

Regular Session, 2010

SENATE BILL NO. 730

BY SENATOR DORSEY

SPECIAL DISTRICTS. Provides relative to the South Burbank Crime Prevention and Development District. (7/1/10)

1 AN ACT

2 To amend and reenact R.S. 33:9097.2(B), (E)(1) and (3), and (G)(3)(b) and (4), relative to  
3 the South Burbank Crime Prevention District; to provide relative to boundaries and  
4 governance; to provide relative to parcel fees and ad valorem taxes; and to provide  
5 for related matters.

6 Notice of intention to introduce this Act has been published.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 33:9097.2(B), (E)(1) and (3), and (G)(3)(b) and (4) are hereby  
9 amended and reenacted to read as follows:

10 §9097.2. South Burbank Crime Prevention and Development District

11 \* \* \*

12 B. Boundaries. The district shall be comprised of the area of the parish of  
13 East Baton Rouge, lying within the following perimeter: commencing at the north  
14 side of Gardere Lane at Bayou Fountain proceeding along Bayou Fountain bayou to  
15 the northwest to include the streets of Bayou Fountain and Governor, thence in a  
16 southwestern direction along Magnolia Point to **Bayou Fountain Avenue thence**  
17 **proceeding northwest along Bayou Fountain Avenue excluding lots 122-128 of**



1 shall select the eligible association on a rotating basis.

2 ~~(g)~~**(d)** The mayor-president shall appoint one member.

3 ~~(h)~~**(e)** The council member or council members who represent the district  
4 shall appoint one member.

5 \* \* \*

6 (3)(a) The terms **term** of the members **member** appointed pursuant to  
7 Subparagraphs ~~(1)(g)~~ and ~~(h)~~ **Subparagraph (d)** of this Subsection shall be  
8 concurrent with the respective appointing authority.

9 ~~(b)~~ The member serving pursuant to Subparagraph ~~(1)(a)~~ of this Subsection  
10 shall serve during his term of office as president of the GSRI Property Owners  
11 Association.

12 ~~(c)~~**(b)** The initial terms of office for the remaining members shall be one,  
13 two, three, or four years. Two members shall serve one year, two shall serve two  
14 years, two shall serve three years, and two shall serve four years as determined by  
15 lot at the first meeting of the board. Subsequent terms shall be four years. Vacancies  
16 resulting from the expiration of a term or any other reason shall be filled in the  
17 manner of the original appointment. Members shall be eligible for reappointment.

18 \* \* \*

19 G. Parcel fee. The governing authority of East Baton Rouge Parish is hereby  
20 authorized to impose and collect a parcel fee within the district subject to and in  
21 accordance with the provisions of this Subsection:

22 \* \* \*

23 (3) \* \* \*

24 (b) The fee shall expire four years from its initial levy but may be renewed  
25 as provided in Subparagraph (3)(a) of this Subsection. **In any renewal or**  
26 **subsequent proposition of the fee if** renewed, the term of the imposition of the  
27 fee shall be as provided in the proposition authorizing such renewal, not to exceed  
28 **four ten** years.

29 (4) In addition to all other means of collection, the district may collect the

1 parcel fee by use of any means authorized by law for the collection of taxes. The  
 2 ~~district may submit to the~~ assessor **shall prepare** a certified list, either in hard or  
 3 electronic form, reflecting the fee amounts due, the property upon which each  
 4 amount is levied, and the last owner of record of such property. ~~Upon receipt of such~~  
 5 ~~information, the~~ **The** assessor shall place the fee on the tax roll. If the list is ~~received~~  
 6 **prepared** by the assessor on or before ~~October fifteenth~~ **September first**, then the  
 7 fee shall be placed on the roll for the current year. If the list is ~~received~~ **prepared** by  
 8 the assessor after ~~October fifteenth~~ **September first**, then the fee shall be placed on  
 9 the roll for the next tax year. Upon filing with the recorder of mortgages, the roll  
 10 shall operate as a lien against all property against which the fee has been assessed as  
 11 provided by Chapter 3 of Subtitle III of Title 47 of the Louisiana Revised Statutes  
 12 of 1950. All fee amounts reflected on the roll shall be subject to interest in the same  
 13 manner as ad valorem taxes. The assessor shall be reimbursed in the same manner  
 14 as provided in R.S. 47:1993.1(C), but the governing authority of the district shall not  
 15 be required to pay such reimbursement in advance.

16 \* \* \*

17 Section 2. The provisions of R.S. 33:9097.2(G) shall not be applicable to any parcel  
 18 added to the boundaries of the South Burbank Crime Prevention District by this Act until  
 19 such time as the imposition of a parcel fee has been approved by a majority of the registered  
 20 voters of the district voting at an election held for that purpose.

21 Section 3. This Act shall become effective on July 1, 2010.

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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

Dorsey (SB 730)

Present law provides for the creation of the South Burbank Crime Prevention and  
 Development District in East Baton Rouge Parish and provides for its boundaries.

Proposed law retains present law and makes changes to the boundaries.

Present law provides that the district shall be governed by a board of commissioners  
 consisting of 11 members as follows:

- (a) The president of the GSRI Property Owners Association shall be an ex officio member.
- (b) The board of directors of the GSRI Property Owners Association or its successor shall appoint four members.
- (c) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.
- (d) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member.
- (e) The East Baton Rouge Parish assessor shall appoint one member.
- (f) Any subdivision or condominium association recognized by the Greater Baton Rouge Federation of Civic Associations or its designated successor shall appoint one member. In the case of multiple associations qualifying the federation shall select the eligible association on a rotating basis.
- (g) The mayor-president shall appoint one member.
- (h) The council member or council members who represent the district shall appoint one member.

Proposed law changes composition of the board of commissioners in present law so that the district shall be governed by a board consisting of 7 members as follows:

- (a) The board of directors of the GSRI Property Owners Association or its successor shall appoint three members.
- (b) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.
- (c) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member.
- (d) The mayor-president shall appoint one member.
- (e) The council member or council members who represent the district shall appoint one member.

Present law provides that members appointed by the mayor and the city council shall be concurrent with the respective appointing authority.

Proposed law retains present law.

Present law provides that the president of the GSRI Property Owners Association shall serve during his term of office as president of the GSRI Property Owners Association.

Proposed law deletes present law.

Present law provides that the governing authority of East Baton Rouge Parish is authorized to impose and collect a parcel fee within the district.

Proposed law retains present law.

Present law provides that the parcel fee shall be as requested by duly adopted resolution of the governing authority of the district and the fee shall not:

- (a) Exceed \$100.00 per parcel per year for each residential or commercial structure.
- (b) Exceed \$25.00 per parcel per year for each unit in a condominium, or in a residential or commercial structure with four or more units.

Present law provides that if renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed four years.

Proposed law changes the renewal period from four years to ten years.

Present law provides that the district may submit to the assessor a certified list, either in hard or electronic form, reflecting the fee amounts due, the property upon which each amount is levied, and the last owner of record of such property. Provides that if the list is received by the assessor by October 15<sup>th</sup>, the fee shall be placed on the roll for the current year.

Proposed law provides that the assessor shall prepare a certified list, either in hard or electronic form, reflecting the fee amounts due, the property upon which each amount is levied, and the last owner of record of such property. Changes deadline for the list to September 1st.

Effective July 1, 2010.

(Amends R.S. 33:9097.2(B), (E)(1) and (3), and (G)(3)(b) and (4))

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill.

1. Makes changes to the boundaries of the district.
2. Makes changes relative to the appointing authorities of the board of commissioners.
3. Removes the provision allowing for the collection of millage and for increase of parcel fees.
4. Authorizes the assessor to prepare a certified list, which reflects the amounts due, the property upon which each amount is levied, and the last owner of record of such property.
5. Changes the date in which fees will be placed on the tax rolls.
6. Requires an election before additional parcels can be assessed a parcel fee.