

2015 Regular Session

HOUSE BILL NO. 95

BY REPRESENTATIVES RICHARD AND HARRISON

DISTRICTS/TAXING: Creates the Lafourche Arc Taxing District

1 AN ACT

2 To enact Chapter 4-C of Title 28 of the Louisiana Revised Statutes of 1950, to be comprised
3 of R.S. 28:470.11, relative to Lafourche Parish; to create the Lafourche Arc Taxing
4 District within the parish; to provide relative to the boundaries, purpose, governance,
5 and powers and duties of the district; to provide for district funding, including the
6 authority to levy an ad valorem tax, subject to voter approval; and to provide for
7 related matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Chapter 4-C of Title 28 of the Louisiana Revised Statutes of 1950, to be
13 comprised of R.S. 28:470.11, is hereby enacted to read as follows:

14 CHAPTER 4-C. LAFOURCHE ARC TAXING DISTRICT

15 §470.11. Lafourche Arc Taxing District; creation; governance; funding

16 A. There is hereby created within the parish of Lafourche, as more
17 specifically provided in Subsection B of this Section, a body politic and corporate
18 which shall be known as the Lafourche Arc Taxing District, referred to in this
19 Section as the "district". The district shall be a political subdivision of the state as
20 defined in the Constitution of Louisiana.

1 B. The boundaries of the district shall include all of the territory included
2 within wards one, two, three, four, five, six, seven, eight, nine, and eleven of the
3 parish of Lafourche.

4 C. The district is established for the primary object and purpose of providing
5 services, training, advocacy, resources, and community connections to individuals
6 with developmental disabilities.

7 D.(1) The district shall be governed by a board commissioners, referred to
8 in this Section as the "board", composed of seven members, all of whom shall be
9 appointed by the governing authority of the parish of Lafourche.

10 (2) Board members shall serve terms as provided in the bylaws adopted by
11 the board.

12 (3) Any vacancy which occurs prior to the expiration of the term for which
13 a member of the board has been appointed shall be filled for the remainder of the
14 unexpired term in the same manner as the original appointment.

15 (4) Board members shall be eligible for reappointment.

16 (5) Board members shall serve without compensation.

17 (6) The board shall elect from its members a chair, a vice chair, a secretary,
18 and a treasurer. The board may combine such offices or elect other officers as it
19 deems necessary.

20 (7) The board shall keep minutes of all meetings and shall make them
21 available through the secretary of the board to residents of the district. The minute
22 books and archives of the district shall be maintained by the secretary of the board.
23 The monies, funds, and accounts of the district shall be in the official custody of the
24 board.

25 (8) The board may adopt bylaws or such other rules and regulations as it
26 deems necessary or advisable for conducting its business affairs.

27 (9) The board shall hold regular meetings at least quarterly and may hold
28 special meetings at such times and places within the district as may be prescribed by
29 the board.

1 (10) A majority of the members of the board shall constitute a quorum for
2 the transaction of business.

3 E. The district shall have and exercise all powers of a political subdivision
4 necessary or convenient for the purpose of funding the district and carrying out its
5 objects and purposes, including but not limited to the following:

6 (1) To incur debt.

7 (2) To sue and be sued.

8 (3) To adopt, use, and alter at will a corporate seal.

9 (4) To adopt bylaws and rules and regulations.

10 (5) To receive by gift, grant, or donation any sum of money, property, aid,
11 or assistance from the United States, the state of Louisiana, or any political
12 subdivision thereof, or any person, firm, or corporation.

13 (6) To enter into contracts, agreements, or cooperative endeavors with the
14 state and its political subdivisions or political corporations and with any public or
15 private association, corporation, business entity, or individual.

16 (7) To elect officers and appoint agents and employees, prescribe their
17 duties, and fix their compensation.

18 (8) To acquire property by purchase, gift, grant, donation, or lease.

19 (9) To establish monetary, bank, and investment accounts.

20 (10) To establish committees and subcommittees.

21 F. The district shall not be deemed to be an instrumentality of the state for
22 purposes of Article X, Section 1(A) of the Constitution of Louisiana.

23 G. The district, through the board, may levy and collect an ad valorem tax
24 not to exceed two mills on the dollar of assessed valuation upon all taxable
25 immovable property situated within the boundaries of the district. The district may
26 levy the tax only if the amount, term, and purpose of such tax, as set out in a
27 proposition submitted to a vote in accordance with the Louisiana Election Code, has
28 been approved by a majority of the qualified electors of the district voting on the
29 proposition at an election held for that purpose.

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

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

5 I. It is the purpose and intent of this Section that the additional services,
 6 training, advocacy, resources, and community connections provided to individuals
 7 with developmental disabilities through the funding authorized in this Section shall
 8 be supplemental to and not in lieu of such training, advocacy, resources, and
 9 community connections provided by other private and public entities located within
 10 the parish of Lafourche.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 95 Reengrossed

2015 Regular Session

Richard

Abstract: Creates the Lafourche Arc Taxing District in Lafourche Parish. Provides for the district's boundaries, purpose, governance, and funding, including the authority to levy an ad valorem tax.

Proposed law creates the Lafourche Arc Taxing District in Lafourche Parish as a political subdivision of the state for the purpose of providing services, training, advocacy, resources, and community connections to individuals with developmental disabilities. Provides for district boundaries. Provides that the district is governed by a board of commissioners composed of seven members, all of whom are appointed by the governing authority of Lafourche Parish.

Proposed law provides for the powers and duties of the district, including the authority to incur debt, sue and be sued, adopt bylaws and rules and regulations, elect officers and appoint agents and employees, prescribe their duties, and fix their compensation, to receive and acquire property and to enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions or political corporations and with any public or private association, corporation, business entity, or individual. Provides that the district shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Proposed law authorizes the district to levy and collect an ad valorem tax on all taxable property located within the boundaries of the district, subject to voter approval, not to exceed two mills.

Proposed law requires the board to adopt an annual budget and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional services, training, advocacy, resources, and community connections provided to individuals

with developmental disabilities through the funding authorized in proposed law is supplemental to and not in lieu of such training, advocacy, resources, and community connections provided by other private and public entities located within Lafourche Parish.

(Adds R.S. 28:470.11)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Remove authority for the district to receive money or property by means other than purchase, gift, grant, and donation.