

ACT No. 200

2024 Regular Session

HOUSE BILL NO. 182

BY REPRESENTATIVE TRAVIS JOHNSON

1 AN ACT

2 To enact R.S. 33:2740.70.6, relative to the town of Ferriday; to create the Ferriday
3 Downtown Entertainment District; to provide relative to the boundaries, purpose,
4 governance, and powers and duties of the district; to provide relative to district
5 funding; to provide for an effective date; 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. 33:2740.70.6 is hereby enacted to read as follows:

11 §2740.70.6. Ferriday Downtown Entertainment District

12 A. There is hereby created within the town of Ferriday, as more specifically
13 provided in Subsection B of this Section, a body politic and corporate which shall
14 be known as the Ferriday Downtown Entertainment District, referred to in this
15 Section as the "district". The district shall be a political subdivision of the state as
16 defined in the Constitution of Louisiana.

17 B. The boundaries of the district shall include the area within the following
18 perimeter: Texas Avenue, EE Wallace Boulevard, Mickey Gilley Avenue, and First
19 Street.

20 C. The district is created to provide for cooperative economic and
21 community development among the district, the city, the state, and the owners of
22 property in the district, to enhance the development of and improvement to the
23 property within the area of the district, and to expand the entertainment and leisure
24 activities within the district.

1 D.(1) In order to provide for the orderly development of the district and
2 effect the purposes of the district, the district shall be administered and governed by
3 a seven-member board of commissioners, referred to in this Section as the "board",
4 composed as follows:

5 (a) The mayor of the town of Ferriday shall appoint two members.

6 (b) The governing authority of the town of Ferriday shall appoint two
7 members.

8 (c) The chief executive officer of Concordia Bank & Trust shall appoint one
9 member.

10 (d) The chief executive officer of Delta Bank shall appoint one member.

11 (e) A representative of the Delta Museum appointed by the governing board
12 of the museum.

13 (2) Members shall serve three-year terms after serving initial terms as
14 provided in this Paragraph. Three members shall serve three-year initial terms, two
15 members shall serve two-year initial terms, and two members shall serve one-year
16 initial terms as determined by lot at the first meeting of the board.

17 (3) Any vacancy which occurs prior to the expiration of the term for which
18 a member of the board has been appointed shall be filled by appointment in the same
19 manner as the original appointment for the unexpired term.

20 (4) The board shall elect from its members a chairman, a vice chairman, a
21 secretary-treasurer, and other officers as it deems necessary. The duties of the
22 officers shall be fixed by the bylaws adopted by the board.

23 (5) The minute books and archives of the district shall be maintained by the
24 secretary-treasurer of the board. The monies, funds, and accounts of the district shall
25 be in the official custody of the board.

26 (6) The board shall adopt rules and regulations as it deems necessary or
27 advisable for conducting its business affairs. Rules and regulations of the board
28 relative to the notice and conduct of meetings shall conform to applicable law. The
29 board shall hold regular meetings as provided for in the bylaws and may hold special
30 meetings at such times and places within the district as prescribed in the bylaws.

1 (7) A majority of the members of the board constitutes a quorum for the
 2 transaction of business. The board shall keep minutes of all meetings and shall make
 3 them available through the secretary-treasurer of the board.

4 (8) The members of the board shall serve without compensation but shall be
 5 reimbursed for reasonable out-of-pocket expenses directly related to the governance
 6 of the district.

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

10 (1) To sue and be sued.

11 (2) To adopt, use, and alter at will a corporate seal.

12 (3) To acquire by gift, grant, purchase, or lease all property, including rights-
 13 of-way; to hold and use any franchise or property, immovable or movable, corporeal
 14 or incorporeal, or any interest therein, necessary or desirable for carrying out the
 15 objects and purposes of the district.

16 (4) To receive by gift, grant, or donation, any sum of money, including rural
 17 development funds, or property, aid, or assistance from the United States, the state
 18 of Louisiana, or any political subdivision thereof, or any person, firm, or corporation.

19 (5) To enter into contracts for the purchase, lease, acquisition, construction,
 20 and improvement of works and facilities necessary in connection with the purposes
 21 of the district and to mortgage its properties and enter into leases and other
 22 agreements on terms the board approves.

23 (6) To require and issue licenses with respect to properties and facilities
 24 owned by the district.

25 (7) To regulate the imposition of fees and rentals charged by the district for
 26 facilities owned and services rendered by it and to impose fees on the use or
 27 occupancy of any other property within but not owned by the district with the
 28 consent of the owner of such property.

29 (8) To appoint officers, agents, and employees, prescribe their duties, and fix
 30 their compensation.

1 (9) To enter into cooperative endeavor agreements with any other party,
 2 public or private, to accomplish the purposes of this Section.

3 F.(1) The board shall prepare or cause to be prepared a plan or plans
 4 specifying the public improvements, facilities, and services proposed to be furnished,
 5 constructed, or acquired for the district and shall conduct public hearings, publish
 6 notice with respect thereto, and disseminate information as it, in the exercise of its
 7 sound discretion, deems to be appropriate or advisable and in the public interest.

8 (2) Any plan may specify and encompass any public services, capital
 9 improvements, and facilities which the town of Ferriday is authorized to undertake,
 10 furnish, or provide under the constitution and laws of the state of Louisiana, and the
 11 specified public services, improvements, and facilities shall be special and in
 12 addition to all services, improvements, and facilities which the town is then
 13 furnishing or providing or may then or in the future be obligated to furnish or
 14 provide within the district.

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

18 G.(1) In addition to the authority provided to the district by this Section, the
 19 district may levy and collect a sales and use tax within the boundaries of the district
 20 not to exceed two-tenths of a percent.

21 (2) The tax shall be imposed by resolution of the board and shall be levied
 22 upon the sale at retail, the use, the lease or rental, the consumption, the distribution,
 23 and the storage for use or consumption of tangible personal property, and upon the
 24 sales of services within the boundaries of the district, all as defined in R.S. 47:301
 25 et seq. However, the resolution imposing the tax shall be adopted only after the
 26 proposed tax is approved by a majority of the qualified electors of the district voting
 27 on the proposition at an election held for that purpose and conducted in accordance
 28 with the Louisiana Election Code and held on a date that corresponds with an
 29 election date provided by R.S. 18:402(A)(1), (B)(1), or (C)(1). The purpose and rate
 30 of the tax shall be as provided in the resolution.

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

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

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

11 (6) The district shall have no other power of taxation, except as provided in
 12 this Subsection.

13 H.(1)(a) In addition to any authority provided to the district by this Section,
 14 the district shall have the authority provided to an economic development district by
 15 Part II of Chapter 27 of this Title to implement tax increment financing and may
 16 issue revenue bonds payable from an irrevocable pledge and dedication of up to the
 17 full amount of tax increments available to an economic development district as
 18 provided in this Section and in that Part to be derived from any project or projects
 19 of the district as provided for in this Section, or parts of the projects, in an amount
 20 to be determined as provided for in this Section, in order to finance or refinance any
 21 project or projects, or parts thereof, which are consistent with the purposes of the
 22 district.

23 (b) Notwithstanding any provision of law to the contrary, any portion of the
 24 tax of any local governmental subdivision or other tax recipient body may be used
 25 as a tax increment for tax increment finance purposes only with the consent of the
 26 local governmental subdivision or other tax recipient body expressed by ordinance
 27 or resolution and upon approval of a majority of the qualified electors of the town
 28 of Ferriday voting at an election held for that purpose and conducted in accordance
 29 with the Louisiana Election Code.

1 (2) For purposes of the tax increment financing authority derived from Part
2 II of Chapter 27 of this Title which is conferred upon the district by this Section, and
3 only for purposes of this Section, "local governmental subdivision" as defined in
4 such Part shall include the parish of Concordia and all political subdivisions within
5 the parish.

6 (3) For purposes of this Section, a tax increment shall consist of that portion
7 of any tax, excluding a hotel occupancy tax, levied within the district by a local
8 governmental subdivision or other tax recipient body determined and pledged in the
9 manner provided for in Part II of Chapter 27 of this Title. However, if the proceeds
10 of any tax have been expressly dedicated to another purpose set forth in a proposition
11 approved by the electorate of the local governmental subdivision or other tax
12 recipient body, then the tax proceeds shall not be used as a tax increment until a
13 proposition which authorizes the use is submitted to and approved by the electorate.

14 (4) Notwithstanding any other provision of law to the contrary, the district
15 shall not levy a hotel occupancy tax within the boundaries of the district. In addition,
16 the district shall not issue revenue bonds payable from an irrevocable pledge and
17 dedication of hotel occupancy tax increments.

18 I. This Section, being necessary for the welfare of the city and its residents,
19 shall be liberally construed to effect the purposes thereof.

20 Section 2. This Act shall become effective on July 1, 2024; if vetoed by the governor
21 and subsequently approved by the legislature, this Act shall become effective on July 1,
22 2024, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____