

First Extraordinary Session, 2011

HOUSE BILL NO. 17

BY REPRESENTATIVES HUTTER AND DOWNS

CENSUS: Provides relative to provisions in Title 48 which are limited in applicability to political subdivisions or local areas meeting specified population characteristics (Item #8)

1 AN ACT

2 To amend and reenact R.S. 48:512(C), 1309.2(A)(2), and 2106(A), relative to provisions of
3 Title 48 (Roads, Bridges and Ferries) of the Louisiana Revised Statutes of 1950
4 which are limited in applicability to certain political subdivisions or local areas based
5 upon population classifications; to specify applicability to one or more political
6 subdivisions or local areas; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 48:512(C), 1309.2(A)(2), and 2106(A) are hereby amended and
9 reenacted to read as follows:

10 §512. Prohibition against closing, obstruction, or changing legal roads; restoring to
11 former condition; exceptions

12 * * *

13 C. The governing authority of a ~~parish with a population in excess of four~~
14 ~~hundred seventy-five thousand~~ Orleans Parish may authorize a person to close,
15 obstruct, or change a public road or street for a period not to exceed twelve
16 consecutive months, provided that the governing authority determines that it is for
17 a public purpose and in the best interests and for the benefit of the parish or
18 municipality, provided further that such closing shall occur only after consultation
19 with and approval by the secretary of the department, provided further that all

1 obstructions be removed therefrom and the public roads or streets be restored for use
2 by the general public at the sole expense of the person authorized to close, obstruct,
3 or change a public road or street, and provided further that the removal of
4 obstructions and the restoration of the public roads or streets be completed within the
5 period authorized by the governing authority, which period shall not exceed twelve
6 months.

7 * * *

8 §1309.2. Service charge authorized for road lighting districts

9 A.

10 * * *

11 (2) In Ward 8 of ~~any parish having a population between one hundred~~
12 ~~ninety-one thousand and two hundred twenty thousand persons according to the most~~
13 ~~recent federal decennial census~~ St Tammany Parish, only one service charge shall
14 be assessed to any person occupying a residential or nonresidential structure on two
15 or more contiguous lots, subdivided portions of ground, or individual tracts having
16 the same owner, or to the owner of two or more contiguous lots, subdivided portions
17 of ground, or individual tracts having the same owner, on which an unoccupied
18 structure or no structure is located.

19 * * *

20 §2106. Membership requirements

21 A. The board of directors for each expressway commission with boundaries
22 and jurisdiction which are coterminous with ~~parishes having a population between~~
23 ~~one hundred eighty-five thousand and one hundred ninety-one thousand, according~~
24 ~~to the latest federal decennial census~~ Lafayette Parish, shall include one director
25 from an adjacent parish having a population between seventy thousand and seventy-
26 five thousand Iberia Parish and one director from an adjacent parish having a
27 population between fifty-three thousand eight hundred and fifty-five thousand,
28 according to the latest federal decennial census Vermilion Parish.

29 * * *

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)]

Hutter

HB No. 17

Abstract: Updates applicability of provisions of Title 48 as a result of the 2010 census.

Proposed law, contained in Title 48 (Roads, Bridges and Ferries) of the Louisiana Revised Statutes of 1950, legislates with regard to classifications of parishes, municipalities, or other political subdivisions or local areas according to population by enacting local bills to limit the application of laws based upon specific classifications to one or more parishes, municipalities, or other political subdivisions or local areas, by adjusting the population ranges affected by the 2010 census, and by repealing certain provisions based upon certain population classification ranges, as follows:

CITATION/ TOPIC	EXISTING LAW	AFFECTED LOCATIONS	PROPOSED LAW
R.S. 48:512(C) - Prohibitions against closing, obstruction, or changing legal roads	The governing authority of a parish with a population of 475,000+	Orleans Parish (1990, 2000 census)	Orleans Parish
R.S. 48:1309.2(A)(2) - Service charge authorized for road lighting districts	In ward 8 of any parish having a population of 191,000 - 220,000	St. Tammany Parish (2000 census)	St. Tammany Parish
R.S. 48:2106(A) – Membership requirements on an expressway commission	Parishes with a population of (a) 185,000 - 191,000 to include director from parishes with a population of (b) 70,000 and (c) 53,800 - 55,000	(a) Lafayette Parish, (b) Iberia Parish, and (c) Vermilion Parish (all 2000 census)	Lafayette Parish, Iberia Parish, and Vermilion Parish

(Amends R.S. 48:512(C), 1309.2(A)(2), and 2106(A))