

Regular Session, 2014

HOUSE BILL NO. 574

BY REPRESENTATIVE BROSSETT

DISTRICTS/NEIGHBORHOOD: Provides relative to the Seabrook Neighborhood Improvement and Security District in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 33:9091.16(D) and (F)(1) and (3)(b), relative to Orleans Parish;

3 to provide relative to the Seabrook Neighborhood Improvement and Security

4 District; to provide relative to the governing board of the district; to provide relative

5 to the membership of the board; to provide relative to the parcel fee imposed within

6 the district; to provide relative to the amount of the fee imposed on certain parcels;

7 to provide relative to the expiration of the fee; to provide relative to the parcel fee

8 being imposed on the effective date of this Act; and to provide for related matters.

9 Notice of intention to introduce this Act has been published

10 as provided by Article III, Section 13 of the Constitution of

11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9091.16(D) and (F)(1) and (3)(b) are hereby amended and

14 reenacted to read as follows:

15 §9091.16. Seabrook Neighborhood Improvement and Security District

16 * * *

17 D. Governance. (1) The district shall be governed by a board of

18 commissioners, referred to in this Section as the "board", consisting of members as

19 follows:

1 (a) The president of the Seabrook Neighborhood Homeowners Association,
2 referred to in this Section as the "association".

3 ~~(b) The city council member whose district encompasses all or a greater~~
4 ~~portion of the area of the district, or his designee.~~

5 ~~(c)~~(b) The governing board of the association shall appoint ~~three~~ four
6 members, ~~one~~ all of whom shall be ~~a member of the governing board~~ members of the
7 association.

8 (2) ~~Appointed and designated members~~ Members shall be residents and
9 qualified voters of the district.

10 (3)(a) Board members serving pursuant to Subparagraph (1)~~(c)~~(b) of this
11 Subsection shall serve three-year terms after serving initial terms as follows: ~~one~~
12 ~~member~~ two members shall serve ~~an initial term~~ terms of one year, one member shall
13 serve two years, and one member shall serve three years, as determined by lot at the
14 first meeting of the board.

15 (b) The president of the association ~~and the city council member~~ shall serve
16 on the board during ~~their terms~~ his term of office. ~~Any designee of the city council~~
17 ~~member shall serve at the pleasure of such member.~~

18 (4) Vacancies resulting from the expiration of a term or for any other reason
19 shall be filled for the remainder of the unexpired term in the manner of the original
20 appointment.

21 (5) The members of the board shall select from among themselves a
22 president and such other officers as they deem appropriate. The responsibilities and
23 terms of the officers shall be as provided by the bylaws of the board.

24 (6) The members of the board shall serve without compensation.

25 * * *

26 F. Parcel fee. The governing authority of the city of New Orleans is hereby
27 authorized to impose and collect a parcel fee within the district subject to and in
28 accordance with the provisions of this Subsection:

1 (1) The amount of the fee shall be as requested by duly adopted resolution
2 of the board. The fee shall be a flat fee per improved parcel of land not to exceed
3 two hundred dollars per year for each parcel; ~~however, the parcel fee shall not~~
4 ~~exceed one hundred dollars per year on an improved parcel if any owner of the~~
5 ~~parcel is sixty-five years of age or older or has been a full-time active duty member~~
6 ~~of the armed forces of the United States for three consecutive years.~~

7 * * *

8 (3)

9 * * *

10 (b) If approved, the fee shall expire on December 31, ~~2014~~ 2018, but the fee
11 may be renewed if approved by a majority of the registered voters of the district
12 voting on the proposition at an election as provided in Subparagraph (a) of this
13 Paragraph. If the fee is renewed, the term of the imposition of the fee shall be as
14 provided in the proposition authorizing such renewal, not to exceed eight years.

15 * * *

16 Section 2. The terms of the members of the board of commissioners of the Seabrook
17 Neighborhood Improvement and Security District in office on the effective date of this Act
18 shall terminate on the effective date of this Act; however, such members shall remain in
19 office until the board members are appointed as provided in this Act and take office. The
20 members of the governing board of the Seabrook Neighborhood Improvement and Security
21 District shall be appointed and shall take office as provided in this Act and shall serve terms
22 of office as provided in this Act. This Section shall not be construed to prevent the
23 reappointment to the board of a member in office on the effective date of this Act.

24 Section 3. The provisions of this Act shall not affect the parcel fee being imposed
25 within the Seabrook Neighborhood Improvement and Security District on the effective date
26 of this Act. The governing authority of the city of New Orleans shall continue to impose the
27 parcel fee until such time as it expires, as provided in the proposition approved by a majority
28 of the district's registered voters voting on the proposition at an election held on November
29 2, 2010. The governing authority of the city shall then begin to impose a parcel fee as

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 provided in this Act, if the parcel fee has been approved by a majority of district's registered
2 voters as provided in this Act.

3 Section 4. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 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)]

Brossett

HB No. 574

Abstract: Relative to the Seabrook Neighborhood Improvement and Security District, provides relative to the parcel fee imposed within the district and the membership of the district's governing board.

Present law creates the Seabrook Neighborhood Improvement and Security District in Orleans Parish as a political subdivision for the primary object and purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides for the district's boundaries and powers and duties.

Proposed law retains present law.

Present law provides that the district is governed by a board of five commissioners composed as follows: the president of the Seabrook Neighborhood Homeowners Association (association), the city council member whose district encompasses all or a greater portion of the area of the district, or his designee, and three members appointed by the governing board of the association, one of whom shall be a member of the governing board of the association.

Proposed law removes the council member or his designee and grants an additional appointment to the governing board of the association. Proposed law additionally requires that all members appointed by the governing board of the association be members of the association rather than one member who is a member of the governing board of the association. The president of the association will continue to serve as a member of the board.

Present law requires board members to serve three-year staggered terms without compensation. Additionally requires members to select from among themselves a president and such other officers as they deem appropriate. Requires that the responsibilities of the officers be provided in the board's bylaws. Requires that vacancies be filled in the same manner as original appointments. Proposed law retains present law and additionally requires that the terms of the officers be provided in the board's bylaws.

Proposed law additionally provides that the terms of the members of the board in office on the effective date of proposed law shall terminate on the effective date of proposed law but members must remain in office until the board members are appointed as provided in

proposed law. Provides that proposed law must not be construed to prevent the reappointment to the board of a member in office on the effective date of proposed law.

Present law authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose a parcel fee on behalf of the district. Provides that the fee is a flat fee per improved parcel of land not to exceed \$200 per year for each parcel.

Proposed law retains present law but provides that the parcel fee shall not exceed \$100 per year for a parcel if any owner is 65 years of age or older or has been a full-time active duty member of the armed forces of the U.S. for three consecutive years.

Present law provides that the fee expires on Dec. 31, 2014, but authorizes renewal of the fee for an additional eight years. Proposed law instead provides that the fee expires on Dec. 31, 2018. Retains present law provisions authorizing renewal for eight years.

Proposed law provides that the provisions of proposed law shall not affect the parcel fee being imposed within the district on the effective date of proposed law. Requires the governing authority of the city of New Orleans to continue to impose the parcel fee until it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on Nov. 2, 2010. Further requires the governing authority of the city to begin to impose a parcel fee as provided in proposed law, if approved by a majority of the district's registered voters as provided in proposed law.

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

(Amends R.S. 33:9091.16(D) and (F)(1) and (3)(b))