

Regular Session, 2013

SENATE BILL NO. 20

BY SENATOR ALLAIN

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

LOCAL FINANCE. Provides certain requirements for meetings at which consideration of or action upon proposals by political subdivisions to levy, increase, renew, or continue property or sales taxes, or authorize the calling of an election for submittal of such question to voters are scheduled. (8/1/13)

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AN ACT

To amend and reenact R.S. 42:19 and to enact R.S. 42:19.1, relative to political subdivisions; to provide publication and other requirements prior to consideration of and action upon certain matters at meetings of political subdivisions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 42:19 is hereby amended and reenacted and R.S. 42:19.1 is hereby enacted to read as follows:

§19. Notice of meetings

A.(1) \* \* \*

(b)(i) **Except as provided for in R.S. 42:19.1,** All public bodies, except the legislature and its committees and subcommittees, shall give written public notice of any regular, special, or rescheduled meeting no later than twenty-four hours before the meeting.

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**§19.1. Procedure for the levy, increase, renewal, or continuation of a tax or for authorizing the issuance of bonds, or calling an election for such**

1                    purposes by political subdivisions

2                    A.(1) In addition to any other requirements provided for in R.S. 42:19  
3                    or other provisions of law, public notice of the date, time, and place of any  
4                    meeting at which any political subdivision as defined in Article VI, Section 44(2)  
5                    of the Constitution of Louisiana intends to levy, increase, renew, or continue any  
6                    ad valorem property tax or sales and use tax or authorize the calling of an  
7                    election for submittal of such question to the voters of the political subdivision  
8                    shall be both published in the official journal of the political subdivision no  
9                    more than sixty days nor less than thirty days before such public meeting and  
10                   shall be announced to the public during the course of a public meeting of such  
11                   political subdivision no more than sixty days nor less than thirty days before  
12                   such public meeting.

13                   (2)(a) In the event of cancellation or postponement of a meeting at which  
14                   consideration of or action upon a proposal to levy, increase, renew, or continue  
15                   any ad valorem or sales and use tax or authorize the calling of an election for  
16                   submittal of such questions to the voters of the political subdivision was  
17                   scheduled, notice of the date, time, and place of any subsequent meeting to  
18                   consider such proposal shall be published in the official journal of the political  
19                   subdivision no less than ten days before such subsequent meeting.

20                   (b) However, in the event that consideration of or action upon any such  
21                   proposal was postponed at the scheduled meeting, or any such proposal was  
22                   considered at the scheduled meeting without action or vote, then any subsequent  
23                   meeting to consider such proposal shall be subject to the requirements of  
24                   Subparagraph (a) of this Paragraph unless the date, time, and place of a  
25                   subsequent meeting for consideration of such proposal is announced to the  
26                   public during the course of such meeting.

27                   B. The provisions of this Section shall not apply to any consideration of  
28                   or action upon a proposal to levy additional or increased ad valorem property  
29                   tax millages on property without voter approval to which the provisions of R.S.

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**47:1705(B)(2)(c) and (d) apply.**

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Riley Boudreaux.

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## DIGEST

Present law requires all public bodies, except the legislature and its committees and subcommittees, to give written public notice of any regular, special, or rescheduled meeting no later than 24 hours before the meeting.

Present constitution defines "political subdivision" as a parish, municipality, and any other unit of local government, including a school board and a special district, which is authorized by law to perform governmental functions.

Proposed law, in addition to other requirements of the Open Meetings Law, requires public notice of the date, time, and place and of any meeting at which any political subdivision as defined in Const. Art. VI, Sec. 44(2) (above) intends to consider or take action to (1) levy, increase, renew, or continue any ad valorem property tax or sales and use tax or (2) authorize the calling of an election for submittal of such question to the voters of the political subdivision, to be both published in the official journal of the political subdivision no more than 60 days nor less than 30 days before the public hearing and to be announced to the public during the course of a public meeting of such political subdivision during that time period.

Proposed law provides that in the event of cancellation or postponement of such a meeting, notice of any subsequent meeting to consider such proposal must be published in the official journal of the political subdivision no less than 10 days before the subsequent meeting.

However, in the event that consideration of or action upon the proposal was postponed at the scheduled meeting, or the proposal was considered at the scheduled meeting without action or vote, then any subsequent meeting to consider the proposal must be published 10 days before the subsequent meeting unless the date, time, and place of the subsequent meeting for consideration of the proposal is announced to the public during the course of such meeting.

Present law imposes certain publication requirements on ad valorem property tax recipient bodies which hold public hearings for the purpose of levying additional or increased property tax millages on property without further voter approval.

Proposed law excludes such public meetings from the provisions of the proposed law.

Effective August 1, 2013.

(Amends R.S. 42:19; adds R.S. 42:19.1)