

2015 Regular Session

HOUSE BILL NO. 95

BY REPRESENTATIVES RICHARD AND HARRISON

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.

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

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

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

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

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

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

13          (5) Board members shall serve without compensation.

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

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

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

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

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

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

4                   (1) To incur debt.

5                   (2) To sue and be sued.

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

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

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

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

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

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

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

18                   (10) To establish committees and subcommittees.

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

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

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

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

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

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

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