

2017 Regular Session

SENATE BILL NO. 218

BY SENATOR APPEL

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

LOCAL AGENCIES. Prohibits a governing authority from entering certain agreements without specific approval by ordinance of all affected governing authorities. (gov sig)

1 AN ACT

2 To enact R.S. 33:9683, relative to political subdivisions of the state; to prohibit a local

3 governing authority from engaging in certain acts; to provide for exceptions; and to

4 provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 33:9683 is hereby enacted to read as follows:

7 **§9683. Prohibited activities**

8 **A. Notwithstanding any provisions of law to the contrary, no governing**

9 **authority of any political subdivision of the state which operates, controls, owns,**

10 **or maintains property or facilities that provide services in multiple parishes**

11 **shall enter into any agreement to assign, transfer and deliver, sell, lease,**

12 **contract for management of, or any other transaction or agreement involving**

13 **the property or facilities without the specific approval by ordinance of all the**

14 **governing authorities where the property or facilities are located, operate in, or**

15 **provide service.**

16 **B. The provisions of Subsection A of this Section shall supersede and**

17 **preempt any home rule charter provision inconsistent with or in conflict with**

1 **the provisions of Subsection A of this Section.**

2 **C. The provisions of this Section shall not apply to the governing**
 3 **authority of any public port or public airport or any flood control or coastal**
 4 **restoration agency, authority, or board.**

5 Section 2. This Act shall become effective upon signature by the governor or, if not
 6 signed by the governor, upon expiration of the time for bills to become law without signature
 7 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 8 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 9 effective on the day following such approval.

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

DIGEST

SB 218 Original

2017 Regular Session

Appel

Proposed law prohibits the governing authority of any political subdivision of the state which operates, controls, owns, or maintains property or facilities that provide services in multiple parishes from entering into any agreement to assign, transfer and deliver, sell, lease, contract for management of, or any other transaction or agreement involving the property or facilities without the specific approval by ordinance of all the governing authorities where the property or facilities are located, operate, or provide service.

Proposed law provides that it shall supercede and preempt any home rule charter provision not consistent with or in conflict with proposed law.

Proposed law exempts public port authorities, public airport authorities, flood control or coastal restoration agency, authority, or board.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Adds R.S. 33:9683)