

2024 Regular Session

HOUSE BILL NO. 690

BY REPRESENTATIVE MARCELLE

# ACT No. 446

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## AN ACT

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To amend and reenact R.S. 33:9097.7(B), (C), and (F), relative to East Baton Rouge Parish; to provide relative to the Melrose East Crime Prevention District; to provide relative to the boundaries, purpose, and powers and duties of the district; to provide relative to the imposition of a parcel fee within the district; to provide relative to the expiration and renewal of the fee; to provide for an effective date; and to provide for related matters.

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

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Be it enacted by the Legislature of Louisiana:

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Section 1. R.S. 33:9097.7(B), (C), and (F), are hereby amended and reenacted to read as follows:

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§9097.7. Melrose East Crime Prevention District

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B.(1) Boundaries. The district shall encompass the area included within the following perimeter: Renoir Avenue, North Ardenwood Drive, North Lobdell Boulevard, and Florida Boulevard.

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(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the boundaries of the district shall also encompass the area included on both sides of the following streets: Renoir Avenue, North Ardenwood Drive, North Lobdell Boulevard, and Florida Boulevard if the question of expansion and imposition of the parcel fee is approved by a majority of the registered voters in the area included within the expanded boundaries voting on a proposition at an election held for that

purpose in accordance with the Louisiana Election Code. No less than thirty days prior to any election held to approve such expansion and parcel fee, the board shall mail notification of the upcoming election to each registered voter of the expanded area and to each owner of a parcel in the expanded area who is not a registered voter of the expanded area.

**C.(1) Purpose.** The purpose of the district shall be to aid in crime prevention and to add to the security of district residents by providing for an increase in the presence of law enforcement personnel in the district.

(2) In addition to the purposes provided for in Paragraph (1) of this Subsection, the district is also created for the purpose of adding to the overall betterment of the district by providing for beautification and other improvements within the district if the question of the additional purposes and the imposition of the parcel fee for such purposes is approved by a majority of the registered voters in the district voting on a proposition at an election held for that purpose in accordance with the Louisiana Election Code. No less than thirty days prior to any election held to approve such additional purposes and parcel fee, the board shall mail notification of the upcoming election to each registered voter of the district and to each owner of a parcel in the district who is not a registered voter of the expanded area.

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F. Parcel fee. The ~~governing authority~~ of East Baton Rouge Parish governing authority of the district may impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection:

(1) The amount of the fee shall be as requested by duly adopted resolution of the board. The fee, however, shall not exceed two hundred dollars per parcel per year for lots zoned for residential use and two thousand dollars per parcel per year for lots zoned for commercial use.

(2)(a) The fee shall be imposed on each improved parcel located within the district.

(b) For purposes of this Section, "parcel" means a lot, a subdivided portion of ground, or an individual tract and does not mean a "condominium parcel" as

1                   defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector  
2                   shall impose the parcel fee on each lot on which condominiums are situated and not  
3                   on individual condominium units.

4                   (c) The owner of the parcel shall be responsible for payment of the fee.

5                   (3)(a) The fee shall be imposed only after the question of its imposition has  
6                   been approved by a majority of the registered voters of the district voting on the  
7                   proposition at an election held for that purpose in accordance with the Louisiana  
8                   Election Code. At least thirty days prior to any election held to approve imposition  
9                   of a parcel fee, the board shall mail notification of the upcoming election to each  
10                  registered voter of the district and to each owner of a parcel in the district who is not  
11                  a registered voter of the district. No other election shall be required except as  
12                  provided by this Paragraph.

13                  (b) The ~~initial~~ election on the question of the imposition of the fee shall be  
14                  held at the same time as a regularly scheduled election in the parish of East Baton  
15                  Rouge.

16                  (c) The fee shall expire ~~ten years from its initial levy at the end of the term~~  
17                  ~~provided for in the proposition authorizing the fee, not to exceed ten years,~~ but may  
18                  be renewed as provided in Subparagraph (a) of this Paragraph. If the fee is renewed,  
19                  the term of the imposition of the fee shall be as provided in the proposition  
20                  authorizing such renewal.

21                  (4) The fee shall be collected at the same time and in the same manner as ad  
22                  valorem taxes are collected by the parish.

23                  (5) Any parcel fee which is unpaid shall be added to the tax rolls of the  
24                  parish and shall be enforced with the same authority and subject to the same  
25                  penalties and procedures as unpaid ad valorem taxes.

26                  (6) ~~The parish of East Baton Rouge shall remit to the district all amounts~~  
27                  ~~collected not more than sixty days after collection. However, the parish may retain~~  
28                  ~~one percent of the amount collected as a collection fee. The sheriff of East Baton~~  
29                  ~~Rouge Parish shall collect and remit to the district all amounts collected not more~~  
30                  ~~than sixty days after collection; however, the sheriff may enter into an agreement~~

1                   with the district to authorize the retention of an annual collection fee, not to exceed  
2                   one percent of the amount collected.

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4                   Section 2. (A) The provisions of this Act shall not affect the parcel fee levied within  
5                   the Melrose East Crime Prevention District on the effective date of this Act. The governing  
6                   authority of East Baton Rouge Parish shall continue to levy the fee until such time as it  
7                   expires, as provided in the proposition approved by a majority of the district's registered  
8                   voters voting on the proposition at an election held on December 10, 2022.

9                   (B) Notwithstanding the provisions of Subsection A of this Section, the board of  
10                  commissioners of the Melrose East Crime Prevention District may call an election for the  
11                  purpose of submitting the question of the imposition of the fee authorized in this Act to the  
12                  voters prior to December 31, 2032. If the imposition of the fee is approved by a majority  
13                  of the district's registered voters voting on the proposition at any such election, the governing  
14                  authority of the district shall then begin to levy a parcel fee as provided in the proposition.

15                   (C) At no time shall a property owner in the district be subject to an annual parcel  
16                  fee, whether paid to the district or to the parish on behalf of the district or both, that exceeds  
17                  the rate limits provided in R.S. 33:9097.4(F)(1) as amended by this Act.

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

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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: \_\_\_\_\_