

2024 Regular Session

HOUSE BILL NO. 281

BY REPRESENTATIVE CREWS

AIRCRAFT/AIRPORTS: Removes the ten year lease provision and the associated exceptions for airport facilities

1 AN ACT

2 To amend and reenact R.S. 2:135.1(B), relative to airport facility leases; to repeal provisions  
3 for consideration to be paid monthly or annually; to repeal the provision for leases  
4 not to exceed ten years along with the associated exceptions; and to provide for  
5 related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 2:135.1(B) is hereby amended and reenacted to read as follows:

8 §135.1. Authority to equip, improve, establish fees and charges, and lease airport  
9 facilities

10 \* \* \*

11 B.(1)(a) The public bid requirement provided for by in Paragraph (A)(3) of  
12 this Section shall be at the option of the sponsor when such sponsor is leasing  
13 operations space of less than two hundred fifty square feet.

14 ~~(b)~~ (2) The advertisements shall set forth a description of the property to be  
15 leased, the time when bids therefor will be received, and a short summary of the  
16 terms, conditions, and purposes of the lease to be executed. The public bids  
17 provided for in this Part shall be secret, sealed bids and shall be mailed or delivered  
18 to the lessor at its domicile address. The advertisements provided for in this Section  
19 shall constitute judicial advertisements and legal notices as required in accordance  
20 with the provisions of Chapter 5 of Title 43 of the Louisiana Revised Statutes of

1 1950. At the date and hour mentioned in the advertisement for consideration of bids,  
2 the bids shall be publicly opened by the lessor at its office.

3 ~~(c)~~ (3) The lessor shall accept only the highest bid submitted which yields  
4 the greatest benefits to the public in services and financial return to it by a person or  
5 persons who meet all of the conditions of this Part. The lessor shall have the right  
6 to reject all bids.

7 ~~(d)~~ (4) The lessor may execute any lease granted under such terms and  
8 conditions that it deems proper or as otherwise provided in this Part.

9 ~~(e)~~ (5) All leases signed by the lessor shall be executed in sufficient  
10 counterparts to be disposed of as follows: one copy shall be furnished to the lessee;  
11 one copy shall be recorded in the conveyance records of each parish in which the  
12 land lies; one copy shall be furnished to the secretary of the Louisiana Department  
13 of Transportation and Development; and one copy shall be retained in the records of  
14 the lessor.

15 ~~(2) All leases executed under the provisions of this Section shall provide for~~  
16 ~~consideration to be paid annually or monthly as provided for in the lease. All leases~~  
17 ~~shall be for a period not exceeding ten years, except as follows:~~

18 ~~(a) A lessor may grant an option to extend the primary lease for an~~  
19 ~~additional period of not more than ten years to any lessee who leases such land or~~  
20 ~~holds a ten-year lease in full force on or after August 15, 1999, when such lessee has,~~  
21 ~~within the ten-year term of the lease, added or contracted for permanent~~  
22 ~~improvements to be constructed or placed on or made to the land in the amount of~~  
23 ~~not less than twenty thousand dollars, has provided written notification to the lessor~~  
24 ~~of his desire to extend the primary lease, and has provided a proper showing that~~  
25 ~~such improvements have in fact been made or contracted for.~~

26 ~~(b) When a lease provides for the addition or construction of improvements~~  
27 ~~on or to the land to a value in excess of sixty thousand dollars for non-air carrier~~  
28 ~~airports or one hundred thousand dollars for air carrier airports, and further provides~~  
29 ~~that such improvements will become the property of the lessor without any cost to~~

