

SENATE BILL NO. 627

BY SENATOR BROOME

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AN ACT

To enact R.S. 33:9097.13, relative to neighborhood improvement districts; to create the Live Oak Trace Subdivision Crime Prevention and Improvement District in the city of Zachary in East Baton Rouge Parish; to provide for the boundaries and purpose of the district; to provide for the powers and duties of the district and its board of commissioners; to provide for the levy of a parcel fee upon voter approval; to provide for the district's budget; to provide with respect to termination of the district; 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. 33:9097.13 is hereby enacted to read as follows:

**§9097.13. Live Oak Trace Subdivision Crime Prevention and Improvement**

**District**

**A. Creation. There is hereby created within the parish of East Baton Rouge, in the city of Zachary, as more specifically provided in Subsection B of this Section, a body politic and corporate which shall be known as the Live Oak Trace Subdivision Crime Prevention and Improvement District, hereafter in this Section referred to as the "district". The district shall be a political subdivision of the state as defined in the Constitution of Louisiana.**

**B. Boundaries. The district shall encompass the area included within the following perimeter: Creek Hollow Avenue, Pine Thickett Avenue, Honeysuckle Drive and Brush Creek Court. The district shall include all parcels on both sides of each street.**

**C. Purpose. The purposes of the district shall be to aid in crime**

1 prevention by providing security for district residents and to serve the needs of  
2 the residents of the district by funding beautification and improvements for the  
3 overall betterment of the district.

4 D. Board. (1) The district shall be governed by a board of commissioners  
5 consisting of seven members as follows:

6 (a) The president of the Live Oak Trace Homeowners' Association, or its  
7 successor.

8 (b) Two members appointed by the board of directors of the Live Oak  
9 Trace Homeowners' Association, or its successor.

10 (c) One member appointed by the member or members of the Louisiana  
11 House of Representatives who represent the area which comprises the district.

12 (d) One member appointed by the member or members of the Louisiana  
13 Senate who represent the area which comprises the district.

14 (e) One member appointed by the member or members of the East Baton  
15 Rouge Parish Metro Council who represent the area which comprises the  
16 district.

17 (f) One member appointed by the mayor-president of Baton Rouge.

18 (2) All members of the board shall be registered voters within the  
19 district.

20 (3) All members of the board shall serve without compensation and shall  
21 not receive reimbursement for expenses.

22 (4) The domicile of the board shall be within the district.

23 (5) The board shall be authorized to adopt bylaws for its governance and  
24 conduct.

25 (6) The members of the board shall select from among themselves a  
26 president and such other officers as they deem appropriate, whose  
27 responsibilities shall be as provided by the bylaws of the board.

28 (7) The board shall hold regular meetings as provided for in its bylaws  
29 and may hold special meetings at such times and places within the district as  
30 provided in the bylaws.

1                   **(8) The board shall keep minutes of all meetings.**

2                   **(9) A majority of the board shall constitute a quorum for conducting**  
 3 **business of the board.**

4                   **E. Terms. (1)(a) Members appointed pursuant to Subparagraphs**  
 5 **(D)(1)(a) and (b) of this Section shall serve four-year terms.**

6                   **(b) Members appointed pursuant to Subparagraphs (D)(1)(c), (d), (e),**  
 7 **and (f) of this Section shall serve three-year terms.**

8                   **(2) Any board member may be removed for cause by a majority vote of**  
 9 **the board.**

10                   **(3) Vacancies shall be filled in the manner of the original appointment.**  
 11 **A member shall be eligible for reappointment unless he was removed pursuant**  
 12 **to Paragraph (2) of this Subsection.**

13                   **F. Powers and duties. The district, acting through its board of**  
 14 **commissioners, shall have the following powers and duties:**

15                   **(1) To sue and be sued.**

16                   **(2) To adopt, use, and alter at will a corporate seal.**

17                   **(3) To receive and expend funds collected pursuant to Subsection G of**  
 18 **this Section and in accordance with a budget adopted as provided by Subsection**  
 19 **H of this Section.**

20                   **(4) To enter into contracts with individuals or entities, private or public.**

21                   **(5) To purchase items and supplies necessary for achieving any purpose**  
 22 **of the district.**

23                   **(6) To accept private grants and donations.**

24                   **(7) To procure and maintain liability insurance against any personal or**  
 25 **legal liability of a board member that may be asserted or incurred based upon**  
 26 **his service as a member of the board or that may arise as a result of his actions**  
 27 **taken within the scope and discharge of his duties as a member of the board.**

28                   **(8) To perform or have performed any function or activity the board**  
 29 **deems necessary to carry out the purposes of the district.**

30                   **G. Parcel fee. The governing authority of East Baton Rouge Parish is**

1 hereby authorized to impose and collect a parcel fee within the district subject  
2 to and in accordance with the provisions of this Subsection.

3 (1) The fee shall be as determined by a duly adopted resolution of the  
4 board, at an amount no less than one hundred eighty dollars, per parcel per  
5 year.

6 (2) The fee shall be imposed on each parcel located within the district.  
7 The term "parcel" as used in this Subsection shall mean a developed or  
8 undeveloped lot.

9 (3) The owner of the parcel shall be responsible for payment of the fee.

10 (4)(a) The fee shall be imposed only after the question of its imposition  
11 has been submitted to the qualified electors of the district, at an election held for  
12 such purpose in accordance with the Louisiana Election Code, and a majority  
13 of those voting on the proposition have voted in favor of the fee.

14 (b) The fee may be increased four years from its initial levy in the same  
15 manner as its imposition.

16 (5) The East Baton Rouge Parish Sheriff's Office shall collect the fee at  
17 the same time and in the same manner as ad valorem taxes are collected.

18 (6) The East Baton Rouge Parish Sheriff's Office shall remit to the  
19 district all amounts collected not more than sixty days after collection; however,  
20 the board may enter into an agreement with the East Baton Rouge Parish  
21 Sheriff's Office to authorize the parish to retain, as a collection fee, not more  
22 than one percent of the amount collected.

23 (7) Any parcel fee which is unpaid shall be added to the tax rolls of the  
24 parish and shall be enforced with the same authority and subject to the same  
25 penalties and procedures as unpaid ad valorem taxes.

26 H. Budget. (1) The board of commissioners shall adopt an annual budget  
27 in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301  
28 et seq.

29 (2) The district shall be subject to audit by the legislative auditor  
30 pursuant to R.S. 24:513.

1                   **I. Miscellaneous provisions. (1) It is the purpose and intent of this Section**  
2                   **that the additional law enforcement personnel and services provided by the**  
3                   **district shall be supplemental to and not in lieu of personnel and services**  
4                   **provided in the district by the city of Zachary.**

5                   **(2) If the district ceases to exist:**

6                   **(a) All funds of the district shall be transmitted by the board to the**  
7                   **governing authority of the city of Zachary within thirty days of dissolution.**  
8                   **Such transmitted funds, together with any other funds collected by the East**  
9                   **Baton Rouge Parish Sheriff's Office pursuant to this Section, shall be**  
10                  **maintained in a separate account by the city and shall be used only to promote,**  
11                  **encourage, and enhance the security, beautification, and overall betterment of**  
12                  **the area formerly comprising the district.**

13                  **(b) The authority for the imposition of the parcel fee provided in this**  
14                  **Section shall cease.**

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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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

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