

2024 Regular Session

HOUSE BILL NO. 281

BY REPRESENTATIVE CREWS

1 AN ACT

2 To amend and reenact R.S. 2:135.1(B) and (F) and 139, relative to airport facility leases; to  
3 repeal provisions for consideration to be paid monthly or annually; to provide  
4 relative to local supervision of airports; to repeal the provision for leases not to  
5 exceed ten years along with the associated exceptions; to provide for applicability;  
6 and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 2:135.1(B) and (F) and 139 are hereby amended and reenacted to  
9 read as follows:

10 §135.1. Authority to equip, improve, establish fees and charges, and lease airport  
11 facilities

12 \* \* \*

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

16 ~~(b)~~ (2) The advertisements shall set forth a description of the property to be  
17 leased, the time when bids therefor will be received, and a short summary of the  
18 terms, conditions, and purposes of the lease to be executed. The public bids

1 provided for in this Part shall be secret, sealed bids and shall be mailed or delivered  
2 to the lessor at its domicile address. The advertisements provided for in this Section  
3 shall constitute judicial advertisements and legal notices as required in accordance  
4 with the provisions of Chapter 5 of Title 43 of the Louisiana Revised Statutes of  
5 1950. At the date and hour mentioned in the advertisement for consideration of bids,  
6 the bids shall be publicly opened by the lessor at its office.

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

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

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

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

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

1                   (b) ~~When a lease provides for the addition or construction of improvements~~  
 2                   ~~on or to the land to a value in excess of sixty thousand dollars for non-air carrier~~  
 3                   ~~airports or one hundred thousand dollars for air carrier airports, and further provides~~  
 4                   ~~that such improvements will become the property of the lessor without any cost to~~  
 5                   ~~the lessor, the lessor may grant an option to the lessee to extend the primary term of~~  
 6                   ~~the lease for an additional ten-year period, or part thereof, for each sixty thousand~~  
 7                   ~~dollars of improvements or additions for non-air carrier airports or one hundred~~  
 8                   ~~thousand dollars worth of improvements or additions for air carrier airports made on~~  
 9                   ~~or to the land, not to exceed a maximum term of one hundred years.~~

10                   (c) ~~The provisions of this Paragraph shall not apply to the Vivian Municipal~~  
 11                   ~~Airport or the Shreveport Downtown Airport.~~

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13                   F. Notwithstanding any provisions of law to the contrary, no municipality,  
 14                   parish, airport district, airport authority, or other political subdivision may grant a  
 15                   lease of an entire airport nor may the public be deprived of its rightful, equal, and  
 16                   uniform use of the airport or landing field or portion thereof, except at such times as  
 17                   may be required in the interest of public safety and no exclusive concession, license,  
 18                   or lease agreement may be made relative to the business of servicing, repairing, or  
 19                   furnishing of supplies for aircraft, or the sale, rental, or leasing of aircraft or flight  
 20                   instruction. Prospective lessees providing such services must have complied with the  
 21                   minimum aeronautical standards established by the lessor ~~and approved by the office~~  
 22                   ~~of aviation of the Department of Transportation and Development.~~

23   \*           \*           \*

24                   §139. Supervision

25                   All cities, towns, or other political subdivisions of this state in the  
 26                   construction, expansion, lease, control, equipment, improvement, maintenance,  
 27                   operation, regulation, and policing of airports and landing fields for the use of  
 28                   aircraft and in the acquisition of rights and privileges for lights and markers as  
 29                   provided for in this Part shall obtain the consent and approval of the department of  
 30                   all plans or proposed work in such construction, expansion, ~~lease, control,~~

1 equipment, improvement, maintenance, ~~operation~~, regulation, and policing and the  
2 department shall have supervision thereof.

3 Section 2. The provisions of this Act shall be applicable to any new lease agreement  
4 entered into on or after July 1, 2024.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_