

2016 Regular Session

SENATE BILL NO. 48

BY SENATOR ALLAIN

LOCAL AGENCIES. Authorizes the St. Mary Parish Council, the town of Berwick and Recreation District No. 3 to enter into a contract assigning to the town the obligation to provide service in the area of the district annexed by the town. (gov sig)

1 AN ACT

2 To enact R.S. 33:4562.4, relative to St. Mary Parish; to authorize the governing authorities
3 for the parish of St. Mary, the town of Berwick and Recreational District No. 3 of St.
4 Mary Parish to enter contracts for certain services; to provide relative to taxes; and
5 to provide for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:4562.4 is hereby enacted to read as follows:

9 §4562.4. St. Mary Parish; contracts; taxes

10 Notwithstanding any provision of law to the contrary, the governing
11 authorities for the parish of St. Mary, the town of Berwick and Recreational
12 District No. 3 of St. Mary Parish may enter into a written contract assigning the
13 town the obligation to provide service in the area of the district annexed by the
14 town. The contract shall include but not be limited to:

15 (1) Provisions that the district shall continue to levy and collect taxes
16 within the boundaries of the town existing as of July 1, 2016, for the retirement
17 of any outstanding tax secured bonds of the district existing as of July 1, 2016.

1 (2) Provisions that, during the time the contract is effective, the district
2 shall not levy maintenance taxes authorized prior to the effective date of the
3 contract within the boundaries of the town existing as of July 1, 2016.

4 (3) Provisions that, during the time the contract is effective, the district
5 shall not levy or collect any new maintenance taxes within the boundaries of the
6 town existing as of July 1, 2016.

7 (4) Provisions that, during the time the contract is effective, if the district
8 issues any tax-secured bonds, the assessed valuation of any properties within the
9 boundaries of the town existing as of July 1, 2016, shall not be used in
10 computing the capacity of the district to issue such bonds.

11 (5) Provisions that taxes shall not be levied or collected affecting any
12 properties within the boundaries of the town existing as of July 1, 2016, for the
13 retirement of new bonds of the district issued while the contract is effective,
14 other than bonds issued to refinance bonds of the district outstanding as of July
15 1, 2016, and further provides that any refinanced bonds shall not have an
16 expiration date that extends beyond March 1, 2025.

17 (6) Provisions authorizing the St. Mary Parish Council, the town of
18 Berwick, and Recreational District No. 3 of St. Mary Parish to change
19 boundaries of the district so as to exclude any properties that are within the
20 boundaries of the town existing as of July 1, 2016, provided the changed
21 boundaries do not violate any tax secured bonds of the district outstanding as
22 of July 1, 2016, or refinanced bonds issued to refinance such bonds, provided
23 any refinanced bonds shall not have an expiration date that extends beyond
24 March 1, 2025.

25 Section 2. This Act shall become effective upon signature by the governor or, if not
26 signed by the governor, upon expiration of the time for bills to become law without signature
27 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
28 vetoed by the governor and subsequently approved by the legislature, this Act shall become
29 effective on the day following such approval.

The original instrument was prepared by Michael Bell. The following digest, which does not constitute a part of the legislative instrument, was prepared by McHenry Lee.

DIGEST

SB 48 Reengrossed

2016 Regular Session

Allain

Proposed law authorizes the St. Mary Parish Council, the town of Berwick and Recreational District No. 3 of St. Mary Parish to enter into a written contract assigning the town the obligation to provide services in the area of the district annexed by the town.

Proposed law provides for the contract to include the following:

- (1) Provisions that the district shall continue to levy and collect taxes in the town existing on the effective date of proposed law for the retirement of any outstanding tax secured bonds of the district that exist on July 1, 2016.
- (2) Provisions that, during the time the contract is effective, the district shall not levy maintenance taxes authorized prior to execution of the contract within the boundaries of the town as those boundaries exist on July 1, 2016.
- (3) Provisions that, during the time the contract is effective, the district shall not levy or collect any new maintenance taxes within the boundaries of the town as those boundaries exist on July 1, 2016.
- (4) Provisions that, if the district issues any tax secured bonds during the time the contract is effective, the assessed valuation of any properties within the boundaries of the town as those boundaries exist on July 1, 2016, shall not be used in computing the capacity of the district to issue such bonds.
- (5) Provisions that taxes not be levied or collected affecting any properties within the boundaries of the town as those boundaries exist on July 1, 2016, for the retirement of new bonds of the district issued while the contract is effective, other than bonds issued to refinance the bonds of the district outstanding as of July 1, 2016, and further provides that any refinanced bonds shall not have an expiration date beyond March 1, 2025.
- (6) Provisions authorizing the St. Mary Parish Council, the town of Berwick, and Recreational District No. 3 of St. Mary Parish to change boundaries of the district so as to exclude any properties that are within the boundaries of the town existing on July 1, 2016, provided the changed boundaries do not violate any tax secured bonds of the district outstanding as of July 1, 2016, is effective or refinanced bonds issued to refinance such bonds, provided any refinanced bonds shall not have an expiration date that extends beyond March 1, 2025.

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

(Adds R.S. 33:4562.4)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Adds provisions to clarify that the geographic boundaries of the town to be applied are those boundaries of the town that exist on the effective date of proposed law.

2. Adds provisions to allow for taxes to be levied and collected by the district within the geographic area that the district and town overlap for the refinancing of bonds that are outstanding on the effective date of proposed law.
3. Adds requirement that refinanced bonds not have an expiration date that extends beyond March 1, 2025.

Senate Floor Amendments to engrossed bill

1. Changes effective date of certain contract provisions.