

2025 Regular Session

HOUSE BILL NO. 55

BY REPRESENTATIVE DAVIS

DISTRICTS/CRIME PREVENT: Creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish

1 AN ACT

2 To enact R.S. 33:9097.42, relative to East Baton Rouge Parish; to provide for the creation
3 of the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement
4 District; to provide for the boundaries, purpose, governance, and powers and duties
5 of the district; to provide for district funding; to provide for an effective date; and to
6 provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9097.42 is hereby enacted to read as follows:

12 §9097.42. Cross Gates Subdivision Crime Prevention and Neighborhood
13 Improvement District

14 A. There is hereby created within the parish of East Baton Rouge, as more
15 specifically provided in Subsection B of this Section, a body politic and corporate
16 which shall be known as the Cross Gates Subdivision Crime Prevention and
17 Neighborhood Improvement District, referred to in this Section as the "district". The
18 district shall be a political subdivision of the state as defined in the Constitution of
19 Louisiana.

1 B. The boundaries of the district shall include the area encompassed within
2 the following streets: Cross Gate Drive, North Antioch Crossing, Antioch Crossing,
3 Antioch Court, and Gateway Drive.

4 C. The purpose of the district shall be to aid in crime prevention, to enhance
5 security within the district, to provide for an increase in security patrols in the
6 district, and to provide for the overall betterment of the district.

7 D.(1) The district shall be governed by a five-member board of
8 commissioners, referred to in this Section as the "board". The board shall be
9 composed as follows:

10 (a) The board of directors of the Cross Gates Homeowners Association shall
11 appoint four members.

12 (b) The member of the Louisiana House of Representatives and the member
13 of the Louisiana Senate whose districts encompass all or the greater portion of the
14 area of the district shall jointly appoint one member.

15 (2) All members of the board shall own property and reside within the
16 district and shall be qualified voters of the district.

17 (3)(a) Members shall serve four-year terms after the initial terms as provided
18 in this Subparagraph. Two members shall serve an initial term of two years; two
19 shall serve three years; and one shall serve four years, as determined by lot at the
20 first meeting of the board.

21 (b) Members shall be eligible for reappointment.

22 (4) Any vacancy in membership of the board shall be filled in the manner of
23 the original appointment. If the appointing authority responsible for the appointment
24 of a member fails to fill a vacancy within thirty days, the remaining members of the
25 board may appoint an interim successor to serve until the position is filled by the
26 appointing authority.

27 (5) The board shall elect from its members a chairman, a vice chairman, a
28 secretary, a treasurer, and such other officers as it deems necessary. The duties of
29 the officers shall be fixed by the bylaws adopted by the board.

1 (6) The members of the board shall serve without compensation but shall be
2 reimbursed for reasonable out-of-pocket expenses directly related to the governance
3 of the district, not to exceed one hundred dollars per year.

4 (7) The board shall keep minutes of all meetings and shall make them
5 available through the secretary of the board. The minute books and archives of the
6 district shall be maintained by the secretary of the board. The monies, funds, and
7 accounts of the district shall be in official custody of the board.

8 (8) The board shall adopt such rules and regulations as it deems necessary
9 or advisable for conducting its business affairs. Rules and regulations of the board
10 relative to the notice and conduct of meetings shall conform to applicable provisions
11 of the Open Meetings Law. The board shall hold meetings as shall be provided for
12 in the bylaws and may hold special meetings at such times and places within East
13 Baton Rouge Parish as may be prescribed in the bylaws.

14 (9) A majority of the membership of the board shall constitute a quorum for
15 the transaction of business, and all official action of the board shall require the
16 favorable vote of a majority of those members present and voting. All members of
17 the board shall be voting members.

18 (10) The domicile of the board shall be in East Baton Rouge Parish.

19 E. The district, acting through its board, shall have the following powers and
20 duties:

21 (1) To sue and be sued.

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

23 (3) To receive and expend funds collected pursuant to Subsections F and G
24 of this Section and in accordance with a budget adopted as provided by Subsection
25 H of this Section.

26 (4) To enter into contracts with individuals or entities, private or public.

27 (5) To provide or enhance security patrols in the district, to provide for
28 improved lighting, signage, or matters relating to the security of the district, to

1 provide for the beautification of and improvement to the district, and to provide
2 generally for the overall betterment of the district.

3 (6) To enter into contracts and agreements with one or more other districts
4 for the joint security, improvement, or betterment of all participating districts.

5 (7) To provide for such services and make such expenditures as the board
6 deems proper to carry out the purposes of the district.

7 (8) To acquire or lease items and supplies which the board deems proper to
8 carry out the purposes of the district.

9 (9) To procure and maintain liability insurance against any personal or legal
10 liability of a board member that may be asserted or incurred based upon service as
11 a member of the board or that may arise as a result of actions taken within the scope
12 and discharge of duties as a member of the board.

13 (10) To perform or have performed any other function or activity necessary
14 or appropriate to carry out the purposes of the district or for the overall betterment
15 of the district.

16 F.(1) The governing authority of the district may impose and collect a parcel
17 fee within the district subject to and in accordance with the provisions of this
18 Subsection.

19 (2) The fee shall be imposed on each improved and unimproved parcel
20 located within the district.

21 (3)(a) The amount of the fee shall be as provided in a duly adopted
22 resolution of the board. The fee shall be a flat fee per parcel not to exceed four
23 hundred dollars per year for each parcel; however, the initial fee for the first calendar
24 year shall not exceed one hundred fifty dollars per parcel.

25 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion
26 of ground, an individual tract, or a "condominium parcel" as defined in R.S.
27 9:1121.103.

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

1 (4)(a) A fee shall be imposed only after the question of its imposition has
2 been approved by a majority of registered voters of the district voting on the
3 proposition at an election held for that purpose in accordance with the Louisiana
4 Election Code. The amount of the fee may be changed by duly adopted resolution
5 of the board, not to exceed the maximum amount authorized by this Subsection and
6 approved by the voters. No other election shall be required except as provided by
7 this Paragraph.

8 (b) The fee shall expire at the time provided in the proposition authorizing
9 the fee, not to exceed ten years from its initial imposition, but the fee may be
10 renewed as provided in Subparagraph (a) of this Paragraph. Any election to
11 authorize renewal of the fee shall be held for that purpose in accordance with the
12 Louisiana Election Code. If the fee is renewed, the term of the imposition of the fee
13 shall be as provided in the proposition authorizing the renewal, not to exceed ten
14 years.

15 (5) The fee shall be collected at the same time and in the same manner as ad
16 valorem taxes are collected for East Baton Rouge Parish. The tax collector shall
17 collect and remit to the district all amounts collected not more than sixty days after
18 collection; however, the district may enter into an agreement with the tax collector
19 to authorize retention of an annual collection fee, not to exceed one percent of the
20 amount collected.

21 (6) Any parcel fee which is unpaid shall be added to the tax rolls of East
22 Baton Rouge Parish and shall be enforced with the same authority and subject to the
23 same penalties and procedures as unpaid ad valorem taxes.

24 G. The district is authorized to solicit, accept, and expend additional
25 voluntary contributions and grants to carry out the purposes of the district.

26 H.(1) The board shall adopt an annual budget in accordance with the
27 Louisiana Local Government Budget Act, R.S. 39:1301 et seq.

28 (2) The district shall be subject to audit by the legislative auditor pursuant
29 to R.S. 24:513.

1 I.(1) It is the purpose and intent of this Section that any additional law
2 enforcement personnel and services provided for through the fees authorized in this
3 Section shall be supplemental to, and not in lieu of, personnel and services to be
4 provided in the district by publicly funded law enforcement agencies.

5 (2) If the district ceases to exist, any funds, equipment, and property of the
6 district shall be transmitted to the governing authority of the parish of East Baton
7 Rouge and shall be used only within the district for the purposes set forth in this
8 Section.

9 J.(1) The district shall indemnify its officers and board members to the
10 fullest extent permitted by R.S. 12:227, as fully as if the district were a nonprofit
11 corporation governed thereby, and as may be provided in the district's bylaws.

12 (2) No board member or officer of the district shall be liable to the district
13 or to any individual who resides, owns property, visits, or otherwise conducts
14 business in the district for monetary damages, for breach of his duties as a board
15 member or officer, provided that this provision shall not eliminate or limit the
16 liability of a board member or officer for any of the following:

17 (a) Acts or omissions not in good faith or which involve intentional
18 misconduct or a knowing violation of law.

19 (b) Any transaction from which the board member or officer derived an
20 improper personal benefit.

21 (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.
22 9:2792.1 through 2792.9, a person serving the district as a board member or officer
23 shall not be individually liable for any act or omission arising out of the performance
24 of his duties.

25 Section 2. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 55 Reengrossed

2025 Regular Session

Davis

Abstract: Creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish.

Proposed law creates the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish as a political subdivision of the state for the purpose of aiding in crime prevention by providing for an increase in security patrols in the district and providing for the overall betterment of the district. Provides for district boundaries. Provides that the district will be governed by a five-member board of commissioners composed as follows:

- (1) Four members appointed by the board of directors of the Cross Gates Homeowners Association.
- (2) One member appointed jointly by the member of the La. House of Representatives and La. Senate whose districts encompass all or the greater portion of the area of the district.

Requires board members to own property and reside in the district and to be qualified voters of the district.

Proposed law provides for the district's powers and duties including the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds from an authorized parcel fee and in accordance with an adopted budget.
- (4) To enter into contracts with individuals or entities, private or public.
- (5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district.
- (6) To enter into contracts and agreements with one or more other districts for the joint security, improvement, or betterment of all participating districts.

Proposed law authorizes the board, subject to voter approval, to impose a parcel fee on each improved and unimproved parcel within the district, not to exceed \$400 per parcel per year. Provides however, that the initial fee for the first calendar year shall not exceed \$150 per parcel. Authorizes the board to change the fee amount, not to exceed the maximum. Provides that the fee expires at the time provided in the proposition authorizing the fee, not to exceed ten years. Authorizes renewal of the fee for a term provided in the proposition, not to exceed ten years. Defines "parcel" to mean a lot, a subdivided portion of ground, an individual tract, or a "condominium parcel".

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid

ad valorem taxes. Requires the tax collector to remit to the district all amounts collected not more than 60 days after collection and authorizes the district to enter into an agreement with the tax collector to authorize the retention of a collection fee, not to exceed 1% of the amount collected.

Proposed law requires the district's board to adopt an annual budget in accordance with the La. Local Government Budget Act and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to, and not in lieu of, personnel and services provided in the district by publicly funded law enforcement agencies.

Proposed law provides that if the district ceases to exist, all district funds and property shall be transmitted to the parish of East Baton Rouge and used to promote and enhance the security and overall betterment of the area included in the district.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:9097.42)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Make technical changes.