

SENATE SUMMARY OF HOUSE AMENDMENTS

SB 199 By Senator Claitor

KEYWORD AND SUMMARY AS RETURNED TO THE SENATE

SPECIAL DISTRICTS: Provides for the creation of the Jefferson Place/Bocage Crime Prevention and Improvement District. (gov sig)

SUMMARY OF HOUSE AMENDMENTS TO THE SENATE BILL

1. Changed effective date from 8/15/11 to gov sig.
2. Revised terms of members appointed by board of directors of the association.
3. Changed "rules and regulations" to "bylaws".
4. Provided requirements for posting and publishing of meeting notices.
5. Provided that special meetings can be held within the parish rather than just within the district, as provided in the bylaws.
6. Changed authority to impose and collect a parcel fee from the governing authority of East Baton Rouge Parish to the district, through the board.
7. Provided that renewal of parcel fee can be held at the same time as any regularly scheduled election in EBR parish.
8. If parcel fee is renewed, changed term of fee from not to exceed 8 years to not to exceed 10 years.

DIGEST OF THE SENATE BILL AS RETURNED TO THE SENATE

Proposed law creates the Jefferson Place/Bocage Crime Prevention and Improvement District in East Baton Rouge Parish (EBR) as a political subdivision of the state for the purpose of promoting and encouraging security in the area included within the district and promoting and encouraging the beautification and overall betterment of the district. Provides for district boundaries.

Proposed law provides that the district is governed by a nine-member board of commissioners composed as follows:

- (1) The president of the Jefferson Place/Bocage Homeowners Association (association).
- (2) Four members appointed by the board of directors of the association.
- (3) One member appointed by the mayor-president of EBR from a list of nominations submitted by the association, within 30 days of receipt by the list.
- (4) One member appointed by the member of the governing authority of EBR whose council district encompasses all or the greater portion of the area of the district from a list of nominations submitted by the association.
- (5) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (6) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.

Proposed law requires that all members be residents of the district.

Proposed law provides that board members shall serve four-year terms after serving initial terms of four years, except that the four members appointed by the board of directors of the association shall serve four-year terms after serving initial terms as follows: two members shall serve an initial term of two years and two members shall serve an initial term of three years as determined by a majority vote of the four members appointed or by lot at the first meeting of the board following the appointments.

Proposed law provides that the president of the association shall serve during his term of office. Board members are eligible for reappointment. Additionally provides that members shall serve without compensation but shall be reimbursed for their reasonable out-of-pocket expenses directly related to the governance of the district, not to exceed \$100 per year.

Proposed law requires the board to adopt such bylaws as it deems necessary or advisable for conducting its business affairs. Requires that bylaws of the board may provide relative to the publication of meeting notices and conduct of meetings. Requires the board to hold regular meetings open to the public as provided for in the bylaws and authorizes the board to hold special meetings at such times and places within East Baton Rouge Parish as provided in the bylaws. Also provides that the district, through the board, shall give notice of meetings by posting the meeting agenda at all entrances and exits to Bocage subdivision at least twenty-four hours prior the meeting and may publish the meeting proceedings on the district website or in a newsletter regularly distributed to district property owners.

Proposed law provides for the powers and duties of the district and authorizes the district, through the board, to perform or have performed any function or activity necessary or appropriate to carry out the purposes of the district.

Proposed law authorizes the district, through the board, and subject to voter approval, to impose and collect a parcel fee within the district in an amount that is requested by the board. Requires that the fee be a flat fee per improved parcel of land not to exceed \$540 per year for each improved parcel. Provides that the fee shall be \$500 for the first calendar year. Authorizes renewal of the fee after 10 years, at any regularly scheduled election in EBR parish.

Proposed law provides that no fee can be imposed upon any parcel whose owner qualifies for and receives the special assessment level provided by present constitution. The fee is collected at the same time and in the same manner as property taxes. The proceeds of the fee must be used solely and exclusively for the purpose and benefit of the district; however, the EBR sheriff may retain 1% of the amount collected as a collection fee.

Proposed law requires the board to adopt an annual budget in accordance with present law, and provides that the district is subject to audit by the legislative auditor.

Proposed law authorizes the dissolution of the district if a majority of the area covered by the district becomes included in another district that serves similar purposes but includes additional parcels of property adjacent to the district, if approved by the affirmative vote of not less than five members of the board. If the district is so dissolved, the funds of the district that relate to the portion of the district that is included in the new district, together with any other funds collected by EBR that relate to such portion of the district, must be transferred to the new district to be used for purposes of the new district. The remaining portion of funds, if any, are to be transmitted by the board in equal parts to the state and to EBR Parish and such funds must be used only for law enforcement of the area that was formerly within the district but is not included in the new district. If the district is dissolved, authority for the imposition of the parcel fee ceases.

Proposed law requires the district to indemnify its officers and board members to the fullest extent permitted by present law, as fully as if the district were a nonprofit corporation governed thereby, and as may be provided in the district's bylaws. Protects board members or officers from liability for monetary damages for breach of duty to any individual who resides, owns property, visits, or otherwise conducts business in the district, except in certain circumstances.

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

(Adds R.S. 33:9097.12)

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