

RÉSUMÉ DIGEST

ACT 488 (SB 496)

2018 Regular Session

Ward

New law creates the Capital Area Road and Bridge District as a political subdivision of the state comprised of the territory in East Baton Rouge, Ascension, Livingston, Iberville, and West Baton Rouge parishes to finance road and bridge projects including a new bridge over the Mississippi River.

Provides that the management and control of the district shall be vested in a board of commissioners composed of seven members, including the secretary of the Dept. of Transportation and Development (DOTD) or his designee, the president of each of the parishes in the district or their designees, and one gubernatorial appointee who shall be a resident of the district and serve at the pleasure of the governor.

Requires the members to serve without compensation, except the compensation to which they may be individually entitled as a member or employee of their respective agency. Further provides members may be reimbursed for actual expenses incurred and may receive a mileage allowance fixed by the board.

Provides for meetings of the board, the selection of officers, and quorums.

Provides for the powers of the district, which include the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To initiate or coordinate research, studies, and gathering of information on the road and bridge projects.
- (4) To be designated an official depository for information relating to and about the road and bridge projects.
- (5) To receive money from any public or private body which may desire to appropriate or donate such funds to be used to defray the expenses of the district.
- (6) To procure from the DOTD, with the consent of its secretary, or from outside service providers any service or portion of services necessary to fulfill the duties and obligations of the board or the district.
- (7) To enter into contracts and agreements and execute all instruments necessary or convenient thereto for accomplishing the purposes of the district.

Authorizes the commission to apply for and accept grants or contributions, property, or other things of value.

Authorizes the hiring of certain professional or scientific or other experts as the commission deems necessary.

Authorizes the district to create subdistricts which have the same powers as the district itself.

For the bridge constructed pursuant to new law, authorizes the district to impose and collect tolls in accordance with prior law that authorized parishes to issue bonds secured by toll revenue.

Provides that the levy of any tax, the imposition of a parcel fee, and the issuance of bonds is subject to approval of the voters in each parish comprising the district.

Prohibits submission of a tax or bond proposition to the voters that does not provide funding for a new bridge over the Mississippi River and connecting infrastructure.

Regarding financing of road and bridge projects, authorizes the district to:

- (1) Levy ad valorem taxes.

- (2) Impose a parcel fee not to exceed an annual fee of \$500 per parcel.
- (3) Levy a sales and use tax not to exceed 1%.
- (4) Issue bonds secured by ad valorem and sales and use taxes.

Authorizes use of district revenue for costs related to the transportation infrastructure projects that the district is authorized to undertake. Such related costs include:

- (1) Costs of studies, surveys, development of plans and specifications, preparation, implementation and administration, personnel and professional services costs for architectural, engineering, legal, marketing, financial, planning, police, fire, public works or other services incurred by the district directly or on behalf of the district. Prohibits basing charges for professional services on a percentage of tax revenues.
- (2) Property acquisition and assembly costs, including acquisition of land and other immovable or movable property or rights or interests therein.
- (3) On- and off-site preparation costs, including clearance of any area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading and including without limitation installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public improvements.
- (4) Costs of renovation, rehabilitation, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures.
- (5) Costs of construction of public improvements, including but not limited to buildings, structures, works, utilities, or fixtures.
- (6) Financing costs of the district, including all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations which accrues during the estimated period of construction for which such obligations are issued and thereafter, and any reasonable reserves related to the issuance of such obligations.

Provides that the commission shall have the advice and service of DOTD.

Further provides that the district is permitted to use alternative competitive procurement and delivery methods for the award of any contracts for a major project.

Effective upon signature of governor (May 25, 2018).

(Adds R.S. 48:771-780)