

Regular Session, 2014

HOUSE BILL NO. 928

BY REPRESENTATIVE HUNTER

DISTRICTS/SPECIAL: Creates the Monroe-West Monroe Improvement and Security District

1 AN ACT

2 To enact R.S. 33:9091.22, relative to the cities of Monroe and West Monroe; to create the  
3 Monroe-West Monroe Improvement and Security District; to provide relative to the  
4 purpose, governance, and powers and duties of the district; to provide for the  
5 imposition of a parcel fee and for the use thereof; and to provide for related matters.

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

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 33:9091.22 is hereby enacted to read as follows:

11 §9091.22. Monroe-West Monroe Improvement and Security District

12 A. Creation. There is hereby created within the parish of Ouachita, as more  
13 specifically provided in Subsection B of this Section, a body politic and corporate  
14 which shall be known as the Monroe-West Monroe Improvement and Security  
15 District, referred to in this Section as the "district". The district shall be a political  
16 subdivision of the state as defined in the Constitution of Louisiana.

17 B. Boundaries. The boundaries of the district shall be coterminous with the  
18 boundaries of cities of Monroe and West Monroe.

1           C. Purpose. The district is established for the primary object and purpose of  
2           promoting and encouraging the beautification, security, and overall betterment of the  
3           district.

4           D. Governance. (1) In order for the orderly development and effectuation  
5           of the services to be furnished by the district and to provide for the representation in  
6           the affairs of the district of those persons and interests immediately concerned with  
7           and affected by the purposes and development of the area included within the  
8           district, the affairs of the district shall be managed by the following persons:

9                   (a) Two members appointed by the member of the Louisiana Legislature  
10                  who represents House District No. 17.

11                   (b) One member appointed by the member of the Louisiana Senate whose  
12                  district encompasses all or the greater portion of the area of the district.

13                   (c) One member appointed by the mayor of the city of Monroe.

14                   (d) One member appointed by the mayor of West Monroe.

15                   (2) The minute books and archives of the district shall be maintained by the  
16                  board's secretary. The monies, funds, and accounts of the district shall be in the  
17                  official custody of the board.

18                   (3) The duties of the officers shall be fixed by bylaws adopted by the board.  
19                  The board shall adopt such rules and regulations as it deems necessary or advisable  
20                  for conducting its business affairs. It shall hold regular meetings as shall be provided  
21                  in the bylaws and may hold special meetings at such times and places within the  
22                  district as may be prescribed in the bylaws.

23                   (4) A majority of the members of the board shall constitute a quorum for the  
24                  transaction of business. The board shall keep minutes of all meetings and shall make  
25                  them available through the board's secretary to residents of the district.

26                   (5) The members of the board shall serve without compensation.

27           E. Powers and duties. The district, acting through the board, shall have the  
28           following powers and duties:

1           (1) To receive and expend funds collected pursuant to Subsection F of this  
2           Section and in accordance with a budget adopted as provided by Subsection G of this  
3           Section.

4           (2) To enter into contracts with individuals or entities, private or public, for  
5           the provision of security patrols in the district.

6           (3) To purchase items and supplies which the board deems instrumental to  
7           achieving the purpose of the district.

8           (4) To perform or have performed any other function or activity necessary  
9           for the achievement of the purpose of the district.

10           F. Parcel fee. The governing authorities of the city of Monroe and West  
11           Monroe are hereby authorized to impose and collect a parcel fee within the district  
12           subject to and in accordance with the provisions of this Subsection.

13           (1) The amount of the fee shall be as requested by duly adopted resolution  
14           of the board. The fee shall be a flat fee per parcel of land, and the initial fee shall be  
15           sixteen hundred fifty-two dollars per year for each parcel.

16           (2)(a) The fee shall be imposed on each parcel located within the district.

17           (b) For purposes of this Section, "parcel" means a lot, a subdivided portion  
18           of ground, an individual tract, or a "condominium parcel" as defined in R.S.  
19           9:1121.103.

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

21           (3)(a) The fee shall be imposed only after the question of its imposition has  
22           been approved by a majority of the registered voters of the district voting on the  
23           proposition at an election held for that purpose in accordance with the Louisiana  
24           Election Code.

25           (b) The amount of the fee may be increased or decreased by duly adopted  
26           resolution of the board if approved by a majority of the registered voters of the  
27           district voting on the proposition at an election as provided in Subparagraph (a) of  
28           this Paragraph.

1           (4) The fee shall be collected at the same time and in the same manner as ad  
2           valorem taxes on property subject to taxation by the city are collected.

3           (5) Any parcel fee which is unpaid shall be added to the tax rolls of the  
4           parish and shall be enforced with the same authority and subject to the same  
5           penalties and procedures as unpaid ad valorem taxes.

6           (6)(a) The proceeds of the fee shall be used solely and exclusively for the  
7           purpose and benefit of the district; however, the city may retain one percent of the  
8           amount collected as a collection fee.

9           (b) The cities of Monroe and West Monroe shall remit to the district all  
10          amounts collected not more than sixty days after collection.

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

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

15          H. Miscellaneous provisions. (1) It is the purpose and intent of this Section  
16          that the additional law enforcement or security personnel and their services provided  
17          for through the fees authorized in this Section shall be supplemental to and not in  
18          lieu of personnel and services provided in the district by the cities of Monroe and  
19          West Monroe.

20          (2) If the district ceases to exist, all funds of the district shall be transmitted  
21          by the board to the cities of Monroe and West Monroe, and such funds, together with  
22          any other funds collected by the cities of Monroe and West Monroe pursuant to this  
23          Section, shall be maintained in a separate account by the city and shall be used only  
24          to promote, encourage, and enhance the security, beautification, and overall  
25          betterment of the area included in the district.

26          Section 2. The Louisiana State Law Institute shall establish a Part of Chapter 29 of  
27          Title 33 entitled "Ouachita Parish" and place the section enacted by this Act in that Part.

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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)]

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Hunter

HB No. 928

**Abstract:** Creates the Monroe-West Monroe Improvement and Security District in Orleans Parish for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides for a board of commissioners and for the imposition and use of a parcel fee.

Proposed law creates the Monroe-West Monroe Improvement and Security District in Ouachita Parish as a political subdivision of the state for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides that the district boundaries shall be coterminous with the cities of Monroe and West Monroe.

Proposed law provides that the district has the following powers and duties:

- (1) To receive and expend funds collected pursuant to proposed law and in accordance with a budget adopted as provided by proposed law.
- (2) To enter into contracts with individuals or entities, private or public, for the provision of security patrols.
- (3) To purchase items and supplies instrumental to achieving the district's purpose.
- (4) To perform or have performed any other function or activity necessary for achieving the district's purpose.

Proposed law authorizes the governing authority of the cities of Monroe and West Monroe, subject to voter approval, to impose and collect a parcel fee within the district which amount shall be as requested by duly adopted board resolution. Provides that the amount of the fee may be increased or decreased, subject to voter approval. Provides for a reduced combined parcel fee if multiple adjacent parcels are combined for the purpose of housing a single family dwelling. Provides relative to calculating the combined parcel fee. Defines a parcel as a lot, a subdivided portion of ground, an individual tract, or a condominium parcel as defined in present law (R.S. 9:1121.103).

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. Proposed law requires that the fee proceeds be used solely and exclusively for the district's purpose and benefit. Authorizes the city to retain 1% of the amount collected as a collection fee and requires the city to remit to the district all amounts collected not more than 60 days after collection.

Proposed law requires the district's board to adopt an annual budget in accordance with the 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 the police departments of Monroe and West Monroe.

Proposed law requires the district's board, if the district ceases to exist, to transmit all district funds to the cities. Requires that such funds together with any other funds collected by the city pursuant to proposed law be maintained in a separate account by the city. Requires that such funds be used only to promote, encourage, and enhance the security, beautification, and overall betterment of the area included in the district.

(Adds R.S.33:9091.22)