

2023 Regular Session

SENATE BILL NO. 76

BY SENATOR FRED MILLS

SPECIAL DISTRICTS. Creates a special medical district in St. Martin Parish. (gov sig)

1 AN ACT

2 To enact R.S. 33:9038.75, relative to special districts; to authorize the parish of St. Martin
3 to create a special district; to grant such district certain rights and powers, including
4 the power to provide for tax increment financing and incur debt; to provide for
5 governance; and to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:9038.75 is hereby enacted to read as follows:

9 §9038.75. St. Martin Special Medical District

10 A. Declaration. The legislature hereby finds and declares that a
11 cooperative economic development district is necessary to establish the
12 framework and governance of medical economic development through
13 public-private partnerships, job creation and to continue to improve the health
14 outcomes of citizens.

15 B. Creation. The governing authority of the parish of St. Martin may
16 create a special district and political subdivision of the state, hereinafter
17 referred to as the "district".

1 C. Boundaries. The district shall be comprised of the following described
2 parcels or tracts of land located in St. Martin Parish:

3 That certain tract of land, together with all buildings and improvements
4 thereon located, and all rights, ways, privileges, and servitudes thereto
5 appertaining, and all appurtenances thereof, containing 44.422 acres and being
6 situated in Section 47, Township 9 South, Range 6 East, St. Martin Parish,
7 Louisiana, the said property being depicted on a plat of survey dated
8 February 20, 2018, prepared by Comeaux Engineering & Consulting; the
9 subject property measuring 499.18 feet on Champagne Boulevard its
10 southwestern line, by 4,023.91 feet on its southeastern line, 3,752.10 feet on its
11 northwestern line, and 566.00 feet on Doyle Melancon Road (Doyle Melancon
12 Extension Road), its northeastern line; the said property being bounded, now
13 or formerly, as follows: on the southwest by Champagne Boulevard; on the
14 northwest by the property of Robert Grant Bienvenu; on the southeast by the
15 properties of Hospital Service District No. 2 of St. Martin Parish, Louisiana,
16 Randy J. Kees, Kyle Lastrapes, Kip Lastrapes, and Charles Papadakes, et al;
17 and on the northeast by Doyle Melancon Road; the subject property having
18 such boundaries and further dimensions as shown and depicted on the plat of
19 survey.

20 D. Purpose. The district is created to provide for cooperative economic
21 development within the district, among the district, the owner or owners of
22 business and property within the district and any other interested parties, such
23 development endeavors being related to the provisions and expansion of medical
24 services, renovation, restoration, and related ventures.

25 E. Governance. In order to provide for the orderly development of the
26 district and to effectuate the purposes of the district, the district shall be
27 administered and governed by the board of commissioners of the St. Martin
28 Parish Hospital Service District No. 2 and the parish president shall serve as an
29 ex officio member.

1 F. Rights and powers. The district, acting by and through its board of
2 commissioners, shall have and exercise all powers of a political subdivision and
3 special taxing district necessary or convenient for the carrying out of its objects
4 and purposes, including but not limited to the following:

5 (a) To sue and be sued.

6 (b) To adopt bylaws and rules and regulations.

7 (c) To receive by gift, grant, donation, or otherwise any sum of money,
8 property, aid, or assistance from the United States, the state of Louisiana, or
9 any political subdivision thereof, or any person, firm, or corporation.

10 (d) For the public purposes of the district, to enter into contracts,
11 agreements, or cooperative endeavors with the state and its political
12 subdivisions or political corporations and with any public or private association,
13 corporation, business entity, or individual.

14 (e) To establish public-private partnerships and joint ventures for the
15 benefit of the district and to contract with private concerns who may be granted
16 leases, rights-of-use, or other concessions for contributing private at-risk capital
17 for a particular district project or program.

18 (f) To acquire by gift, grant, purchase, lease, or otherwise such property
19 as may be necessary or desirable for carrying out the objectives and purposes
20 of the district and sell such property.

21 (g) In its own name and on its own behalf, to incur debt and to issue
22 bonds, notes, certificates, and other evidences of indebtedness. For this purpose
23 the district shall be deemed and considered to be an issuer for purposes of R.S.
24 33:9037 and shall, to the extent not in conflict with this Section, be subject to the
25 provisions of R.S. 33:9037. The tax to repay the bonded indebtedness shall be
26 levied through an ordinance adopted by the district's board, only after a special
27 election is held for the purpose of approving the tax by a majority of the electors
28 voting.

29 (h) To establish such funds or accounts as are necessary for the conduct

1 of the affairs of the district.

2 G.(1) For purposes of implementing tax increment financing as provided
3 for in this Part, the board shall have all authorities provided for in R.S.
4 33:9038.33 to implement ad valorem tax increment financing and bonding, R.S.
5 33:9038.34 to implement sales tax increment financing and cooperative
6 endeavor authority in R.S. 33:9038.35. However, any tax or portion of a tax
7 which has been previously dedicated to another purpose according to a
8 proposition approved by voters shall be used as such a tax increment only if
9 approved by a majority of the voters of the taxing authority levying the tax
10 voting on the proposition in an election held for such purpose.

11 (2) The board shall designate the boundaries of a sales tax area and shall
12 designate the local sales taxes, which are to be used in determining the sales tax
13 increments, including state sales tax increments, and the initial annual baseline
14 collection rate for the sales tax area, which shall be the amount of such
15 designated sales taxes collected in the sales tax area in the fiscal year of the
16 district most recently completed prior to the establishment of the sales tax area.
17 In addition, a monthly baseline collection rate shall be determined by dividing
18 the initial annual baseline collection rate by twelve. The initial annual baseline
19 collection rate and the monthly baseline collection rate shall be certified by the
20 chief financial officer or equivalent of the district. The certification shall also be
21 published one time in the official journal of the parish of St. Martin. If the
22 amounts of the initial annual baseline collection rate and the monthly baseline
23 collection rate are not contested within thirty days after such publication, then
24 such amounts shall be conclusively presumed to be valid, and no court shall
25 have any jurisdiction to alter or invalidate the designation of the amount of
26 either the initial annual baseline collection rate or the monthly baseline
27 collection rate.

28 H. The provisions of this Section shall not affect any school system or law
29 enforcement agency for any purpose.

1 **I. Liberal construction. This Section, being necessary for the welfare of**
 2 **the parish and its residents, shall be liberally construed to effect the purposes**
 3 **thereof.**

4 Section 2. This Act shall become effective upon signature of the governor or, if not
 5 signed by the governor, upon expiration of the time for bills to become law without signature
 6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 8 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Michael Bell.

DIGEST

SB 76 Engrossed

2023 Regular Session

Fred Mills

Proposed law creates the St. Martin Medical District as a special district and political subdivision of the state in the parish of St. Martin. The boundaries of the district are to be comprised of parcels or tracts of land located in St. Martin Parish.

The district is created to provide for cooperative economic development between the district, among the district, the owner or owners of businesses and property within the district and any other interested parties, such development endeavors being related to the provisions and expansion of medical services, renovation, restoration, and related ventures.

The district is to be administered and governed by the board of commissioners of the St. Martin Parish Hospital Service District No. 2 and the parish president will serve as an ex officio member.

The district, acting by and through its board of commissioners, is authorized to have all powers of a political subdivision and taxing district necessary or convenient for the carrying out of its objects and purposes. It may incur debt and issue bonds, notes, certificates, and other evidences of indebtedness in its own name and on its own behalf. It may also establish public-private partnerships and joint ventures for the benefit of the district and to contract with private concerns who may be granted leases, rights-of-use, or other concessions for contributing private at-risk capital for a particular district project or program. It is deemed to be an issuer for purposes of R.S. 33:9037 and must, to the extent not in conflict with this Section, be subject to the provisions of R.S. 33:9037.

The district is authorized to implement tax increment financing and bond authority provided for in 33:9038.33, to implement ad valorem tax increment financing and bonding; R.S. 33:9034, to implement sales tax increment financing; R.S. 33:9038.35 to implement cooperative endeavor authority, and R.S. 33:9038.38 to implement bond authority.

Proposed law is to be liberally construed.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:9038.75)