
DIGEST

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HB 577 Original

2015 Regular Session

Jackson

Abstract: Provides relative to attempts to challenge or invalidate extensions of corporate limits by municipalities.

Present law provides relative to annexation by municipalities. Further provides that any interested citizen of the territory proposed to be annexed may file suit in the district court having jurisdiction over the municipality to contest the proposed extension of the corporate limits. Provides that one of the questions to be presented to the court in such a suit is whether the proposed extension is reasonable. Present law requires that, if the extension is adjudged to be reasonable, the ordinance goes into effect 10 days after the judgment is final.

Proposed law replaces criteria used in judicial suits from whether the extension is reasonable to whether a rational basis exists for such an extension. Otherwise retains present law.

Present law authorizes the governing body of any municipality other than the city of New Orleans to, by ordinance, enlarge the boundaries of the municipality to include territory within which all of the land is owned by a state agency, political subdivision, or public body. Provides that such annexation requires petition of the governing body of the agency, political subdivision, or public body owning the land which is to be so included. Proposed law retains present law and specifies that only the state agency, political subdivision, or public body that owns the land subject to such a municipal annexation may challenge or otherwise seek to invalidate an ordinance to enlarge the boundaries of the municipality.

(Amends R.S. 33:174(B)(1) and (C); Adds R.S. 33:180(D))