

ACT No. 71

Regular Session, 2009

HOUSE BILL NO. 749

BY REPRESENTATIVE SCHRODER

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.

21 (2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the
22 governing authority of any road lighting district situated wholly within the
23 geographical boundaries of St. Tammany Parish may establish, by majority vote of
24 the members of the authority, a service charge or rates of service charge to be

1 assessed to persons owning parcels of undeveloped immovable property located
2 wholly or partly within the boundaries of a road lighting district as additional
3 customers of the district, subject to Subsection B of this Section.

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

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

8 (b) Maintenance and operation of road lighting district facilities and
9 equipment.

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

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

20 C. The governing authority of any road lighting district assessing a service
21 charge or rates of service charges for road lighting services to customers of the
22 district as provided in this Section shall also have the authority to use any necessary
23 and proper means to collect and enforce the collection of such service charges,
24 including contracting with another political subdivision within St. Tammany Parish
25 or a utility regulated by the Louisiana Public Service Commission to effect such
26 collection. The governing authority of the road lighting district may reimburse the
27 collecting entity an amount up to five percent of the amount of such service charges
28 actually collected from customers of the district. The collection charge shall be in
29 addition to such service charges.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____