

2023 Regular Session

HOUSE BILL NO. 624

BY REPRESENTATIVE BUTLER

1 AN ACT

2 To enact R.S. 33:2740.70.3, relative to Evangeline Parish; to create the Evangeline  
3 Economic Development Authority; to provide relative to the boundaries, purpose,  
4 governance, and powers and duties of the district; to provide relative to district  
5 funding; 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. 33:2740.70.3 is hereby enacted to read as follows:

11 §2740.70.3. Evangeline Economic Development Authority

12 A.(1) The Evangeline Economic Development Authority, referred to in this  
13 Section as the "district", is hereby created in the parish of Evangeline. The  
14 boundaries of the district shall encompass all of the territory in the parish of  
15 Evangeline. The district shall be a political subdivision of the state created for the  
16 purpose of performing the functions of an economic and industrial development  
17 agency. Such functions may include, without limitation:

18 (a) Public relations, advertising, marketing, and providing and disseminating  
19 information.

20 (b) Government relations, ombudsman, and government liaison.

21 (c) Financial and financing assistance.

22 (d) Tax abatement.

1           (e) Planning and coordination for economic development and resource  
2           utilization, including such functions as industrial and economic research and  
3           industrial programming and solicitation.

4           (f) Industrial training, technical assistance, and technology transfer.

5           (g) The use of public and other legal powers to facilitate development.

6           (h) Promoting transfer mechanisms to take ideas from their point of origin  
7           or development to commercially successful utilization by local enterprises.

8           (i) Fostering entrepreneurial activity in the parish and region.

9           (j) Promoting the development of new products, processes, or services or  
10          new uses for existing products, processes, or services manufactured or marketed in  
11          the parish or region.

12          (k) Supporting market research aimed at identifying new markets for local  
13          or regional products and processes, including international markets; determining the  
14          characteristics, needs and preferences of those markets; and developing new  
15          marketing techniques to exploit those markets.

16          (l) Fostering and supporting economic and industrial development and  
17          education in cooperation with private business enterprises, financial institutions,  
18          educational institutions, nonprofit institutions and organizations, state government  
19          and political subdivisions of the state, the federal government, and other  
20          organizations or persons concerned with research, development, education,  
21          commercial application, and economic or industrial development in ways which  
22          increase the economic base of the parish and region.

23          (2) For the purposes enumerated in Paragraph (1) of this Subsection, the  
24          district may engage in whatever activities and projects it deems most appropriate to  
25          encourage and assist economic growth and development within its territorial limits  
26          in accordance with and pursuant to provisions of this Section.

27          (3) No rule, regulation, or order shall be adopted by the district which is in  
28          conflict with any law, rule, regulation, or order enacted or adopted by the United  
29          States of America, the state of Louisiana, or the parish of Evangeline. If the district  
30          adopts any such conflicting rule, regulation, or order it shall be void, except that no

1 action by the state of Louisiana, the parish of Evangeline, or any other political  
2 subdivision shall abrogate any contract or agreement duly executed by the district.

3 B.(1) In order to provide for the orderly planning, development, acquisition,  
4 construction, and effectuation of the services, improvements, and facilities to be  
5 furnished by the district and to provide for the representation in the affairs of the  
6 district of those persons and interests immediately concerned with and affected by  
7 the purposes and development of the district, the district shall be managed by a board  
8 of commissioners, referred to in this Section as the "board". The board shall be  
9 comprised of eleven members all of whom shall be citizens of the United States and  
10 residents of the district. The members of the board shall be appointed as follows:

11 (a) The mayors of the municipalities located within the boundaries of the  
12 parish of Evangeline shall jointly appoint five members. One of the five members  
13 shall be appointed from a list of three nominations submitted to the mayors by the  
14 Evangeline Parish Farm Bureau.

15 (b) The governing authority of the parish of Evangeline shall appoint two  
16 members.

17 (c) The Evangeline Parish School Board shall appoint one member.

18 (d) The governing board of the Evangeline Parish Chamber of Commerce  
19 shall appoint one member.

20 (e) The governing boards of the two hospital providers located in the parish  
21 of Evangeline shall jointly appoint one member.

22 (f) South Louisiana Community College shall appoint one member.

23 (2) The members of the board shall include representatives from the business  
24 community, health care, legal and professional services, small business owners,  
25 financial institutions, manufacturing or service companies, local and regional  
26 educational systems or institutions, and parish and municipal government  
27 organizations. The board shall be representative of the parish's population by age,  
28 race, and gender to ensure diversity.

1           (3) Members shall serve four-year terms after serving initial terms as  
2           provided in this Paragraph. Three members shall serve an initial term of two years,  
3           four shall serve three years, and four shall serve four years as determined by lot at  
4           the first meeting of the board. No member of the board may be appointed for more  
5           than two consecutive terms.

6           (4) Vacancies occurring prior to the expiration of a term shall be filled in the  
7           manner of the original appointment for the remainder of the unexpired term.

8           (5) Any member may be removed for cause by a majority vote of the  
9           remaining board membership, The board may establish criteria for removal of  
10          members for cause in its bylaws.

11          (6) Members of the board shall serve without compensation but may receive  
12          reimbursement for approved and receipted expenses directly related to the  
13          governance of the district.

14          (7) Elected officials are not eligible to serve on the board.

15          (8) The board shall elect from its members a chairman, a vice chairman, a  
16          secretary, a treasurer, and such other officers as it may deem necessary. The offices  
17          of secretary and treasurer may be held by one person. The duties of the officers shall  
18          be fixed by the bylaws adopted by the board.

19          (9) The minute books and archives of the district shall be maintained by the  
20          secretary of the board. The monies, funds, and accounts of the district shall be in the  
21          official custody of the board.

22          (10) The board shall hold regular meetings as shall be provided in the bylaws  
23          and may hold special meetings at such times and places within the district as may be  
24          prescribed in the bylaws.

25          (11) A majority of the members of the board shall constitute a quorum for  
26          the transaction of business. The board shall keep minutes of all meetings and shall  
27          make them available through the secretary of the board.

28          (12) The board shall prescribe rules to govern its meetings and shall maintain  
29          suitable offices in the parish of Evangeline.

1           (13) In order to facilitate the performance of its duties required in this  
 2           Section and to further promote the economic development of the parish and region,  
 3           the board may establish an advisory board. Such advisory board may be composed  
 4           of persons or groups in the parish or region which the board believes will be able to  
 5           contribute and assist in the task of economic and industrial development. The  
 6           composition of the advisory board and the terms of its members shall be at the  
 7           discretion of the board.

8           C. The district, through the board, shall have and exercise all powers of a  
 9           political subdivision necessary or convenient for the carrying out of its objects and  
 10          purposes, including but not limited to the following:

- 11           (1) To sue and to be sued.
- 12           (2) To adopt, use, and alter at will a corporate seal.
- 13           (3) To adopt bylaws and rules and regulations.
- 14           (4) To receive by gift, grant, or donation any sum of money, property, aid,  
 15          or assistance from the United States, the state of Louisiana, or any political  
 16          subdivision thereof, or any person, firm, or corporation.
- 17           (5) To enter into contracts, agreements, or cooperative endeavors with the  
 18          state and its political subdivisions or political corporations and with any public or  
 19          private association, corporation, business entity, or individual.
- 20           (6) To appoint officers, agents, and employees, prescribe their duties, and fix  
 21          their compensation.
- 22           (7) To acquire by purchase, gift, grant, donation, lease, or otherwise such  
 23          property as may be necessary or desirable for carrying out the objectives and  
 24          purposes of the board.
- 25           (8) To perform any other necessary and ancillary acts to effectuate its  
 26          functions, to perform its duties, or to give effect to its powers in accordance with this  
 27          Section.

28          D.(1) The board shall prepare or cause to be prepared a plan or plans,  
 29          referred to in this Section as the "plan", specifying the public improvements,  
 30          facilities, and services proposed to be furnished, constructed, or acquired for the

1 district and shall conduct public hearings, publish notice with respect thereto, and  
2 disseminate information as it, in the exercise of its sound discretion, may deem to be  
3 appropriate or advisable and in the public interest.

4 (2) Any plan may specify and encompass any public services, capital  
5 improvements, and facilities which the parish of Evangeline is authorized to  
6 undertake, furnish, or provide under the constitution and laws of the state of  
7 Louisiana, and such specified public services, improvements, and facilities shall be  
8 special and in addition to all services, improvements, and facilities which the parish  
9 of Evangeline is then furnishing or providing or may then or in the future be  
10 obligated to furnish or provide within the district.

11 (3) Any plan shall include an estimate of the annual and total cost of  
12 acquiring, constructing, or providing the services, improvements, or facilities set  
13 forth therein.

14 (4) The board shall submit the plan to the governing authority of the parish  
15 of Evangeline. The parish governing authority shall review and consider the plan,  
16 but the board need not receive approval of the parish governing authority prior to  
17 implementing such plan.

18 E.(1) All services to be furnished within the district pursuant to any plan  
19 finally and conclusively adopted may be furnished, supplied, and administered by  
20 the parish of Evangeline through its regularly constituted departments, agencies,  
21 boards, commissions, and instrumentalities. All capital improvements and facilities  
22 to be acquired, constructed, or provided within the district may likewise be so  
23 acquired, constructed, or provided by the parish of Evangeline through its regularly  
24 constituted departments, agencies, boards, commissions, and instrumentalities, it  
25 being the intention of this Paragraph to avoid the duplication of administrative and  
26 management efforts and expense in the implementation of any plan adopted for the  
27 benefit of the district.

28 (2) In order to provide services or provide, construct, or acquire capital  
29 improvements or facilities, the board may enter into intergovernmental local service  
30 contracts with the parish of Evangeline.

1           F.(1) In addition to the authority provided to the district by this Section, the  
2           district may levy and collect a sales and use tax within the boundaries of the district  
3           not to exceed one percent.

4           (2) The tax shall be imposed by resolution of the board and shall be levied  
5           upon the sale at retail, the use, the lease or rental, the consumption, the distribution,  
6           and storage for use or consumption of tangible personal property, and upon the sales  
7           of services within the boundaries of the district, all as defined in R.S. 47:301 et seq.  
8           However, the resolution imposing the tax shall be adopted only after the proposition  
9           authorizing the levy of the tax is approved by a majority of the qualified electors of  
10           the district voting on the proposition at an election held for that purpose and  
11           conducted in accordance with the Louisiana Election Code and held on a date that  
12           corresponds with an election date provided by R.S. 18:402(A)(1) or (B)(1). The  
13           purpose and rate of the tax shall be as provided in the resolution.

14           (3) Except where inapplicable, the procedure established by R.S. 47:301 et  
15           seq. shall be followed in the imposition, collection, and enforcement of the tax, and  
16           procedural details necessary to supplement those Sections and to make them  
17           applicable to the tax authorized in this Subsection shall be fixed in the resolution  
18           imposing the tax.

19           (4) The tax shall be imposed and collected uniformly throughout the  
20           jurisdiction of the district.

21           (5) The tax levied pursuant to this Subsection shall be in addition to all other  
22           taxes other political subdivisions within the jurisdiction of the district are authorized  
23           to levy and collect.

24           (6) Any monies received by the district shall be used exclusively for the  
25           benefit of the district.

26           G.(1)(a) In addition to any authority provided to the district by this Section,  
27           the district shall have the authority provided to an economic development district by  
28           Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950 to  
29           implement tax increment financing and may issue revenue bonds payable from an  
30           irrevocable pledge and dedication of up to the full amount of tax increments

1 available to an economic development district as provided in this Section and in such  
2 Part to be derived from any project or projects of the district as provided for in this  
3 Section, or parts of such projects, in an amount to be determined as provided for in  
4 this Section, in order to finance or refinance any project or projects, or parts thereof,  
5 which are consistent with the purposes of the district.

6 (b) Notwithstanding any provision of law to the contrary, any portion of the  
7 tax of any local governmental subdivision or other tax recipient body may only be  
8 used as a tax increment for tax increment finance purposes with the consent of such  
9 local governmental subdivision or other tax recipient body expressed by ordinance  
10 or resolution and upon approval of a majority of the qualified electors voting at an  
11 election held for that purpose and conducted in accordance with the Louisiana  
12 Election Code and held on a date that corresponds with an election date provided by  
13 R.S. 18:402(A)(1) or (B)(1).

14 (2) For purposes of the tax increment financing authority derived from Part  
15 II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950 which is  
16 conferred upon the district by this Section, and only for purposes of this Section,  
17 "local governmental subdivision" as defined in such Part shall include the parish of  
18 Evangeline and all political subdivisions within the parish.

19 (3) For purposes of this Section, a tax increment shall consist of that portion  
20 of any tax levied within the district by a local governmental subdivision or other tax  
21 recipient body determined and pledged in the manner provided for in Part II of  
22 Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950. However, if the  
23 proceeds of such tax have been expressly dedicated to another purpose set forth in  
24 a proposition approved by the electorate of such local governmental subdivision or  
25 other tax recipient body, then the tax proceeds may not be used as a tax increment  
26 until a proposition which authorizes such use is submitted to and approved by such  
27 electorate.

1                    H. The district shall dissolve and cease to exist one year after the date all  
2                    bonds, notes, and other evidences of indebtedness of the district, including refunding  
3                    bonds, are paid in full as to both principal and interest; however, in no event shall the  
4                    district have an existence of less than three years from the effective date of this  
5                    Section.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_