

Regular Session, 2013

HOUSE BILL NO. 384

BY REPRESENTATIVE BADON

MUNICIPALITIES/NO: Requires reimbursement of the governing authority of the city of New Orleans for certain expenses incurred on behalf of neighborhood districts within the city

1 AN ACT

2 To enact R.S. 33:9099.2 and 9099.3, relative to the city of New Orleans; to provide relative
3 to neighborhood districts within the city; to provide relative to taxes and fees levied
4 and collected within the districts; to require reimbursement of the governing
5 authority of the city by the districts for expenses associated with elections held to
6 approve the imposition or renewal of the taxes and fees; to provide relative to the fee
7 retained by the governing authority for the collection of the taxes and fees; and to
8 provide for related matters.

9 Notice of intention to introduce this Act has been published
10 as provided by Article III, Section 13 of the Constitution of
11 Louisiana.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9099.2 and 9099.3 are hereby enacted to read as follows:
14 §9099.2. Imposition and renewal of taxes and fees; election expenses; city of New
15 Orleans
16 Notwithstanding any other provision of law to the contrary, the governing
17 authority of the city of New Orleans shall be reimbursed by any district created
18 pursuant to Part II of this Chapter for expenses incurred by the governing authority
19 pursuant to Chapter 8-A of Title 18 of the Louisiana Revised Statutes of 1950, as a

1 result of a proposition appearing on the ballot on behalf of any such district seeking
 2 the approval of the imposition or renewal of taxes or fees within such district. The
 3 governing authority shall prorate its reimbursable costs for such propositions as
 4 equitably as possible among the districts that have propositions appearing on the
 5 ballot for such purposes, and the districts shall pay such costs.

6 §9099.3. Taxes and fees; collection fee; city of New Orleans

7 Notwithstanding any other provision of law to the contrary, with respect to
 8 taxes and fees levied and collected by the governing authority of the city of New
 9 Orleans on behalf of districts created pursuant to Part II of this Chapter, the
 10 governing authority may retain one percent of the amount of the tax or fee proceeds
 11 collected within a district as a collection fee or the actual amount of the collection
 12 costs, whichever is greater.

13 Section 2. This Act shall become effective on July 1, 2013; if vetoed by the governor
 14 and subsequently approved by the legislature, this Act shall become effective on July 1,
 15 2013, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB No. 384

Abstract: Relative to neighborhood districts within the city of New Orleans, requires reimbursement of the governing authority of the city for certain costs associated with elections held to approve the imposition and renewal of taxes and fees within the districts. Provides relative to the city's fee for collecting the taxes and fees.

Present law (Chapter 29 of Title 33) creates neighborhood improvement and crime prevention districts as political subdivisions of the state in the parishes of East Baton Rouge, Jefferson, and Orleans in order to promote, encourage, and enhance the security, beautification, and overall betterment of the districts. Provides for the boundaries and governance of the districts. Authorizes the governing authority of the parishes (and the districts in some instances) to impose and collect taxes or fees within their respective districts, subject to voter approval, and authorizes renewal of the taxes and fees. Provides for the use of tax and fee proceeds.

Proposed law retains present law.

Present law generally authorizes the governing authority of the city of New Orleans to retain 1% of the amount of tax or fee proceeds collected within districts located within the city as a collection fee.

Proposed law instead authorizes the governing authority of the city to retain 1% of the amount of tax or fee proceeds collected or the actual amount of collection costs, whichever is greater.

Present law (Chapter 8-A of Title 18) generally requires local and municipal entities participating in elections at which a local or municipal candidate or a local bond, debt, tax, proposition, or question appears on the ballot, to pay a pro rata share of certain election expenses, including but not limited to the costs of ballots and election materials, the publication of the location of polling places and setting up of voting machines, and expenses incurred by the clerks of court and registrars of voters.

Proposed law retains present law but additionally requires reimbursement of the governing authority of the city of New Orleans by neighborhood districts located within the city for expenses incurred by the governing authority pursuant to present law (Chapter 8-A of Title 18) due to a proposition appearing on the ballot of behalf of a district seeking the approval of the imposition or renewal of taxes or fees. Requires the governing authority to prorate its reimbursable costs as equitably as possible among the districts that have propositions appearing on the ballot for such purposes and requires the districts to pay the reimbursable costs.

Effective July 1, 2013.

(Adds R.S. 33:9099.2 and 9099.3)