
DIGEST

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Barrow

HB No. 918

Abstract: Authorizes redevelopment authorities to create public benefit corporations and provides for the powers and duties of the corporations.

Present law generally creates redevelopment authorities as special districts and political subdivisions of the state to provide for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas.

Present law generally grants the authorities certain powers and duties including the power to sue and be sued, to adopt, use, and alter at will a corporate seal, to acquire by gift, grant, purchase, lease, or otherwise and to hold and use any property, real, personal, mixed, tangible, or intangible, or any interest therein, necessary or desirable for carrying out the objects and purposes of the authority.

Present law generally authorizes the authorities to sell, lease, or otherwise transfer real property or any interest therein acquired by it in redevelopment areas for residential, recreational, commercial, industrial, or other uses or for public use, in accordance with the redevelopment plan.

Proposed law retains present law and additionally authorizes the authorities to create public benefit corporations by a duly adopted resolution of the governing board of the respective authority for the purpose of redeveloping, owning, planning, renovating, reconstructing, constructing, leasing, subleasing, managing, operating and improving property and facilities within the jurisdiction of the respective authority. Requires that the resolution provide for the corporation's purposes. Provides that the authority is the sole shareholder the corporation and the governing board of the authority serves as the board of directors of the corporation. Provides that the corporations are not political subdivisions of the state but are nonprofit corporations and instrumentalities of the authorities that create them.

Proposed law provides that the corporations have all the power, authority, privileges, immunities, tax exemptions, and other exemptions granted by law to the respective authority that created the corporation. Requires the corporations to conduct all of its activities in accordance with the provisions of law that govern the authority that created the corporation.

Proposed law provides that the corporations are distinct and separate juridical entities, and the rights, interests, and liabilities of each corporation are not considered those of the authority that created it.

Proposed law authorizes the board of the corporation to dissolve it once its purposes have been substantially completed. Provides that upon dissolution, all of its funds and property become owned by the authority the created it.

Proposed law provides that each corporation is subject to the provisions of the public records law, open meetings law, and the code of governmental ethics.

(Adds R.S. 33:4720.201)