

Regular Session, 2013

HOUSE BILL NO. 605

BY REPRESENTATIVE WESLEY BISHOP

1 AN ACT

2 To amend and reenact R.S. 33:2740.70(D)(1)(b), (E)(2), and (G)(1) and (3) and to repeal
3 R.S. 33:2740.70(F), to provide relative to the Gentilly Development District; to
4 provide relative to the governance and powers and duties of the district; to reduce the
5 membership of the district's governing board; to remove the authority to levy a
6 special ad valorem tax for the district and to pay the district's debts with tax
7 proceeds; and to provide for related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:2740.70(D)(1)(b), (E)(2), and (G)(1) and (3) are hereby amended
13 and reenacted to read as follows:

14 §2740.70. The Gentilly Development District; creation, composition, and powers;
15 levy of ad valorem taxes and issuance of bonds

16 * * *

17 D. The district shall be governed by a six-member board of commissioners,
18 referred to in this Section as the "board". The board shall be composed as follows:

19 (1)

20 * * *

21 (b) The state representative who represents House District ~~No. 96~~ No. 99, or
22 his designee.

23 * * *

24 E.

25 * * *

1 (2) In order to provide such services and to provide, construct, or acquire
 2 such capital improvements or facilities, the board may enter into contracts with the
 3 city of New Orleans. The cost of any such services, capital improvements, and
 4 facilities may be paid to the city of New Orleans ~~from the proceeds of the special tax~~
 5 ~~levied upon immovable property within the district as provided in this Section, or~~
 6 from the proceeds of bonds, ~~as the case may be.~~

7 * * *

8 G.(1) The city of New Orleans, when requested by resolution adopted by the
 9 vote of a majority of the members of the board, approved by a resolution of the city
 10 council adopted by a majority vote of its members, and by resolution adopted by the
 11 vote of a majority of the members of the Board of Liquidation, City Debt, shall have
 12 power and is hereby authorized to incur indebtedness for and on behalf and for the
 13 sole and exclusive benefit of the district, and to issue at one time, or from time to
 14 time, negotiable bonds, notes, bond anticipation notes, renewal notes, revenue bonds,
 15 short-term revenue bonds, refunding bonds, interim certificates, certificates of
 16 indebtedness, certificates of participation, debentures, warrants, commercial paper,
 17 short-term loans, and other obligations or evidences of indebtedness, referred to in
 18 this Section collectively as bonds of the city of New Orleans, the principal of,
 19 premium if any, and interest on which shall be payable from ~~the proceeds of the~~
 20 ~~special tax authorized, levied, and collected pursuant to the provisions of this Section~~
 21 ~~or from any other sources whatsoever~~ any sources that may be available to the
 22 district, including funds derived from rentals and leases of its property for the
 23 purpose of paying the cost of acquiring and constructing capital improvements and
 24 facilities within the district. Such bonds shall not constitute general obligations of
 25 the state of Louisiana, the parish of Orleans, or the city of New Orleans, nor shall
 26 any property situated within the city other than property situated within the
 27 boundaries of the district be subject to taxation for the payment of the principal of,
 28 premium if any, and interest on such bonds. Furthermore, any indebtedness incurred
 29 by the city of New Orleans for and on behalf and for the benefit of the district
 30 pursuant to the provisions of this Section, whether evidenced by bonds, notes, or

1 other evidences of indebtedness, or otherwise, shall be excluded in determining the
 2 power of the city of New Orleans to incur indebtedness and to issue its general
 3 obligation bonds. The principal amount of such bonds which may be outstanding
 4 and unpaid at any one time shall never exceed the sum of two hundred million
 5 dollars. The proceeds derived from the sale of all such bonds shall be paid over to
 6 the appropriate officials of the city of New Orleans and shall be disbursed solely for
 7 the purposes and benefit of the district. All such bonds shall be sold by the Board
 8 of Liquidation, City Debt, and shall bear such rate or rates of interest, and shall,
 9 except as otherwise specifically provided in this Section, be in such form, terms, and
 10 denominations, be redeemable at such time or times at such price of or prices, and
 11 payable at such times and places, within a period of not exceeding fifty years from
 12 the date thereof, as the Board of Liquidation, City Debt, shall determine.

* * *

14 (3) The resolution of the Board of Liquidation, City Debt, authorizing the
 15 issuance and sale of such bonds and fixing the form and details thereof, may contain
 16 such other provisions, not inconsistent nor in conflict with the provisions of this
 17 Section, as it may deem to be necessary or advisable to enhance the marketability
 18 and acceptability thereof by purchasers and investors, including but without limiting
 19 the generality of the foregoing, covenants with bondholders setting forth conditions
 20 and limitations on the issuance of additional bonds ~~constituting a lien and charge on~~
 21 ~~the special tax levied on real property within the district pari passu with bonds~~
 22 ~~thereof issued and outstanding~~, and the creation of reserves for the payment of
 23 the principal of and interest on such bonds. These bonds and the interest thereon are
 24 exempt from all taxation levied for state, parish, or municipal or other local
 25 purposes; and savings banks, tutors of minors, curators of interdicts, trustees, and
 26 other fiduciaries are authorized to invest the funds in their hands in said bonds.

* * *

28 Section 2. R.S. 33:2740.70(F) is hereby repealed in its entirety.

1 Section 3. Neither the state representative who represents House District No. 96 nor
2 his designee shall serve on the governing board of the Gentilly Development District on and
3 after the effective date of this Act.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____