

Regular Session, 2009

HOUSE BILL NO. 749

BY REPRESENTATIVE SCHRODER

DISTRICTS/ROAD LIGHTING: Provides relative to road lighting districts in St. Tammany Parish

1 AN ACT

2 To enact R.S. 48:1309.3, relative to road lighting districts in St. Tammany Parish; to provide
3 for assessment of service charges or rates of service charges within the district; to
4 provide for the use of such charges; to provide for the collection of such charges; and
5 to provide for related matters.

6 Notice of intention to introduce this Act has been published
7 as provided by Article III, Section 13 of the Constitution of
8 Louisiana.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 48:1309.3 is hereby enacted to read as follows:

11 §1309.3. Service charge authorized for St. Tammany Parish; assessment and
12 collection

13 A.(1) The governing authority of any road lighting district situated wholly
14 within the geographical boundaries of St. Tammany Parish may establish, by
15 majority vote of the members of the authority, a service charge or rates of service
16 charges to be assessed to persons occupying residential and nonresidential structures,
17 and persons owning unoccupied structures located wholly or partly within the
18 boundaries of a road lighting district, and persons owning lots located wholly or
19 partly within the boundaries of a road lighting district as customers of the district,
20 subject to the provisions of Subsection B of this Section.

1 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
2 governing authority of any road lighting district situated wholly within the
3 geographical boundaries of St. Tammany Parish may establish, by majority vote of
4 the members of the authority, a service charge or rates of service charge to be
5 assessed to persons owning parcels of undeveloped immovable property located
6 wholly or partly within the boundaries of a road lighting district as additional
7 customers of the district, subject to Subsection B of this Section.

8 (3) Such service charges or rates of such service charges shall be equal for
9 all customers and shall be framed so as to cover and shall be used for the costs of any
10 and all of the following components of road lighting district services:

11 (a) Payment of utility charges incurred in the provision of road lighting.

12 (b) Maintenance and operation of road lighting district facilities and
13 equipment.

14 (c) Cost of collection of service charges pursuant to Subsections C and D of
15 this Section.

16 B. Service charges or rates of service charges so established shall be assessed
17 by resolution of the governing authority of the road lighting district; however, the
18 resolution assessing the service charges shall be adopted by the governing authority
19 only after the question of the assessment, the method of assessment, its duration, and
20 the amount of the service charge or rates of service charges established have been
21 submitted to and approved by a majority of electors of the district voting at an
22 election held for that purpose. Such election shall be conducted in accordance with
23 the election laws of the state.

24 C. The governing authority of any road lighting district assessing a service
25 charge or rates of service charges for road lighting services to customers of the
26 district as provided in this Section shall also have the authority to use any necessary
27 and proper means to collect and enforce the collection of such service charges,
28 including contracting with another political subdivision within St. Tammany Parish
29 or a utility regulated by the Louisiana Public Service Commission to effect such

1 collection. The governing authority of the road lighting district may reimburse the
 2 collecting entity an amount up to five percent of the amount of such service charges
 3 actually collected from customers of the district. The collection charge shall be in
 4 addition to such service charges.

5 D. Any service charges assessed against the owners of parcels of
 6 undeveloped immovable property within a road lighting district pursuant to this
 7 Section shall be carried on the tax rolls for St. Tammany Parish and shall be added
 8 to the annual ad valorem tax bill for such parcels. Such service charges shall be
 9 collected and shall become due and delinquent at the same time as parish ad valorem
 10 taxes are collected and become due and delinquent. The sheriff of St. Tammany
 11 Parish may use any reasonable means to collect and enforce the collection of such
 12 service charges, including any means authorized by law for collection of taxes. The
 13 governing authority of the road lighting district shall reimburse the sheriff an amount
 14 up to eight percent of the amount of such service charges actually collected from
 15 property owners. This collection charge shall be in addition to such service charges
 16 and shall also be added to the ad valorem tax bill of the property involved.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Schroder

HB No. 749

Abstract: Provides for assessments of service charges by road lighting districts in St. Tammany Parish.

Present law provides for the creation of road lighting districts within parishes. Present law further provides for the assessment of service charges for services rendered by these districts.

Proposed law provides methods of assessment for service charges for road lighting districts in St. Tammany Parish.

Proposed law provides for assessment of charges against persons occupying structures, persons owning unoccupied structures, and against persons owning lots or undeveloped property within the district.

Proposed law provides that all assessed charges shall be equal for all customers and the proceeds of such charges shall be used to cover the cost of the following:

- (1) Payment of utility charges incurred in providing road lighting.
- (2) Maintenance and operation of the district facilities and equipment.
- (3) Collection costs of service charges, pursuant to proposed law.

Proposed law provides that the assessment of charges is subject to voter approval.

Proposed law provides for collection of the service charges or rates. The district shall have the authority to use any necessary and proper means to collect and enforce the collection, including contracting with another political subdivision within St. Tammany Parish or with a utility regulated by the La. Public Service Commission. Proposed law further provides that the district may reimburse the collecting entity up to 5% of the charges actually collected. Such charge will be in addition to the service charges.

Proposed law provides that any charges assessed against owners of undeveloped immovable property within the district shall be added to the tax rolls of the parish and shall be added to the annual ad valorem tax bill for the property. Such charges shall be collected at the same time and in the same manner as the parish ad valorem taxes are collected. Proposed law further provides that the sheriff, as tax collector, may use reasonable means to collect the service charge. The governing authority of the road lighting district shall reimburse the sheriff an amount up to 8% as a collection fee. This fee shall be in addition to the service charges collected.

(Adds R.S. 48:1309.3)