

2024 Regular Session

HOUSE BILL NO. 654

BY REPRESENTATIVE HILFERTY

1 AN ACT

2 To provide for authorized uses of certain public property in Orleans Parish and to amend and
3 reenact Sections 1 and 2 of Act No. 152 of the 2019 Regular Session of the
4 Legislature, relative to the lease of certain state property in Orleans Parish and
5 Jefferson Parish; to authorize the lease of public property; to provide relative to
6 cooperative endeavor agreements between the City of New Orleans, Jefferson Parish,
7 and the state; to provide property descriptions; to provide for terms and conditions;
8 to provide an effective date; and to provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1.(A) In addition to the authority granted by Act No. 209 of the 1906
14 Regular Session of the Louisiana General Assembly and Act No. 9 of the 1910 Regular
15 Session of the Louisiana General Assembly and notwithstanding any provision of law to the
16 contrary, the council of the City of New Orleans may authorize and empower the City of
17 New Orleans or a public benefit corporation of the City of New Orleans to lease, on such
18 terms and conditions as the council may prescribe, to one or more offerers selected through
19 a request for proposal developed and issued pursuant to a cooperative endeavor agreement
20 between the state, the City of New Orleans, and Jefferson Parish, all or any part of the
21 following described property:

1 That parcel of property located west of West Roadway Street and that parcel
 2 located north of North Roadway Street and west of Breakwater Drive, within the area
 3 dedicated in the above-referenced Acts, to wit:

4 That portion of the protection or revetment levee bordering on Lake
 5 Pontchartrain, and lying between the west bank of the New Basin Canal on the east,
 6 and the prolongation of the boundary line between the parishes of Orleans and
 7 Jefferson on the west; all lands now lying under the waters of Lake Pontchartrain
 8 between the protection or revetment levee on the south; the west bank of the New
 9 Basin Canal on the east, the prolongation of the boundary line between the parishes
 10 of Orleans and Jefferson on the west, and a line drawn parallel to and in front of said
 11 protection or revetment levee, a distance of fifteen hundred feet therefrom on the
 12 north; all lands now lying under the waters of Lake Pontchartrain in the rear or south
 13 of the aforesaid protection or revetment levee on the north, the shore of Lake
 14 Pontchartrain on the south, and the lands belonging to private persons on the east and
 15 west.

16 (B) The lease authorized by Subsection A of this Section may be for any purpose
 17 consistent with applicable zoning laws, except that no portion of the described property may
 18 be leased for residential use.

19 Section 2. Sections 1 and 2 of Act No. 152 of the 2019 Regular Session of the
 20 Legislature are hereby amended and reenacted to read as follows:

21 Section 1. The commissioner of administration, notwithstanding any other
 22 provision of law to the contrary, is hereby authorized and empowered to lease any
 23 interest, excluding mineral rights, the state may have to all or any portion of the
 24 following described parcel of property to ~~the responsible offerer~~ one or more offerers
 25 selected through a request for proposal developed and issued pursuant to a
 26 cooperative endeavor agreement between the state, the City of New Orleans Parish,
 27 and Jefferson Parish:

28 A parcel of state owned land and water bottom located on the south
 29 shore of Lake Pontchartrain on or adjacent to the boundary of Orleans Parish
 30 and Jefferson Parish.

31 Section 2. (A) The state is authorized to lease the property described in
 32 Section 1 of this Act either directly to the selected offerer or offerers or to the City
 33 of New Orleans or a public benefit corporation of the City of New Orleans, who will
 34 then be permitted to sublease the property to the selected offerer or offerers in
 35 accordance with the terms of this Act.

36 (B) The commissioner of administration is hereby authorized to enter into
 37 such agreements, covenants, conditions, and stipulations and to execute such

1 documents as necessary to properly effectuate any lease, excluding mineral rights,
 2 to the property described in Section 1 of this Act, and as more specifically described
 3 in any such agreements entered into and documents executed by and between the
 4 parties ~~commissioner of administration and the selected responsible offerer~~ for a
 5 term not to exceed ninety-nine years, in exchange for consideration proportionate to
 6 the appraised value of the property. ~~The provisions of this Act shall apply to more~~
 7 ~~than one responsible offerer if the cooperative endeavor agreement provides for~~
 8 ~~dividing the property described in Section 1 into multiple leases.~~

9 (C) Notwithstanding any applicable zoning laws to the contrary, no portion
 10 of the property described in Section 1 of this Act may be leased for residential use.

11 Section 3. This Act shall become effective upon signature by the governor or, if not
 12 signed by the governor, upon expiration of the time for bills to become law without signature
 13 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 14 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 15 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA