

2025 Regular Session

HOUSE BILL NO. 649

BY REPRESENTATIVE VENTRELLA

DISTRICTS/RECREATION: Provides relative to parks and recreation districts in East Baton Rouge Parish

1 AN ACT

2 To amend and reenact R.S. 33:4570, 4570.2, and 4570.4(B) and to enact R.S. 33:4570.7,
3 relative to East Baton Rouge Parish; to provide relative to park and recreation
4 facilities within the parish; to provide relative to the Recreation and Park
5 Commission for the parish of East Baton Rouge; to provide relative to the boundaries
6 and powers and duties of the commission; to exclude certain territory and property
7 from the jurisdiction of the commission; to provide for the creation of a recreation
8 district in the city of Central; to provide relative to the boundaries, purpose,
9 governance, and powers and duties of the district; to provide for district funding; to
10 include certain territory and property within the jurisdiction of the district; to provide
11 for an effective date; and to provide for related matters.

12 Notice of intention to introduce this Act has been published
13 as provided by Article III, Section 13 of the Constitution of
14 Louisiana.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 33:4570, 4570.2, and 4570.4(B) are hereby amended and reenacted
17 and R.S. 33:4570.7 is hereby enacted to read as follows:

§4570. The Recreation and Park Commission for the Parish of East Baton Rouge;
creation

There is hereby created the Recreation and Park Commission for the Parish of East Baton Rouge, whose authority shall extend to the whole parish, inclusive of the territorial limits of the city of Baton Rouge and exclusive of the district as provided in R.S. 33:4570.7, as those limits are now or may hereafter be fixed and determined.

* * *

§4570.2. Legal status; rights and privileges

The commission is the legal successor of the Baton Rouge Parish and Municipal Recreation Commission for the Parish of East Baton Rouge, and succeeds to all of the rights and obligations of the said late recreation commission, and to the ownership of all of the property, movable or immovable, tangible or intangible, owned by the said late recreation commission, and to all of the rights, privileges, and concessions of every kind and nature invested in and exercised by the said late recreation commission, by the city of Baton Rouge, or the parish of East Baton Rouge, except as provided in R.S. 33:4570.7. The commission has the right to own and administer in the public welfare, and for public recreational and park purposes, the leases, concessions, rights, and privileges heretofore granted by the late commission council of the city of Baton Rouge, and the late police jury of the parish of East Baton Rouge to the said late recreation commission and to develop and expand upon these leases, concessions, rights, and privileges.

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§4570.4. Corporate status; bonds; taxes; collections

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B. In addition to the foregoing, and in accordance with the provisions of Article VI, Section 32 of the Constitution of Louisiana and any other applicable provisions of the constitution and laws of the state, the commission may impose and collect from year to year taxes upon all of the taxable property carried on the

assessment roles of the parish of East Baton Rouge, except for the property contained within the boundaries of the recreation district created pursuant to, and except as provided in, R.S. 33:4570.7, which in the aggregate and exclusive of any taxes levied to pay debt service on bonds of the commission shall not exceed eighteen mills on the dollar of assessed value as the commission shall determine and the proceeds of any such tax shall be used in acquiring, developing, maintaining, and operating the public parks and recreational properties and facilities of the commission and in making available funds for the operating budget.

* * *

§4570.7. Central Recreation District; creation; boundaries; objects and purposes;
governing authority; powers

A. Creation. There is hereby created a body politic and corporate which shall be known as the Central Recreation District, referred to in this Section as the "district". The district shall be a political subdivision of the state as defined in the Constitution of Louisiana.

B. Boundaries. The boundaries of the district shall be coterminous with boundaries of the city of Central.

C. Purpose. The district is established for the purpose of planning, developing, and operating public park and recreational properties and facilities in the district and administering programs and activities that promote recreation and the general health and well-being of citizens.

D. Governance. (1) The district shall be governed by a board of
commissioners, referred to in this Section as the "board", composed as follows:

(a) The mayor of the city of Central.

(b) The members of the governing authority of the city of Central.

(c) The member of the Louisiana House of Representatives whose district encompasses all or the greater portion of the area of the district shall appoint one member.

1 (2)(a) The members serving pursuant to Subparagraphs (1)(a) and (b) of this
2 Subsection shall serve during their terms of office.

3 (b) The member serving pursuant to Subparagraph (1)(c) of this Subsection
4 shall serve a term concurrent with the appointing authority.

5 (3) The board shall elect from its members a chairman, a vice chairman, a
6 secretary-treasurer, and other such officers as it may deem necessary. The duties of
7 the officers shall be fixed by the bylaws adopted by the board.

8 (4) The minute books and archives of the district shall be maintained by the
9 secretary-treasurer of the board. The monies, funds, and accounts of the district shall
10 be in the official custody of the board.

11 (5) Members of the board shall each receive a per diem of seventy-five
12 dollars for each meeting they attend, not to exceed twelve meetings per year. Such
13 per diem shall be paid out of the funds of the district.

14 E. Powers. The district shall have all powers necessary or convenient to
15 effectuate the purposes of the district, including but not limited to the following
16 rights and powers:

17 (1) To acquire, purchase, lease as lessee, and hold and use any property, real,
18 personal or mixed, tangible or intangible, or any interest therein necessary or
19 desirable for effectuating its purposes, and to sell, transfer, lease as lessor, and
20 dispose of any property or interest therein at any time acquired by the district.

21 (2)(a) To acquire by purchase, donation, expropriation, lease, or otherwise,
22 to construct, improve, maintain, and operate park and recreational facilities, and to
23 administer programs which it considers necessary to effectuate the purposes of the
24 district.

25 (b) For the purpose of acquiring and developing land and other property as
26 public park areas or for public recreational purposes, the board may expropriate
27 property in the same manner and by the same proceedings and under the same
28 limitations invested in and imposed by law on railroads and other quasi-public
29 corporations.

1 (3) To enter into agreements with any person or persons, corporation,
2 association, or other entity, including public corporations, political subdivisions, the
3 United States government and agencies thereof, the state of Louisiana or any of its
4 agencies, or any combination thereof for the operation of any or all park and
5 recreation properties and facilities.

6 (4) To enter into contracts with any public or private entity in carrying out
7 its purposes, including but not limited to contracts for construction or acquisition of
8 property and facilities incident to the purposes of the district.

9 (5) To fix, collect, and revise rates, charges, and rentals for parks, facilities,
10 and services as necessary.

11 (6) To adopt bylaws for the management and regulation of its affairs and for
12 the regulation and control of recreational and park facilities within its jurisdiction.

13 (7) To cooperate and contract with the government of the United States or
14 any department or agency thereof and with the state of Louisiana or any department,
15 agency, or political subdivision thereof and to accept gifts, grants, and donations or
16 property and money therefrom.

17 (8) To cooperate with the state of Louisiana or any political subdivision,
18 department, agency, or corporation of the state for the construction, operation, and
19 maintenance of facilities designed to accomplish the purposes for which the district
20 is created on any basis, including the matching of funds, and by participating in
21 projects authorized by federal or state law as it shall see fit.

22 (9) To borrow money and to pledge or grant a security device affecting all
23 or part of its revenues, leases, rents, and other advantages as security for such loans.

24 (10)(a) For the 2025 through 2030 tax years, to levy and collect annually an
25 ad valorem tax not to exceed twelve mills on the dollar of assessed valuation on all
26 property within the district subject to ad valorem taxes in accordance with Article VI,
27 Section 30 of the Constitution of Louisiana. The maximum assessment shall be
28 inclusive of the ad valorem taxes currently levied by the Recreation and Park
29 Commission for the Parish of East Baton Rouge pursuant to R.S. 33:4570.4 on

1 properties located within the geographic boundaries of the district for which the
2 avails are pledged as security for bonded indebtedness. Any new assessment or
3 renewal of a current assessment in accordance with Article VI, Section 30 of the
4 Constitution of Louisiana shall be subject to approval by a majority of the electors
5 of the district voting on the proposition at an election called by the board and held
6 for that purpose.

7 (b) To levy and collect annually, beginning with the 2031 tax year or
8 thereafter, an ad valorem tax on all property within the district subject to ad valorem
9 taxes in accordance with Article VI, Section 32 of the Constitution of Louisiana,
10 subject to approval by a majority of the electors of the district voting on the
11 proposition at an election called by the board and held for that purpose. The rate and
12 duration of the tax shall be as specified in the ballot proposition authorizing the levy
13 of such tax.

14 (c) Any taxes authorized pursuant to this Paragraph shall be collected in the
15 same manner as other ad valorem taxes. The avails of any such tax shall be used
16 solely for acquisition, construction, improvement, maintenance, and operation of
17 park and recreational facilities or improvements and any legacy costs associated with
18 the transition.

19 (11) To issue bonds for the purpose of constructing, acquiring, improving,
20 maintaining, or extending park and recreational facilities of the district pursuant to
21 Article VI, Section 33 of the Constitution of Louisiana and other constitutional and
22 statutory authority supplemental thereto. Such bonds may be issued only after
23 authorization by a majority of voters in the district voting on the proposition at an
24 election called by the board and held for that purpose.

25 F. Transition. (1) Effective July 1, 2025, the board acting on behalf of the
26 district shall be granted the powers provided in Subsection E of this Section.
27 Beginning on such date, the commission shall no longer have the authority to levy
28 and collect any taxes within the geographic boundaries of the district except any ad
29 valorem taxes or portion thereof which avails are pledged as security for bonded

1 indebtedness. The authority of the commission to levy and collect such taxes
2 pursuant to this Paragraph shall expire at the time and for the year in which the
3 indebtedness is paid off.

4 (2) The commission shall receive all ad valorem taxes levied pursuant to
5 R.S. 33:4570.4 and collected on properties located within the geographic boundaries
6 of the district through June 30, 2025. Beginning on July 1, 2025, and thereafter, the
7 tax collector shall remit all ad valorem taxes levied pursuant to Paragraph (E)(10) of
8 this Section and collected on properties located within the geographic boundaries of
9 the district, including delinquent payments, to the district, except as required to be
10 remitted to the commission pursuant to Paragraph (1) of this Subsection.

11 (3) The district shall begin the actual operation of public park and recreation
12 properties and facilities within its jurisdiction on July 1, 2025.

13 (4) Beginning on the date the district begins such operation and thereafter,
14 all lands, buildings, improvements, facilities, and equipment and other property
15 having title vested in the public and subject to management, administration, and
16 control by the commission pursuant to R.S. 33:4570 through 4570.4 but located
17 within the geographic boundaries of the district shall be subject to management,
18 administration, and control of the district.

19 (5) The commission shall work cooperatively with the district to effect the
20 transfer of buildings, other facilities, assets, and equipment related to the facilities
21 and assets located within the geographic boundaries of the district in an efficient and
22 expeditious manner.

23 (6) Effective July 1, 2025, the commission shall provide the district with
24 immediate and complete access to:

25 (a) All buildings and facilities within the district. Such access shall include
26 making the buildings and facilities to be transferred available, free of charge, to the
27 district.

1 (b) All records including but not limited to maintenance, insurance, and
2 warranty records associated with properties and other assets, including movables, to
3 be transferred to the district.

4 (c) All financial records associated with buildings, facilities, and other assets
5 to be transferred to the district, including those related to building maintenance,
6 taxes, insurance, and indebtedness.

7 (d) The commission shall not:

8 (i) Interfere, or impede in any way, with the processes to transfer the
9 buildings and other facilities, property, equipment, and all other assets related to
10 those items located within the geographical boundaries of the district to the district.

11 (ii) Sell, transfer, or otherwise remove any asset or thing of value, movable
12 or immovable, corporeal or incorporeal, attributable to the properties and equipment
13 to be transferred to the district prior to such transfer.

14 (iii) Incur, transfer, or assign any debt or other responsibility or obligation
15 to properties to be transferred to the district that is not properly attributable to such
16 properties.

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

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)]

HB 649 Original

2025 Regular Session

Ventrella

Abstract: Provides for park and recreation districts in East Baton Rouge Parish.

Present law creates the Recreation and Park Commission for the Parish of East Baton Rouge (commission). Proposed law retains present law.

Present law provides that the commission's authority extends to the whole parish, inclusive of the territorial limits of the city of Baton Rouge.

Proposed law excludes the areas within the boundaries of the Central Recreation District created pursuant to proposed law.

Present law provides that the commission is the legal successor of the Baton Rouge Parish and Municipal Recreation Commission for the parish of East Baton Rouge, and succeeds to all of the rights and obligations of such recreation commission, and to the ownership of all of the property, movable or immovable, tangible or intangible, owned by such former recreation commission, and to all of the rights, privileges, and concessions of every kind and nature invested in and exercised by such recreation commission, by the city of Baton Rouge, or the parish of East Baton Rouge.

Proposed law retains present law but excepts the assets and authority in the geographic areas of the Central Recreation District created pursuant to proposed law.

Present law authorizes the commission to impose and collect from year to year taxes upon all of the taxable property carried on the assessment rolls of East Baton Rouge Parish.

Proposed law excepts the property within the boundaries of the Central Recreation District created pursuant to proposed law from the commission's taxing authority.

Proposed law creates the Central Recreation District as a body politic and corporate and political subdivision with boundaries coterminous with the boundaries of the city. Provides that the purpose of the district is to plan, develop, and operate the public park and recreational properties and facilities in the district and to administer programs and activities that promote recreation and the general health and well-being of citizens.

Proposed law provides that the district is governed by a board of commissioners composed as follows:

- (1) The mayor of the city of Central.
- (2) The members of the governing authority of the city of Central.
- (3) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.

Proposed law provides that board members receive a \$75 per diem for each meeting they attend, not to exceed 12 meetings per year, and that the per diem is paid out of district funds.

Proposed law provides for the district's powers and duties, including but not limited to the following:

- (1) To acquire, purchase, lease as lessee, and hold and use any property, real, personal or mixed, tangible or intangible, or any interest therein necessary or desirable for its purposes, and to sell, transfer, lease as lessor, and dispose of any property or interest therein.
- (2) To acquire by purchase, donation, expropriation, lease, or otherwise and to construct, improve, maintain, and operate park and recreational facilities and to administer programs which it considers necessary to effectuate the district purposes.
- (3) To enter into agreements with any person or persons, corporation, association, or other entity, including public corporations, political subdivisions, the U.S. government and agencies thereof, the state or any of its agencies, or any combination thereof for the operation of park and recreation properties and facilities.
- (4) To fix, collect, and revise rates, charges, and rentals for parks facilities and services as necessary.

- (5) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for the loans.
- (6) To issue bonds for the purpose of constructing, acquiring, improving, maintaining, or extending park and recreational facilities of the district, subject to voter approval.

Proposed law regarding the Central Recreation District provides that:

- (1) The board has the authority for the 2025 through 2030 tax years, to levy and collect annually an ad valorem tax not to exceed 12 mills on the dollar of assessed valuation on all property within the district. Provides that the maximum assessment is inclusive of the ad valorem taxes currently levied by the commission on properties located within the geographic boundaries of the district for which the avails are pledged as security for bonded indebtedness. Provides that any new assessment or renewal of a current assessment is subject to voter approval. Provides that beginning with the 2031 tax year and thereafter, an ad valorem tax may be levied and collected, subject to voter approval. Provides that the avails of the taxes are to be used solely for acquisition, construction, improvement, maintenance, and operation of park and recreational facilities or improvements and any legacy costs associated with the transition.
- (2) Effective July 1, 2025, the board acting on behalf of the district is granted the powers provided in proposed law. Specifically provides that as of July 1, 2025, the commission no longer has the authority to levy and collect any taxes within the geographic boundaries of the district except any ad valorem taxes or portion thereof which avails were pledged as security for bonded indebtedness and that the authority of the commission expires at the time and for the year in which the indebtedness is paid off.
- (3) The commission receives all ad valorem taxes levied and collected on properties located within the geographic boundaries of the district through June 30, 2025. Provides that beginning on July 1, 2025, and thereafter, the tax collector remits all ad valorem taxes levied and collected on properties located within the geographic boundaries of the district, including delinquent payments, to the district, except amounts required to be remitted to the commission for bonded indebtedness.
- (4) The district begins the actual operation of public park and recreation properties and facilities within its jurisdiction on July 1, 2025. Provides that beginning on the date the district begins such operation and thereafter, all lands, buildings, and improvements, facilities, and equipment and other property having title vested in the public and subject to management, administration, and control by the commission but located within the geographic boundaries of the district are subject to management, administration, and control of the district. Requires the commission to work cooperatively to transfer buildings, other facilities, assets, and equipment related to the facilities and assets located within the geographic boundaries of the district in an efficient and expeditious manner.
- (5) Effective July 1, 2025, the commission shall provide the districts with immediate and complete access to:
 - (a) All buildings and facilities within the district.
 - (b) All records including but not limited to maintenance, insurance, and warranty records associated with properties and other assets, including movables, to be transferred.

- (c) All financial records associated with building, facilities, and other assets to be transferred, including those related to building maintenance, taxes, insurance, and indebtedness.
- (6) The commission is prohibited from:
 - (a) Interfering, or impeding in any way, with the processes to transfer the buildings and other facilities, property, equipment, and all other assets related to those items located within the geographical boundaries of the new district.
 - (b) Selling, transferring, or otherwise removing any asset or thing of value, movable or immovable, corporeal or incorporeal, attributable to the properties and equipment to be transferred to the new district.
 - (c) Incurring, transferring, or assigning any debt or other responsibility or obligation to properties to be transferred to the new district that is not properly attributable to those properties.

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

(Amends R.S. 33:4570, 4570.2 and 4570.4(B); Adds R.S. 33:4570.7)