

2017 Regular Session

SENATE BILL NO. 250

BY SENATOR BOUDREAUX AND REPRESENTATIVE DUSTIN MILLER

SPECIAL DISTRICTS. Provides for purpose and governance of the Opelousas Downtown Development District and the levy of sales taxes. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 33:2740.39(A), (B)(2), (C)(1), (2), (3), (5), and (6), and

3 (E)(15)(a) and to enact R.S. 33:2740.39(E)(15)(f), relative to the Opelousas

4 Downtown Development District; to provide for the governance of the district; to

5 provide for the purpose, authority, rights, powers, and duties of the district and its

6 governing authority, including economic development and taxing authority; to

7 provide with respect to boundaries; to provide for the levy of sales taxes; to provide

8 for an election; and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:2740.39(A), (B)(2), (C)(1), (2), (3), (5), and (6), and (E)(15)(a)

12 are hereby amended and reenacted and R.S. 33:2740.39(E)(15)(f) is hereby enacted to read

13 as follows:

14 §2740.39. Opelousas Downtown Development District

15 A. There is hereby created a body politic and corporate of the state which

16 shall exist in perpetuity and be known as the Opelousas Downtown Development

17 District, hereinafter referred to as the "district." ~~The district shall be composed of the~~

1 existing Historic District, bordered to the north by the EW Railroad, to the south by
 2 Bertheaud Street, to the west by the NS Railroad, and to the east by Lombard Street
 3 **boundaries of the district shall include the following perimeter: beginning at the**
 4 **intersection of Highway 190 west, Ronald Reagan Highway, Landry Street, and**
 5 **the I-49 exit ramp; then proceeding west to the intersection of East Landry**
 6 **Street, North Union Street; then proceeding north to the intersection of West**
 7 **Church Street; then proceeding north to the intersection of Natchez Boulevard,**
 8 **LA 182; then proceeding west to the intersection with North Main Street, East**
 9 **Landry Street; then proceeding west until the merge of Highway 190, Ronald**
 10 **Reagan Highway, Landry and Vine Streets; then proceeding east to the**
 11 **intersection of West Vine Street, South Main Street; then proceeding south**
 12 **along the west side of South Union to the intersection of Heather Drive; then**
 13 **proceeding north along the east side of South Union to the intersection of East**
 14 **Vine Street; then proceeding east to the intersection of Highway 190 East,**
 15 **Ronald Reagan Highway, Vine Street to the I-49 on ramp.** The district shall be
 16 a political subdivision of the state as defined in the Constitution of Louisiana. The
 17 district, acting through its board of commissioners as the governing authority of the
 18 district, is hereby granted all of the rights, powers, privileges, and immunities
 19 accorded by laws and the Constitution of Louisiana to political subdivisions of the
 20 state, including but not limited to the power to incur debt and issue revenue and
 21 general obligation bonds, to issue certificates of indebtedness, to issue bonds and
 22 certificate anticipation notes, to issue refunding bonds, and the power of taxation,
 23 subject to the limitations hereinafter provided.

24 B. The district is created for the objectives and purposes of:

25 * * *

26 (2) Accepting title from or contracting with the city of Opelousas **or the**
 27 **parish of St. Landry** concerning any or all real and personal property and
 28 improvements owned or acquired by the city of Opelousas **or the parish of St.**
 29 **Landry.**

* * *

C.(1) The district shall be governed by a board of commissioners, hereinafter referred to as the "board," consisting of seven members. The members shall be appointed as follows:

(a) One member appointed by the ~~Opelousas Chamber of Commerce~~ **mayor of the city of Opelousas from the office of the City of Opelousas Tourism, the Opelousas Historic District, or the Opelousas Mainstreet, Inc.**

(b) One member appointed by the St. Landry Economic Industrial Development District, who shall be an active member of the St. Landry Economic Industrial Development District and reside within the city of Opelousas.

(c) One member appointed by the ~~banking profession within~~ **member of the Louisiana Senate who represents the area which comprises** the district.

(d) One member appointed by the ~~building/development profession within~~ **member of the Louisiana House of Representatives who represents the area which comprises** the district.

(e) One member appointed by the ~~Opelousas Office of Community Development~~ **city council of Opelousas who owns property in the district and has general experience in business management.**

(f) ~~Two members appointed by the mayor of the city of Opelousas.~~ **One member appointed from the membership of Vision St. Landry.**

(g) One member appointed by the St. Landry Parish President with experience in the profession of engineering or community planning.

(2)~~(a)~~ ~~The city's Community Development Director shall serve as interim Downtown Development Director until January 2006.~~ **The St. Landry Parish Economic and Industrial Development District Director or his designee shall serve as interim Downtown Development Director until the district is financially able to permanently hire a director. The interim director shall be responsible for all administrative duties such as but not limited to the daily operation as authorized by this Section.**

- (2) One member appointed by the St. Landry Economic Industrial Development District.
- (3) One member appointed from the banking profession within the district.
- (4) One member appointed from the building/development profession within the district.
- (5) One member appointed from the Opelousas Office of Community Development.
- (6) Two members appointed by the mayor of the city of Opelousas.

Proposed law provides that a seven-member board shall be appointed as follows:

- (1) One member appointed by the mayor of the city of Opelousas from the office of the City of Opelousas Tourism, the Opelousas Historic District, or the Opelousas Mainstreet, Inc.
- (2) One member appointed by the St. Landry Parish Economic and Industrial Development District.
- (3) One member appointed by the member of the Louisiana Senate who represents the area which comprises the district.
- (4) One member appointed by the member of the Louisiana House of Representatives who represents the area which comprises the district.
- (5) One member appointed by the city council of Opelousas who owns property in the district and has general experience in business management.
- (6) One member appointed from the membership of Vision St. Landry.
- (7) One member appointed by the president for the parish of St. Landry who has experience in the profession of engineering or community planning.

Present law provides that each member appointed to the board shall be a citizen of the United States and a domiciliary and qualified voter in the city of Opelousas for at least one year preceding the date of appointment.

Proposed law provides for each member appointed to the board shall be a citizen of the United States and a domiciliary of and a qualified voter in the parish of St. Landry.

Proposed law provides for the St. Landry Parish Economic and Industrial Development District Director or his designee to serve as interim Downtown Development Director until the district is financially able to permanently hire a director. Further, proposed law provides that eight percent of the district's annual revenue is to be paid to the St. Landry Parish Economic and Industrial Development District.

Present law authorizes the district to levy and collect a sales and use tax, not exceeding one percent, as set out in a proposition submitted to a vote in accordance with the Louisiana Election Code, and approved by a majority of the qualified electors voting in an election held for that purpose.

Proposed law authorizes the levy sales taxes within the district or subdistrict up to one percent, above and in addition to any other sales taxes then in existence or permitted to be in existence within the district or subdistrict.

Proposed law provides for any increase in sales taxes is to be levied only after the governing authority of the district has adopted an appropriate resolution giving notice of its intention to levy such taxes, which resolution shall include a general description of the taxes to be

levied, and notice of this intention shall be published once a week for two weeks in the official journal of the district, the first publication to appear at least 14 days before the public meeting of the governing authority of the district at which the governing authority will meet in open and public session to hear any objections to the proposed levy of increased taxes.

Proposed law requires the proceeds of the additional sales tax to be used by the district for paying the costs and expenses of constructing, improving, and maintaining the district's infrastructure or to promote the economic development of the district. Further authorizes the proceeds of the sales tax to be used to fund bonds.

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

(Amends R.S. 33:2740.39(A), (B)(2), (C)(1), (2), (3), (5), and (6), and (E)(15)(a); adds R.S. 33:2740.39(E)(15)(f))