

**HOUSE SUMMARY OF SENATE AMENDMENTS**

**HB 409**

**2023 Regular Session**

**Edmonds**

UTILITIES: Provides relative to stormwater utility systems

**Synopsis of Senate Amendments**

1. Requires that the term of the fees be provided for in the board's resolution rather than in the proposition.
2. Removes provisions for a maximum term on the imposition of the fees and the renewal of the fees.

**Digest of Bill as Finally Passed by Senate**

Present law authorizes any political subdivision to create one or more stormwater utility systems to manage stormwater flooding and adopt stormwater utility fees sufficient to plan, construct, acquire, extend, improve, operate, and maintain stormwater management systems, either within or without its boundaries. Further provides that any system created pursuant to present law is a revenue-producing public utility pursuant to present law and shall have all the rights, powers, and privileges granted to such utilities by present law.

Present law (R.S. 33:4161) defines a "revenue-producing public utility" as a revenue-producing business or organization that regularly supplies the public with a commodity or service or any project or undertaking owned and operated by a political subdivision authorized by present constitution or by present law to issue bonds, from the conduct and operation of which revenue can be derived.

Proposed law instead authorizes parish and municipal governing authorities to create stormwater management utility districts as political subdivisions of the state to manage stormwater flooding. Authorizes such a district to create and operate one or more stormwater management utility systems within its boundaries. Provides that the governing authority of the respective parish or municipality shall be the governing authority of the district. Further provides that any system created pursuant to proposed law is a revenue-producing public utility as defined in present law and shall have all the rights, powers, and privileges granted to the utilities by present law.

Proposed law additionally authorizes the districts to levy fees, subject to voter approval, to aid in the planning, construction, acquisition, extension, improvement, operation, and maintenance of stormwater management utility systems. Provides that the purpose, term, and amount of the fees shall be as provided in the board's resolution.

(Amends R.S. 33:4161.1)