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____