

ACT No. 419

2015 Regular Session

HOUSE BILL NO. 690

BY REPRESENTATIVE LORUSSO

1 AN ACT

2 To amend and reenact R.S. 40:531(B), 532, and 537(B) and to enact R.S. 40:537(A)(6),
3 relative to the Housing Authority of New Orleans; to provide relative to the
4 governing board of the authority; to provide relative to the appointment, terms, and
5 removal of board members; and to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 40:531(B), 532, and 537(B) are hereby amended and reenacted and
11 R.S. 40:537(A)(6) is hereby enacted to read as follows:

12 §531. Appointment of commissioners to local housing authority

13 * * *

14 B.(1) In the city of New Orleans, the governing authority of the housing
15 authority shall consist of ~~seven~~ eight commissioners, at least two of whom shall be
16 tenants of the housing authority, referred to in this Chapter as "tenant
17 commissioners", and one of whom shall be appointed as provided in Subparagraph
18 (2)(b) of this Subsection, referred to in this Chapter as a "landlord commissioner".

19 (2)(a) ~~The commissioners~~ Seven commissioners, excluding the landlord
20 commissioner, shall be appointed by the mayor of the city of New Orleans ~~and shall~~
21 ~~serve terms concurrent with that of the mayor.~~ The two tenant commissioners shall
22 be chosen from a list of names submitted to the mayor by the Citywide Tenants
23 Council, Inc., of the housing authority. The number of names submitted shall be
24 three for each vacancy to be filled by a tenant commissioner. ~~Vacancies shall be~~
25 ~~filled for the unexpired term.~~

1 **(b) The one landlord commissioner shall be appointed by the mayor from a**
 2 **list of three nominees submitted by the Landlords Advisory Committee. No person**
 3 **who has or who is seeking a business or financial relationship with the housing**
 4 **authority or who otherwise has a conflict pursuant to the Code of Governmental**
 5 **Ethics regarding service on the housing authority shall be eligible to be appointed as**
 6 **a landlord commissioner. The committee shall meet within sixty days after any**
 7 **vacancy in the landlord commissioner position and shall nominate the list of landlord**
 8 **commissioners as provided in this Subsection upon a majority vote of the members**
 9 **of the committee present and voting. The committee shall give notice of the purpose,**
 10 **time, and place of such a meeting through the landlord portal on the official website**
 11 **of the housing authority or by publication in the official journal of the city of New**
 12 **Orleans at least seven days prior to the date set for the hearing.**

13 **(c) If the mayor fails to make an appointment within sixty days after receipt**
 14 **of the nominations, the city council of New Orleans shall make the appointments**
 15 **from the list of names submitted to the mayor within thirty days.**

16 * * *

17 §532. Terms of office for local housing authority commissioner

18 **A.** In the case of local housing authorities, the commissioners who are first
 19 appointed shall be designated to serve for terms of one, two, three, four and five
 20 years, respectively, from the date of their appointment, but thereafter commissioners
 21 shall be appointed for terms of five years. All commissioners shall, except as
 22 otherwise provided in R.S. 40:536 and 537, continue to serve until their successors
 23 have been duly appointed.

24 **B.(1)(a) Notwithstanding the provisions of Subsection A of this Section,**
 25 **seven commissioners of the Housing Authority of New Orleans, excluding the**
 26 **landlord commissioner, shall serve five-year terms after serving initial terms as**
 27 **provided in this Subparagraph. One member shall serve an initial term of one year,**
 28 **one shall serve two years, one shall serve three years, two shall serve four years, and**
 29 **two shall serve five years as determined by lot at the first meeting of the board.**

1 (b) The seven commissioners serving on August 1, 2015, shall continue to
 2 serve until the expiration of their terms. The successors of such commissioners shall
 3 be appointed as provided in R.S. 40:531(B). Vacancies shall be filled in the manner
 4 of the original appointment; however, if a vacancy occurs prior to the expiration of
 5 a term of any such commissioner serving on August 1, 2015, the mayor of the city
 6 of New Orleans shall appoint a commissioner to fill the vacancy in the same manner
 7 as the original appointment. The commissioner appointed shall serve for the
 8 remainder of the unexpired term.

9 (2) The one landlord commissioner appointed pursuant to R.S. 40:531(B)
 10 shall serve terms concurrent with the mayor. A vacancy shall be filled in the manner
 11 of the original appointment.

12 * * *

13 §537. Removal of commissioners

14 A.

15 * * *

16 (6) Notwithstanding any other provision of law to the contrary, the landlord
 17 commissioner appointed pursuant to R.S. 40:531(B) may be removed by the
 18 appointing authority for neglect of duty or misconduct in office. A landlord
 19 commissioner convicted of a felony while serving as a commissioner shall be
 20 disqualified and removed from office by the appointing authority.

21 B.(1) The chief elected official or the governing body of the municipality or
 22 parish, as the case may be, which seeks to remove a commissioner shall send a notice
 23 of removal to such commissioner, which notice shall set forth the charges against the
 24 commissioner. Unless, within ten days from the receipt of such notice, such
 25 commissioner files with the clerk or secretary of the municipality's or parish's
 26 governing body a request for a hearing before the governing body, the commissioner
 27 shall be deemed removed from office. If a request for hearing is so filed, the
 28 governing body of the municipality or parish, as the case may be, shall hold a
 29 hearing, not sooner than ten days subsequent to the date a hearing is requested, at
 30 which the commissioner shall have the right to appear in person or by counsel and

1 the governing body shall determine whether the removal shall be upheld. If the
2 removal is not upheld by the governing body, the commissioner shall continue to
3 hold office.

4 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
5 appointing authority seeking to remove a commissioner pursuant to Paragraph (A)(6)
6 of this Section shall send a notice of removal to such commissioner, which notice
7 shall set forth the charges against the commissioner. Unless such commissioner files
8 with the appointing authority a request for a hearing before the appointing authority
9 within ten days after receipt of such notice, the commissioner is deemed removed
10 from office. If a request for hearing is so filed, the appointing authority shall hold
11 a hearing no earlier than ten days after the filing of the request for a hearing at which
12 hearing the commissioner has the right to appear in person or by counsel and the
13 appointing authority shall determine whether the removal is to be upheld. If the
14 removal is not upheld by the appointing authority, the commissioner shall continue
15 to hold office.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____