

GREEN SHEET REDIGEST

HB 652

2022 Regular Session

Hilferty

SEWERAGE/NO WATER BD: Provides relative to the Sewerage and Water Board of New Orleans

DIGEST

Present law (R.S. 33:4090(A)) requires the owner of any lot of record to bear all costs for initial connections extended from a property line and for additional costs from the property line to an onsite facility.

Proposed law retains present law in part but creates an exception to present law which requires the Sewerage and Water Board (board) to bear the costs of one sewer connection and one water connection extending from the respective main to the property line for a lot of record which existed prior to 1954.

Present law (R.S. 33:4071) provides that the public water, sewerage, and drainage systems of the city of New Orleans shall be constructed, controlled, maintained, and operated by a sewerage and water board.

Proposed law retains present law.

Proposed law shall not be construed to limit the power of the legislative auditor.

Proposed law grants the city council the power to compile financial statements and to examine, audit, or review the books and accounts of the board. Authorizes the city council to examine all papers, books, accounts, records, files, instruments, documents, films, tapes, and any other forms of recordation, including but not limited to computers and recording devices.

Proposed law further authorizes the city council, in lieu of examinations of the records and accounts of the board, to accept an audit or review report prepared by a licensed certified public accountant. Requires that the audit or review be performed in accordance with generally accepted governmental auditing standards and the La. Governmental Audit Guide. Further requires that audits be completed within six months of the close of the board's fiscal year.

Proposed law authorizes the city council to issue subpoenas to the board to compel the production of public and private books, documents, records, papers, films, tapes, and electronic data processing media. Provides that if the board refuses to obey a subpoena, a judicial district court may issue an order requiring a board representative to appear before the court. Further provides that failure to obey a subpoena may be punished as a contempt of court.

Proposed law authorizes the council to establish procedures regarding the billing policies of the board. Allows the procedures to reduce or modify the bill and to waive late charges and interest accrued.

Proposed law requires the city council to establish a billing ordinance review working group comprised of the following members:

- (1) The chairman of the New Orleans City Council Budget, Audit, and Board of Review Committee, or his designee.
- (2) The chairman of the New Orleans City Council Public Works, Sanitation, and Environment Committee, or his designee.

- (3) The chairman of the New Orleans City Council Governmental Affairs Committee, or his designee.
- (4) A member of the House of Representatives residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (5) A member of the Senate residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (6) The executive director of the Sewerage and Water Board of New Orleans, or his designee.
- (7) The president of the Sewerage and Water Board of New Orleans, or his designee.

All procedures established by the board pursuant to proposed law shall be uniformly implemented.

Proposed law allows the council to open an investigation of the board after a catastrophic failure of the city's sewerage and drainage infrastructure.

Proposed law allows the council to require the board to submit reports regarding matters involving the board or its operations.

Proposed law allows the council to request the attendance of a board representative at certain council meetings.

Proposed law requires the board to implement provisions of proposed law within 90 days of the enactment of proposed law.

Effective August 1, 2022.

(Amends R.S. 33:4090(A); Adds R.S. 33:4159.1 and 4159.2)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Commerce to the original bill:

1. Require the board to bear costs associated with water and sewage connections on a lot of record which existed prior to 1954.
2. Provide that proposed law does not limit the powers of the legislative auditor.
3. Provide for the powers of the city council.
4. Require the board to implement certain provisions of proposed law within 90 days of enactment of proposed law.
5. Make technical changes.

The House Floor Amendments to the engrossed bill:

1. Remove a provision of proposed law providing that the Sewerage and Water Board of New Orleans is subject to regulation as a public utility by the New Orleans City Council.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Senate and Governmental Affairs to the reengrossed bill

1. Delete designation of the board as a public utility.
2. Allow rather than mandate the city council to establish procedures for reduction or modification of bills or charges.
3. Establish the billing ordinance working group.
4. Define "catastrophic failure".