
The original instrument was prepared by Riley Boudreaux. The following digest, which does not constitute a part of the legislative instrument, was prepared by Ann S. Brown.

SB 193 Engrossed

DIGEST
2015 Regular Session

Thompson

Proposed law creates the Walnut Street Special District in the city of Monroe as a special district and political subdivision of the state to provide for cooperative economic development between the district, the city of Monroe, and the owner or owners of businesses and other property within the district in order to provide for costs related to infrastructure within the district as determined by the board of commissioners of the district.

The district is to be comprised of the area of the city of Monroe in the blocks of 108-128 Walnut Street in the city of Monroe to Art Alley (2nd Street), an area of approximately one city block which must be further defined by an ordinance of the board of commissioners of the district. The board of the district is given specific authority to designate by ordinance any territory within the district as a subdistrict in which shall be exercised, to the exclusion of the remainder of the district, any authority granted to the district by the tax increment finance authority in present law or any other provision law.

The district is to be administered by a board of commissioners as follows:

- (1) The mayor of the city of Monroe, or his designee.
- (2) The chair of the Monroe City Council, or his designee.
- (3) The President/CEO of the Monroe-West Monroe Convention and Visitor's Bureau of Ouachita Parish, or his designee.
- (4) Any person who is an owner of property within the district, or an authorized representative of an entity which is an owner of property within the district, if such person or authorized representative applies to the board for membership on the board, or that person's or representative's designee.

The members of the board serve without salary or per diem and are entitled to reimbursement for reasonable, actual, and necessary expenses incurred in the performance of their duties.

The board must elect from its own members a president and secretary, whose duties shall be common to such offices or as may be provided by bylaws adopted by the district. All meetings are public meetings subject to the provisions of R.S. 42:4.1 et seq. The domicile of the board must be established by the board at a location within the city of Monroe.

The district has the rights and powers common to special districts including to incur debt and issue

bonds, notes, and other indebtedness in its own name and on its own behalf.

Present law authorizes entities defined as "local governmental subdivisions" to implement ad valorem tax and sales tax increment financing and to issue revenue bonds backed by a pledge of the tax increments to finance all or any part of an "economic development project".

Present law authorizes such "local governmental subdivisions" to enter into a joint venture or cooperative endeavor for a public purpose with a federal, state, or local governmental agency or with a private or public firm, partnership, corporation, or other entity.

Present law authorizes such "local governmental subdivisions" to issue revenue bonds and other bonds and forms of indebtedness.

Present law authorizes such "local governmental subdivisions" to levy an ad valorem tax of up to 5 mills and two percent of sales tax after the governing authority of the district gives notice and meets in open and public session to hear any objections and the favorable vote of a majority of the electors of the district voting in an election.

Such tax increase may be levied only after the governing authority of the district has called a special election submitting the proposition for the levy of such taxes to the qualified electors of the district and the proposition has received the favorable vote of a majority of the electors voting in the election; however, in the event there are no qualified electors in the district as certified by the registrar of voters, no such election shall be required.

Proposed law defines the Walnut Street Special District as an "issuer" and a "local governmental subdivision for purposes of utilizing such TIF authority in present law."

Proposed law specifically grants to the district all the ad valorem, sales tax, and occupancy tax increment finance and bonding authority, and the ad valorem and sales tax levy authority granted to "local governmental subdivisions" as described above, and deems the project to fund infrastructure within the district to be an "economic development project" within the meaning of the TIF laws.

The district may also pledge any taxes collected under the authority of this Section to any economic development project in furtherance of the purposes of the district. Such financing may include but shall not be limited to loans, mortgages, the issuance of bonds, or the issuance of certificates of indebtedness.

The district must dissolve and cease to exist one year after the date all indebtedness of the district is paid in full as to both principal and interest; however, under no event can the district have an existence of less than three years.

Proposed law must be liberally construed to effect its purposes.

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

(Amends R.S. 33:9038.31(2) and (3); adds R.S. 33:9038.68)

Summary of Amendments Adopted by Senate

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

1. Limits the method by which the district may receive money, property or aid from public and private entities to gifts, grants or donations only.
2. Technical amendments.