

RÉSUMÉ DIGEST

ACT 329 (HB 406)

2019 Regular Session

Ivey

New law creates the Fairwood Crime Prevention and Improvement District in East Baton Rouge Parish for the purpose of promoting and encouraging the beautification, security, and betterment of the district. Provides for district boundaries.

New law provides that the district shall be governed by a five-member board of commissioners, all of whom shall own property in and be residents and qualified voters of the district, composed as follows:

- (1) One member appointed by the board of directors of the Country Ridge Homeowners Assoc.
- (2) One member appointed by the board of directors of the Fairwood Estates Homeowners Assoc.
- (3) One member appointed by the board of directors of the Sherwood Manor Homeowners Assoc.
- (4) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (5) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.

Provides that board members serve without compensation but shall be reimbursed for reasonable, out-of-pocket expenses directly related to the governance of the district, not to exceed \$100 per year.

New law provides relative to the powers and duties of the district.

New law authorizes the district, subject to voter approval, to impose and collect a parcel fee. Provides that the amount of the fee shall not be more than \$100 per residential parcel per year and \$500 per commercial parcel per year. Requires that the fee not exceed \$40 per residential parcel during the 1st year and \$200 per commercial parcel during the 1st year. Requires that a fee be imposed on each parcel located within the district.

New law provides that the fee shall expire 15 years after its initial levy but authorizes renewal of the fee. Provides that the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed 15 years. Further provides that the fee shall be collected at the same time and in the same manner as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Requires the tax collector to remit amounts collected to the district not later than 60 days after collection, but authorizes the board to enter into a contract with the tax collector authorizing the tax collector to retain a collection fee.

New law provides that the district shall adopt an annual budget in accordance with existing law (R.S. 39:1301 et seq.) and shall be subject to audit by the legislative auditor's office.

New law provides that the intent of new law is to enhance the law enforcement personnel and services provided by the city and not to be in lieu of such services. Further provides that if the district ceases to exist, all of its funds shall be transmitted to the governing authority of the parish of East Baton Rouge and shall be used for law enforcement purposes in the area formerly comprising the district. Further provides that upon dissolution of the district, the authority to levy the parcel fee provided for in new law shall cease.

New law provides for indemnification of board members by the district and limits board member liability for acts or omissions arising out of the performance of a member's duties.

Effective upon signature of governor (June 11, 2019).

(Adds R.S. 33:9097.30)