

SENATE BILL NO. 480

BY SENATOR BOUDREAUX AND REPRESENTATIVE CHASSION

1 AN ACT

2 To amend and reenact R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1),
3 to enact R.S. 34:291(B)(1)(m) and 34:293.2, and to repeal 33:4720.171, relative to
4 Lafayette Parish; to provide relative to the Lafayette Economic Development
5 Authority; to provide relative to redevelopment authority; to provide relative to the
6 composition of the board; to provide relative to the powers and functions of the
7 board; to provide relative to cooperative endeavor agreements; to provide for the
8 termination of the North Lafayette Redevelopment Authority; and to provide for
9 related matters.

10 Notice of intention to introduce this Act has been published.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 34:291(A), 292(B)(1)(b), 293(A)(1), 293.1(A), (E)(1) and (F)(1) are
13 hereby amended and reenacted and R.S. 34:291(B)(1)(m) and 34:293.2 are hereby enacted
14 to read as follows:

15 §291. Creation; territorial limits and jurisdiction

16 A. The Lafayette Economic Development Authority, hereinafter referred to
17 as the authority or the district, is created as a political subdivision of the state of
18 Louisiana, and its territorial limits and jurisdiction shall extend throughout the parish
19 of Lafayette. Such authority shall continue to constitute a political subdivision, **a**
20 **redevelopment authority pursuant to R.S. 34:293.2**, and a harbor and terminal
21 district originally created under the provisions of Article XIV, Section 30.1 of the
22 Louisiana Constitution of 1921 and Article XIV, Section 31 thereof, continued as a
23 statute at R.S. 34:340.1 through 340.6.

24 B.(1) The Lafayette Economic Development Authority is established for the
25 purpose of having a council composed of representatives from the business
26 community, parish and city governments, the University of Louisiana at Lafayette,
27 and the South Louisiana Community College to perform the functions of an

1 economic and industrial development agency. Such functions may include, without
2 limitation:

3 * * *

4 (m) Leveraging economic and community development strategies to
5 engage in and foster redevelopment and revitalization activities within
6 distressed areas with the parish.

7 * * *

8 §292. Board of commissioners

9 * * *

10 B.(1) The commissioners shall be appointed as follows:

11 * * *

12 (b) Two members, one of whom shall be a racial minority, shall be
13 appointed by the Lafayette Mayor-President. The Lafayette Mayor-President may
14 serve as one of the appointments.

15 * * *

16 §293. Powers of board; title to structures

17 A.(1) The board has the power to regulate the commerce and traffic of the
18 harbor and terminal district in any manner that may in its judgment be best for the
19 public interest. It has all the rights, privileges, and immunities granted to
20 corporations in Louisiana. It may administer, contract for, operate, and maintain
21 wharves, warehouses, landings, docks, sheds, belt and connecting railroads, canals,
22 basins, locks, elevators, and other structures and facilities necessary or proper for the
23 use and development of the business of the district, including buildings and
24 equipment for the accommodation of passengers and in the handling, storage,
25 transportation, and delivery of freight, express, and mail. It may maintain proper
26 depths of water to accommodate the business of the district; provide mechanical
27 facilities and equipment for use in connection with the wharves, sheds, docks,
28 elevators, warehouses, and other structures; provide light, water, and police
29 protection for the district and for all harbor and terminal facilities situated therein.
30 It may make and collect reasonable charges for the use of all structures, works, and

1 facilities administered, and for any and all services rendered by it. It may regulate
 2 reasonably the fees or rentals and charges charged ~~to be made by~~ for use of
 3 privately owned wharves, docks, warehouses, elevators, or other privately owned
 4 facilities located on property owned or sold by the authority ~~and other facilities~~
 5 within the limits of the district when the same are offered for the use of the public
 6 or by a private industrial, commercial, research, or other economic
 7 development entity or activity.

8 * * *

9 §293.1. Additional powers; industrial development

10 A. The district shall have authority to construct and/or acquire land and
 11 improvements to construct, operate, and maintain facilities, improvements,
 12 infrastructure, industrial parks and/or industrial plant buildings within the district,
 13 including sites and other necessary property or appurtenances therefor, and to
 14 acquire, construct, improve, operate, maintain and provide improvements and
 15 services necessary therefor, including but not limited to buildings, roads, street
 16 lighting, bridges, rail facilities, drainage, sewers, sewerage disposal facilities, solid
 17 waste disposal facilities, waterworks and other utilities and related properties. The
 18 district shall also have the authority to sell, lease or otherwise dispose of, by suitable
 19 and appropriate contract, to any enterprise locating or existing within the district, all
 20 or any part of an industrial plant site, industrial plant building or other property
 21 owned by the district. In determining the consideration for any contract to lease, sell
 22 or otherwise dispose of lands, buildings or other property of the district, the board
 23 may take into consideration the value of the lands, buildings or other properties
 24 involved as well as the potential value of the economic impact of the industrial or
 25 business enterprise being induced to locate or expand within the district. Such
 26 economic impact shall include increased employment, increased use of local labor,
 27 wages and salaries to be paid, consumption of local materials, products and resources
 28 and special tax revenues to be generated by the industrial or business enterprise
 29 acquiring or leasing lands, buildings or other property from the district. In no event,
 30 however, and under no circumstances shall the board dispose of any property of the

1 district for less than fifty percent of the appraised value of the property without the
2 prior approval of the governing authority of the parish, which approval shall be by
3 resolution adopted by a simple majority.

4 * * *

5 E.(1) The district shall have authority to enter into any cooperative endeavor.
6 "Cooperative endeavor" means any form of economic development assistance
7 between or among the district and the state, any of its local governmental
8 subdivisions, political corporations, or public benefit corporations, the United States
9 or its agencies, or any public or private association, corporation, or individual. **The**
10 **district shall have the authority to convey to the United States, the state, or to**
11 **any political subdivision of the state any land, property, right-of-way, easement,**
12 **servitude, or other thing of value, which the authority may own or acquire, for**
13 **use by such governmental entity to accomplish the objectives and purposes of**
14 **the authority, pursuant to the terms of any appropriate cooperative endeavor**
15 **agreement.** The term "cooperative endeavor" shall include, but not be limited to,
16 cooperative financing, cooperative development, or any other form of cooperative
17 economic development activity.

18 * * *

19 F. The authority is likewise hereby authorized and shall have the authority
20 and power necessary in order to carry out and effectuate the purposes and provisions
21 of this Part, including, without limiting the generality of the foregoing, the following
22 specific authority and powers, which shall be in addition to others herein granted:

23 (1) To apply for and to receive and accept for or from any federal agency, the
24 state, or political subdivision of the state or for or from any public or private source
25 any grants, loans, **leases, contributions,** ~~or~~ **advances, or any form of financial**
26 **assistance** for or in the aid of an economic development cooperative endeavor,
27 project, or projects, to give and accept such equity or security as may be required,
28 and to enter into and carry out a contract or contracts of agreements in connection
29 therewith, ~~provided that public notice is given prior to such action.~~

30 * * *

1 **§293.2. Additional powers; redevelopment**

2 **With regard to redevelopment functions, the authority, through the**
3 **board, shall have all powers necessary or convenient to carry out and effectuate**
4 **the purposes and provisions of this Part within the territory comprised of all of**
5 **the territory included within House of Representatives District No. 44 and**
6 **Districts 1 and 5 of the Lafayette City Council as geographically drawn on June**
7 **20, 2022, including but not limited to the following:**

8 **(1) The authority shall have the power to create and execute**
9 **redevelopment plans for specified areas within the territory defined in this**
10 **Section. The implementation of all such plans shall not proceed until, to the**
11 **extent required by law, the authority has obtained the approval of the local**
12 **planning commission or zoning board. In the execution of such redevelopment**
13 **plan, the authority shall have the powers provided in this Subsection.**

14 **(2) To undertake and carry out redevelopment projects and related**
15 **activities.**

16 **(3) To develop, test, and report methods and techniques and carry out**
17 **demonstrations and other activities for the prevention and the elimination of**
18 **slums and urban blight.**

19 **(4) To plan, develop, regulate, operate, and maintain activities and**
20 **planned land uses to foster any type of property development.**

21 **(5) The authority may purchase adjudicated properties within the**
22 **territory defined in this Section from any political subdivision of the state of**
23 **Louisiana.**

24 **(6) The authority may purchase, sell, lease, exchange, or otherwise**
25 **dispose of or transfer to or with other political subdivision of this state or public**
26 **or private persons at public or private sale any land, property, improvements,**
27 **or portions thereof, including immovable property and housing, which is, in the**
28 **opinion of the board, appropriate to accomplish the objective and purposes of**
29 **the district. Prior to any sale, lease, conveyance, disposition, or transfer of**
30 **property pursuant to this Paragraph, the authority shall fix the price and terms**

1 of the sale, lease, exchange, or other contract to be made with reference to the
2 property. Such sale, lease, conveyance, disposition, or transfer shall comply with
3 the terms and provisions of this Part.

4 (7) The authority may sell, lease, exchange, or otherwise transfer
5 immovable property or any interest therein acquired by it for residential
6 commercial or industrial uses or for public use, subject to such covenants,
7 conditions, and restrictions, including covenants running with the land, as it
8 may deem to be necessary or desirable to assist in carrying out the purposes of
9 this Part.

10 (8) The authority may temporarily operate, maintain, or lease
11 immovable property acquired by it in a redevelopment area for or in connection
12 with a redevelopment project pending disposition of the property as authorized
13 in this part for such uses and purposes as may be deemed desirable even though
14 not in connection with the redevelopment plan.

15 (9) The authority may dispose of any immovable property within a
16 redevelopment area acquired by purchasing adjudicated properties.
17 Notwithstanding any other provision of law, immovable property acquired in
18 accordance with the redevelopment plan may be disposed of to a public body for
19 public reuse.

20 (10) To require and issue licenses.

21 (11) To levy and collect sales and use taxes within the boundaries of the
22 district for such purposes and at such rate as provided by the propositions
23 authorizing their levy, not to exceed in aggregate one percent, which taxes may
24 not exceed the limitation set forth in the Constitution of Louisiana, provided the
25 proposition submitted to a vote in accordance with the Louisiana Election Code
26 shall be approved by a majority of the qualified electors of the jurisdiction of
27 the authority voting in an election held for that purpose.

28 Section 2. R.S. 33:4720.171 is hereby repealed in its entirety.

29 Section 3. This Act shall become effective upon signature by the governor or, if not
30 signed by the governor, upon expiration of the time for bills to become law without signature

1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become
3 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____