

RÉSUMÉ DIGEST

ACT 363 (HB 808)

2015 Regular Session

Barras

Existing law creates the Iberia Economic Development Authority as a body politic and political subdivision of the state to promote, encourage, and participate in industrial development. Provides that the district's boundaries are coterminous with those of Iberia Parish and provides that the district is governed by a board of commissioners consisting of five members.

Existing law provides for the powers and duties of the authority, including the following: to sue and be sued, to adopt, use, and alter at will a corporate seal, to acquire property for the establishment, maintenance, and operation of industrial parks, to receive any money, property, aid, or assistance from the U.S. or the state or any political subdivision thereof, or any person, firm, or corporation, to enter into contracts for the purchase, acquisition, construction, maintenance, and improvement of works and facilities, to incur debt and to issue general obligation bonds, revenue bonds, certificates, notes, and other evidences of indebtedness and to levy and collect ad valorem taxes, to require and issue licenses with respect to its properties and facilities, to regulate the imposition of fees and rentals for facilities and services, and to appoint officers, agents, and employees, prescribe duties, and fix compensation.

Prior law granted the authority the power to acquire property by means other than donation, grant, purchase, or lease and the power to receive money or property by means other than grant or donation. Additionally granted the authority the power to hold and use franchises. New law removes prior law.

New law additionally authorizes the authority to grant rights-of-way to erect, construct, lay, operate, and maintain utility systems and equipment for the purposes of providing utilities to persons and entities located within its industrial parks and related facilities. Further authorizes the authority to select utility service providers.

Prior law prohibited the board from disposing of property for less than the fair market value without the prior approval of the Iberia Parish Council. New law prohibits any disposal of property for less than fair market value.

Existing law requires a resolution or ordinance authorizing any disposition of property to set forth, in a general way, the terms of the disposition. Requires that the resolution or ordinance be published once in the official journal of the authority. New law modifies the deadline for such publication.

New law provides that a proposed resolution or ordinance providing for the disposition of property may be placed on the agenda of any board meeting and introduced by any board member. Further requires that the title of a proposed resolution or ordinance be published once in the official journal of the authority and requires that the notice indicate the time and place where the board will consider its adoption. Prohibits a resolution or ordinance from being adopted until a public hearing on it has been held and prohibits a resolution or ordinance from being adopted at the meeting at which it is introduced.

Prior law provided that any interested person, within 30 days of publication in the official journal, could contest the legality or validity of the disposition and after such time no person had any cause of action to contest such legality or validity. New law removes prior law.

Effective August 1, 2015.

(Amends R.S. 33:130.765(A) and 130.766(A)(2)(b) and (3); Repeals R.S. 33:130.766(A)(2)(d))