

# ACT No. 402

2024 Regular Session

HOUSE BILL NO. 760

BY REPRESENTATIVES STAGNI, BAYHAM, WILFORD CARTER, COX, ILLG,  
SCHLEGEL, AND VILLIO

1 AN ACT

2 To amend and reenact R.S. 48:1653(1) and (17), 1655(E)(3), 1661, and 1665(B) and to enact  
3 R.S. 48:1655(E)(4), relative to the Regional Transit Authority; to provide for the  
4 withdrawal from the authority by a participant; to provide for an effective date; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:1653(1) and (17), 1655(E)(3), 1661, and 1665(B) are hereby  
8 amended and reenacted and R.S. 48:1655(E)(4) is hereby enacted to read as follows:

9 §1653. Definitions; terms defined

10 For purposes of this Chapter, the following words have the meanings ascribed  
11 to them by this Section, except where the context clearly indicates otherwise:

12 (1) "Authority" means the Regional Transit Authority ~~which shall be~~  
13 ~~composed of the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such~~  
14 ~~other adjacent parishes as may elect to participate in accordance with the provisions~~  
15 ~~of this Chapter.~~

16 \* \* \*

17 (17) "Regional area" means the jurisdictional area of the authority  
18 comprising the parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such

1 other adjacent parishes as may elect to participate, but excluding the territory of any  
2 local government which may decline membership on the board or withdraw from the  
3 authority as hereinafter provided.

4 \* \* \*

5 §1655. Board of commissioners; membership; terms

6 \* \* \*

7 E.

8 \* \* \*

9 (3) Thereupon such parish shall be a participant in the authority and its rights  
10 and responsibilities shall, insofar as possible, be the same as if it had participated in  
11 the authority from its beginning, provided that said parish shall assume its pro rata  
12 share of the then current expenses of the authority, as determined by the authority.  
13 ~~By virtue of their participation in the authority, whether initially or subsequently by~~  
14 ~~board approval, all participating parishes concur fully and accept without reservation,~~  
15 ~~the exclusive rights and power of the authority as stated herein, and further agree and~~  
16 ~~obligate themselves to remain in the authority until all outstanding obligations of the~~  
17 ~~authority are liquidated or until the authority is abolished, whichever occurs first.~~

18 (4) A participating parish may, by resolution of its local governing body,  
19 withdraw from participation in the authority. The withdrawal shall be effective  
20 forty-five days following the authority's receipt of the resolution. Thereafter, the  
21 authority shall have no jurisdiction within that parish.

22 \* \* \*

23 §1661. Eminent domain

24 The authority shall have no power of eminent domain, but the city of New  
25 Orleans and the participating parishes of ~~Orleans, Jefferson, and St. Bernard~~, for  
26 purposes of the authority, may exercise the broadest power of eminent domain  
27 permissible under the laws of this state; however, no local governing body shall  
28 exercise any power of eminent domain hereunder with respect to property located  
29 beyond its territorial limits, nor shall it expropriate any business enterprise or any of

1 its assets for the purpose of operating that enterprise or halting competition with a  
2 government enterprise.

3 \* \* \*

4 §1665. Participation by local government; alternative methods of financing

5 \* \* \*

6 B. ~~Within thirty days of the effective date of this Act, the governing~~  
7 ~~authority of each parish situated within the territory of the authority shall certify by~~  
8 ~~resolution whether or not it desires to participate in the authority. Should the~~  
9 ~~governing body of the parish fail to adopt such a resolution, the parish shall be~~  
10 ~~deemed to have declined participation in the authority. Within forty-five days of the~~  
11 ~~effective date of this Act, the board shall be appointed in accordance with the~~  
12 ~~provisions of this Chapter. After the board shall have been appointed in accordance~~  
13 ~~with Section 1655 of this Chapter any~~ Any parish eligible to participate may apply  
14 for membership to the board in accordance with rules promulgated by the board.  
15 The board, with the approval of the local governing body of each of the participating  
16 ~~parishes of Orleans, Jefferson, St. Tammany, St. Bernard, and such other adjacent~~  
17 ~~parishes as may elect to participate, subject to such~~ the limitations ~~as are hereinafter~~  
18 set forth in this Section, shall determine the extent of financial participation and the  
19 time or times such financial participation may be required with respect to each of the  
20 local governments in order to finance provisions for a rapid transit system through  
21 the joint instrumentality of the authority. If such determination contemplates a  
22 contractual obligation on the part of a local government to make payments to the  
23 authority over a period of time exceeding one year or to issue any bonds or other  
24 obligations evidencing indebtedness, such determination shall take the form of a  
25 rapid transit contract to be entered into between the authority and the local  
26 government. The final execution of a rapid transit contract shall be completed in  
27 every instance in the manner hereinafter set forth in this Section.

28 \* \* \*

29 Section 2. This Act shall become effective upon signature by the governor or, if not  
30 signed by the governor, upon expiration of the time for bills to become law without signature

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 effective on the day following the approval.

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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: \_\_\_\_\_