

RÉSUMÉ DIGEST

ACT 768 (SB 475)

2022 Regular Session

Barrow

New law creates the Baker Main Street Economic Development District in East Baton Rouge Parish as a special taxing district and political subdivision of the state.

New law provides that the purpose of the district is to provide for cooperative economic development in order to provide for the redevelopment of, and dramatic improvement to, the property within the district located in the city of Baker.

New law provides that the district shall be governed by a seven-member board of commissioners. All members will constitute a quorum for the transaction of business. The commissioners will be:

- (1) The mayor of the city of Baker, or his designee.
- (2) The mayor of the city of Baker will appoint one member, from a list of nominees submitted by the Baker City Council.
- (3) The Baker City Council will appoint one member who is elected to the city council.
- (4) The member of the Louisiana State Senate who represents District 15 will appoint one member.
- (5) The member of the Louisiana House of Representatives who represents District 63 will appoint one member.
- (6) The board of directors of the Baker Chamber of Commerce will appoint one member who is serving or has served as president of the chamber's board.
- (7) The Baker City School Board will appoint one member from a list of nominees submitted to the school board.

New law provides that the domicile of the board must be established by the board at a location within the district. Provides the general rights and powers of the district and its board of commissioners. Provides that the district must be subject to the Public Records Law, officials journals law, Code of Governmental Ethics, and audit law.

New law authorizes the district to exercise the power of economic development districts in the TIF provisions for local governmental subdivisions including ad valorem tax increment financing and sales tax increment financing; the power of community development districts to levy special assessments for the payment of bonds, financing, maintenance and preservation; and the levy of sales taxes or hotel occupancy taxes above and in addition to any other sales taxes or hotel occupancy taxes then in existence or permitted to be in existence within the district, in an amount as may be determined by the board with the approved written consent of the owners of immovable property in the district, all in addition to the powers of economic development districts granted in new law and the power to levy taxes in the TIF law subject to the limitations and prohibitions of the Louisiana Constitution.

New law requires an election for taxes authorized, to be imposed.

New law provides that the aggregate tax rates of the sales tax and occupancy tax must be at least equal to the aggregate rate of all sales and occupancy taxes within the city-parish. In addition, the taxes levied are deemed to supersede other local sales and occupancy taxes if the taxes:

- (1) Do not secure bonds that have been authorized.
- (2) Have not been dedicated by other law or by proposition approved by electors.
- (3) Are not based on a per-head or per-person basis.
- (4) Is not the occupancy tax authorized by present relating to Visit Baton Rouge.

New law authorizes the district to use hotel and sales tax incremental financing or other financing pledging the revenues of the district. Provides relative to publishing requirements for certain actions by the board. Prohibits court authority into board action relative to adoption of ordinances or resolutions or pledge of tax increments after 30 days after publication unless a claim has been filed.

Effective August 1, 2022.

(Adds R.S. 33:9038.74)