

Regular Session, 2013  
HOUSE BILL NO. 260  
BY REPRESENTATIVE ALFRED WILLIAMS

# ACT No. 143

1 AN ACT

2 To enact R.S. 33:9097.19, relative to East Baton Rouge Parish; to create the Goodwood  
3 Homesites Crime Prevention and Neighborhood Improvement District; to provide  
4 relative to the boundaries, purpose, governance, and powers and duties of the district;  
5 to provide relative to district funding, including the authority to impose a parcel fee  
6 within the district; to provide with respect to termination of the district; and to  
7 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. 33:9097.19 is hereby enacted to read as follows:

13 §9097.19. Goodwood Homesites Crime Prevention and Neighborhood Improvement  
14 District

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

21 B. Boundaries. The district shall include all property located within the  
22 Goodwood Homesites Subdivision as established in the official subdivision plat filed  
23 with the clerk of court of East Baton Rouge Parish. The district shall include all  
24 residential and commercial parcels located on the following streets within the

1 designated range of addresses: 7700-8800 Airline Highway, 8504-8836 Airway  
 2 Drive, 8076-8284 Albert Drive, 343-588 Fernwood Drive, 9065-8299 Franwood  
 3 Drive, 8134-8263 Gladewood, 8257-8461 Greenmoss Drive, 8044-8545 Harry  
 4 Drive, 966-8342 Landwood Drive, 1625-2300 N. Airway Drive, 943-1163  
 5 Orangewood Drive, 674-988 Princewood Court, 8021-8266 Queenswood Court,  
 6 8122-8281 Royalwood Drive, 7878-8056 S. Choctaw Drive, 422-561 Thornwood  
 7 Drive, 7933-8188 Tom Drive, and 674-1122 Wooddale Boulevard.

8 C. Purpose. The purpose of the district shall be to aid in crime prevention  
 9 and to add to the security of district residents by providing for an increase in the  
 10 presence of law enforcement in the district and to serve the needs of the residents of  
 11 the district by funding beautification and improvements for the overall betterment  
 12 of the district.

13 D. Governance. (1) The district shall be governed by a board of eleven  
 14 commissioners, referred to in this Section as the "board". The board shall be  
 15 composed as follows:

16 (a) The president of the Goodwood Homesites Civic Association, Inc.,  
 17 referred to in this Section as the "association", shall be a member.

18 (b) The board of directors of the association shall appoint six members.

19 (c) The mayor-president of the city of Baton Rouge, parish of East Baton  
 20 Rouge shall appoint one member from a list of nominations submitted by the  
 21 association.

22 (d) The member of the governing authority of the city of Baton Rouge,  
 23 parish of East Baton Rouge, whose council district encompasses all or the greater  
 24 portion of the area of the district shall appoint one member from a list of nominations  
 25 submitted by the association.

26 (e) The member of the Louisiana House of Representatives whose district  
 27 encompasses all or the greater portion of the area of the district shall appoint one  
 28 member.

29 (f) The member of the Louisiana Senate whose district encompasses all or  
 30 the greater portion of the area of the district shall appoint one member.

1                   (2) All members of the board shall be residents of the district.

2                   (3)(a) Board members serving pursuant to Subparagraphs (1)(b) through (f)  
3                   of this Subsection shall serve four-year terms after initial terms as provided in this  
4                   Subparagraph. Two members shall serve initial terms of one year, two shall serve  
5                   initial terms of two years, three shall serve initial terms of three years, and three shall  
6                   serve initial terms of four years, as determined by lot at the first meeting of the  
7                   board.

8                   (b) The member serving pursuant to Subparagraph (1)(a) of this Subsection  
9                   shall serve during the term of office as president of the association.

10                  (c) Any vacancy in the membership of the board, occurring either by reason  
11                  of the expiration of the term for which appointed or by reason of death, resignation,  
12                  or otherwise, shall be filled in the manner of the original appointment. If the  
13                  appointing authority responsible for the appointment of a member fails to fill a  
14                  vacancy within thirty days, the remaining members of the board shall appoint an  
15                  interim successor to serve until the position is filled by the appointing authority.

16                  (4) Board members shall be eligible for reappointment.

17                  (5) The board shall elect from its members a chairman, a vice chairman, a  
18                  secretary, a treasurer, and such other officers as it may deem necessary. The duties  
19                  of the officers shall be fixed by the bylaws adopted by the board.

20                  (6) The minute books and archives of the district shall be maintained by the  
21                  secretary of the board. The monies, funds, and accounts of the district shall be in the  
22                  official custody of the board. The board may hire paid or unpaid administrative  
23                  support staff.

24                  (7) The board shall adopt such rules and regulations as it deems necessary  
25                  or advisable for conducting its business affairs. Rules and regulations of the board  
26                  relative to the notice and conduct of meetings shall conform to the Open Meetings  
27                  Law. The board shall hold regular meetings as shall be provided for in the bylaws  
28                  and may hold special meetings at such times and places within the district as may be  
29                  prescribed in the bylaws.

1           (8) A majority of the members of the board shall constitute a quorum for the  
2           transactions of business. The board shall keep minutes of all meetings and shall  
3           make them available through the secretary of the board.

4           (9) Each member of the board shall have one vote, and the vote of a majority  
5           of the members of the board present and voting, a quorum being present, shall be  
6           required to decide any question upon which the board takes action.

7           (10) The members of the board shall serve without compensation but shall  
8           be reimbursed for their reasonable out-of-pocket expenses directly related to the  
9           governance of the district.

10           E. Powers and duties. The district, acting through its board, shall have the  
11           following powers and duties:

12                   (1) To sue and be sued.

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

14                   (3) To receive and expend funds collected pursuant to Subsection F of this  
15           Section and in accordance with a budget adopted as provided by Subsection H of this  
16           Section.

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

18                   (5) To provide or enhance security patrols in the district, to provide for  
19           improved lighting, signage, or matters relating to the safety and security of the  
20           district, to provide for the beautification of and improvements for the district, or to  
21           provide generally for the overall betterment of all participating districts.

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

24                   (7) To provide for such services and make such expenditures as the board  
25           deems proper for the upkeep of the district.

26                   (8) To acquire or lease items and supplies which the board deems  
27           instrumental to achieving the purposes of the district.

28                   (9) To procure and maintain liability insurance against any personal or legal  
29           liability of a board member that may be asserted or incurred based upon his services

1           as a member of the board or that may arise as a result of his actions taken within the  
 2           scope and discharge of his duties as a member of the board.

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

6           F. Parcel fee. The governing authority of the city of Baton Rouge, parish of  
 7           East Baton Rouge is hereby authorized to impose and collect a parcel fee within the  
 8           district subject to and in accordance with the provisions of this Subsection.

9           (1) The amount of the fee shall be as requested by duly adopted resolution  
 10          of the board. The fee shall be a flat fee per parcel of land not to exceed one hundred  
 11          fifty dollars per year for residential parcels and four hundred fifty dollars per year  
 12          for commercial parcels; however, the fee shall not exceed seventy dollars per year  
 13          if any of the owners of the parcel is a person seventy years of age or older.

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

16          (3) For purposes of this Section, "parcel" means a lot, a subdivided portion  
 17          of ground, an individual tract, or a "condominium parcel" as defined in R.S.  
 18          9:1121.103.

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

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

26          (b) The fee shall expire five years after its initial levy but may be renewed  
 27          if approved by a majority of the registered voters of the district voting on the  
 28          proposition at an election as provided in Subparagraph (a) of this Paragraph. Any  
 29          election to authorize the renewal of the fee shall be held only at the same time as a  
 30          regularly scheduled election in the parish of East Baton Rouge. If the fee is renewed,

1            the term of the imposition of the fee shall be as provided in the proposition  
 2            authorizing such renewal, not to exceed eight years.

3            (6) The fee shall be collected at the same time and in the same manner as ad  
 4            valorem taxes on property subject to taxation by the parish of East Baton Rouge are  
 5            collected.

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

9            (8)(a) The proceeds of the fee shall be used solely and exclusively for the  
 10           purpose and benefit of the district.

11           (b) The sheriff of the parish of East Baton Rouge shall remit to the district  
 12           all amounts collected not more than sixty days after collection; however, the district  
 13           may enter into an agreement with the sheriff to authorize the sheriff to retain a  
 14           collection fee.

15           G. Additional contributions. The district may solicit and accept additional  
 16           voluntary contributions and grants to further the purposes of the district.

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

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

21           I. Miscellaneous. It is the purpose and intent of this Section that any  
 22           additional security patrols, public or private, any other security or other services or  
 23           betterments provided by the district shall be supplemental to and not be in lieu of  
 24           personnel and services to be provided in the district by the state of Louisiana, the city  
 25           of Baton Rouge, parish of East Baton Rouge, or their departments or agencies or by  
 26           any other political subdivision of the state.

27           J. Dissolution. (1) The district may be dissolved without the vote of the  
 28           registered voters of the district if a majority of the area covered by the district  
 29           becomes included in another district that serves similar purposes but includes  
 30           additional parcels of property adjacent to the district, if approved by the affirmative

1 vote of not less than six members of the board. If the district is dissolved in  
2 accordance with this Paragraph, the funds of the district that relate to the portion of  
3 the district that is included in the new district, together with any other funds collected  
4 by the parish of East Baton Rouge pursuant to this Section that relate to such portion  
5 of the district, shall be transferred to the new district to be used for purposes of the  
6 new district. The remaining portion of funds, if any, shall be transmitted by the  
7 board to the parish of East Baton Rouge and such funds shall be used only for law  
8 enforcement, security, improvement, and beautification purposes of the area that was  
9 formerly within the district but is not included in the new district.

10 (2) If the district is dissolved pursuant to Paragraph (1) of this Subsection,  
11 the authority for the imposition of the parcel fee provided in Subsection F of this  
12 Section shall cease.

13 K. Indemnification and exculpation. (1) The district shall indemnify its  
14 officers and board members to the fullest extent permitted by R.S. 12:227, as fully  
15 as if the district were a nonprofit corporation governed thereby, and as may be  
16 provided in the district's bylaws.

17 (2) No board member or officer of the district shall be liable to the district  
18 or to any individual who resides, owns property, visits, or otherwise conducts  
19 business in the district for monetary damages for breach of his duties as a board  
20 member or officer, provided that the foregoing provision shall not eliminate or limit  
21 the liability of a board member or officer for any of the following:

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

24 (b) Any transaction from which he derived an improper personal benefit.

25 (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.  
26 9:2792.1 through 2792.9, a person serving the district as a board member or officer  
27 shall not be individually liable for any act or omission arising out of the performance  
28 of his duties.

29 Section 2. 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.

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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: \_\_\_\_\_