

2024 Regular Session

SENATE BILL NO. 390

BY SENATOR BOUDREAUX

PARISHES. Provides for the collection of utility fees for the stormwater management utility districts in St. Landry Parish. (gov sig)

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AN ACT

To enact R.S. 33:4161.1(D), relative to stormwater management utility districts; to provide with respect to districts in St. Landry Parish; to provide relative to the collection of stormwater management utility districts' utility fees; to provide relative to authority to enter into a contract; to provide relative to indemnity bonds and liability insurance; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4161.1(D) is hereby enacted to read as follows:

§4161.1. Stormwater management utility districts; parishes and municipalities

\* \* \*

**D.(1) Any stormwater management utility district located in the parish of St. Landry shall have power to enter into a contract with any municipal corporation, parish, water district, or private water company operating a water system serving customers in the area served by the district. A municipal corporation, parish, water district, or private water company is authorized to enter into a contract with any stormwater management utility district providing**

1 stormwater management service to customers of the municipal corporation,  
 2 parish, water district, or private water company. The contract may contain such  
 3 terms and privileges as may be agreed upon between the parties pursuant to  
 4 utility fees imposed for services rendered by the stormwater management utility  
 5 district which shall be collected for the stormwater management utility district  
 6 by the municipal corporation, parish, water district, or private water company  
 7 and shall include the procedure to enforce collection of the utility fees.

8 (2) The stormwater management utility district may agree to supply the  
 9 municipal corporation, parish, water district, or private water company  
 10 operating a water system with an indemnity bond or liability insurance as the  
 11 municipal corporation, parish, water district, or private water company may  
 12 consider necessary.

13 (3) A contract entered into pursuant to this Subsection shall not require  
 14 the approval of any state department, agency, or commission.

15 Section 2. This Act shall become effective upon signature by the governor or, if not  
 16 signed by the governor, upon expiration of the time for bills to become law without signature  
 17 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 18 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 19 effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by James Benton.

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DIGEST

SB 390 Original                      2024 Regular Session                      Boudreaux

Present law defines a "revenue-producing public entity" as a revenue-producing business or organization that regularly supplies the public with a commodity or service or any project or undertaking owned and operated by a political subdivision authorized by present law to issue bonds, from the conduct and operation of which revenue can be derived.

Present law authorizes any political subdivision to create one or more stormwater utility systems and adopt stormwater utility fees sufficient to plan, construct, acquire, extend, improve, operate, and maintain stormwater management systems, either within or without its boundaries. Further provides that any such system created pursuant to proposed law is a revenue-producing public utility pursuant to present law and shall have all the rights, powers, and privileges granted to such utilities by present law.

Proposed law retains present law and provides that any stormwater management utility

district located in the parish of St. Landry shall have power to enter into a contract for the collection of utility fees with any municipal corporation, parish, water district, or private water company operating a water system serving customers in the area served by the district.

Proposed law provides that any municipal corporation, parish, water district, or private water company is authorized to enter into a contract with any stormwater management utility district providing stormwater management service to customers of the municipal corporation, parish, water district, or private water company.

Proposed law provides that the stormwater management utility district may agree to supply the municipal corporation, parish, water district, or private water company operating a water system with an indemnity bond or liability insurance as the municipal corporation, parish, water district, or private water company may consider necessary.

Proposed law provides that a contract entered into pursuant to proposed law shall not require the approval of any state department, agency, or commission.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 33:4161.1(D))