

Regular Session, 2009

HOUSE BILL NO. 283

BY REPRESENTATIVE WHITE

1 AN ACT

2 To enact R.S. 33:9097.5, relative to East Baton Rouge Parish; to create the Greenwood
3 Crime Prevention and Improvement District; to provide the boundaries of the
4 district; to provide for the governance of the district; to provide for the powers,
5 terms, and duties of the board of directors; to provide for the imposition and
6 collection of a parcel fee and for the use thereof; to provide for dissolution of the
7 district; and to provide for 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. R.S. 33:9097.5 is hereby enacted to read as follows:

13 §9097.5. Greenwood Crime Prevention and Improvement District

14 A. Creation. There is hereby created within the parish of East Baton Rouge,
15 as more specifically provided in Subsection B of this Section, a body politic and
16 corporate which shall be known as the Greenwood Crime Prevention and
17 Improvement District, hereafter in this Section referred to as the "district". The
18 district shall be a political subdivision of the state as defined in the Constitution of
19 Louisiana. The purposes of the district shall be to aid in crime prevention by
20 providing security for district residents and to serve the needs of the residents of the
21 district by funding beautification and improvements for the overall betterment of the
22 district.

23 B. Boundaries. The boundaries of the district are coterminous with the
24 boundaries of Greenwood Subdivision as established in the official subdivision plat
25 filed with the clerk of court for East Baton Rouge Parish.

1 C. Board. (1) The district shall be governed by a board of commissioners
 2 consisting of seven members as follows:

3 (a) The president of the Greenwood Civic Association, or its successor.

4 (b) Two members appointed by the board of directors of the Greenwood
 5 Civic Association, or its successor.

6 (c) One member appointed by the member or members of the Louisiana
 7 House of Representatives who represent the area which comprises the district.

8 (d) One member appointed by the member or members of the Louisiana
 9 Senate who represent the area which comprises the district.

10 (e) One member appointed by the member or members of the East Baton
 11 Rouge Parish Metro Council who represent the area which comprises the district.

12 (f) One member appointed by the mayor-president of Baton Rouge.

13 (2) All members of the board shall own immovable property within the
 14 district.

15 (3) All members of the board shall serve without compensation but may
 16 receive reimbursement for approved expenses directly related to the governance of
 17 the district.

18 (4) The domicile of the board shall be within the district.

19 (5) The board is authorized to adopt bylaws for its governance and conduct.

20 (6) The board shall hold regular meetings as provided for in its bylaws and
 21 may hold special meetings at such times and places within the district as provided
 22 in the bylaws.

23 (7) The board shall keep minutes of all meetings.

24 (8) A majority of the board shall constitute a quorum for conducting business
 25 of the board.

26 D. Terms. (1)(a) Appointed members of the board shall serve two-year
 27 terms after initial terms as provided in Subparagraph (b) of this Paragraph.

28 (b) Two members shall serve initial terms of one year, two shall serve initial
 29 terms of eighteen months, and two shall serve initial terms of two years, all as
 30 determined by lot at the first meeting of the board.

1 (2) Any board member who misses four meetings shall be disqualified and
2 removed automatically from office.

3 (3) Vacancies shall be filled in the manner of the original appointment. A
4 member shall be eligible for reappointment unless he was removed pursuant to
5 Paragraph (2) of this Subsection.

6 (4) The members of the board shall select from among themselves a
7 president and such other officers as they deem appropriate, whose responsibilities
8 shall be as provided by the bylaws of the board.

9 E. Powers and duties. The district, acting through its board of
10 commissioners, shall have the following powers and duties:

11 (1) To sue and be sued.

12 (2) To adopt, use, and alter at will a corporate seal.

13 (3) To receive and expend funds collected pursuant to Subsection F of this
14 Section and in accordance with a budget adopted as provided by Subsection G of this
15 Section.

16 (4) To enter into contracts with individuals or entities, private or public.

17 (5) To perform or have performed any function or activity the board deems
18 necessary to carry out the purposes of the district.

19 (6) To accept private grants and donations.

20 (7) To procure and maintain liability insurance against any personal or legal
21 liability of a board member that may be asserted or incurred based upon his service
22 as a member of the board or that may arise as a result of his actions taken within the
23 scope and discharge of his duties as a member of the board.

24 F. Parcel fee. The governing authority of East Baton Rouge Parish is hereby
25 authorized to impose and collect a parcel fee within the district subject to and in
26 accordance with the provisions of this Subsection:

27 (1) The amount of the fee shall be as determined by duly adopted resolution
28 of the board. The fee, however, shall not exceed one hundred twenty-five dollars per
29 parcel per year.

1 (2) The fee shall be imposed on each parcel located within the district. The
2 term "parcel" as used in this Subsection shall mean a developed or undeveloped lot.
3 The owner of the parcel shall be responsible for payment of the fee.

4 (3)(a) The fee shall be imposed only after the question of its imposition has
5 been approved by a majority of the registered voters of the district voting on the
6 proposition at an election held for that purpose in accordance with the Louisiana
7 Election Code. At least thirty days prior to any election held to approve imposition
8 of a parcel fee, the board of commissioners shall mail notification of the upcoming
9 election to each registered voter of the district and to the owner of a parcel if the
10 owner is not a registered voter of the district. No other election shall be required
11 except as provided by this Paragraph.

12 (b) The fee shall expire ten years from its initial levy but may be renewed in
13 the same manner as its imposition.

14 (4) The fee shall be collected at the same time and in the same manner as ad
15 valorem taxes are collected by the parish.

16 (5) The parish of East Baton Rouge shall collect the fee at the same time and
17 in the same manner as ad valorem taxes are collected and shall maintain the proceeds
18 of the fee collected pursuant to this Section in a separate account until such proceeds
19 are disbursed to the district.

20 (6) The parish of East Baton Rouge shall remit to the district all amounts
21 collected not more than sixty days after collection. However, the board may enter
22 into an agreement with the parish to authorize the parish to retain, as a collection fee,
23 not more than one percent of the amount collected.

24 (7) Any parcel fee which is unpaid shall be added to the tax rolls of the
25 parish and shall be enforced with the same authority and subject to the same
26 penalties and procedures as unpaid ad valorem taxes.

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

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

3 H. Dissolution. (1) The district may be dissolved after the question of its
4 dissolution has been approved by a majority of the registered voters of the district
5 voting on the proposition at a regularly scheduled election conducted in accordance
6 with the provisions of the Louisiana Election Code. The question may be placed on
7 the ballot only after it has been approved by the affirmative vote of not less than five
8 members of the board.

9 (2) If the district ceases to exist:

10 (a) All funds of the district shall be transmitted by the board to the parish of
11 East Baton Rouge within thirty days of dissolution. Such transmitted funds, together
12 with any other funds collected by the parish of East Baton Rouge pursuant to this
13 Section, shall be maintained in a separate account by the city and shall be used only
14 to promote, encourage, and enhance the security, beautification, and overall
15 betterment of the area included in the district.

16 (b) The authority for the imposition of the parcel fee provided in this Section
17 shall cease.

18 I. Miscellaneous provision. It is the purpose and intent of this Section that
19 the additional law enforcement personnel and services provided by the district shall
20 be supplemental to and not in lieu of personnel and services provided in the district
21 by the city of Baton Rouge and East Baton Rouge Parish.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____