

2025 Regular Session

HOUSE BILL NO. 298

BY REPRESENTATIVE KNOX

DISTRICTS/SPECIAL: Provides relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority

AN ACT

To amend and reenact R.S. 33:4710.11(A) and (D), 4710.13(3), (7), (8), and (13), 4710.15.1(A), 4710.15.2(A), 4710.16, 4710.17(A), 4710.17.1(A) and (D), 4710.24(A), (B)(1), (C)(1), and (F), 4710.25(A), 4710.26(B), 4710.28(A)(introductory paragraph), (1), and (2), and 4710.29 and to repeal R.S. 33:4710.14, 4710.15(B)(5), 4710.15.1(B)(4), 4710.15.2(B)(5), 4710.23(A)(4) and (B)(4), 4710.24(E), 4710.25(D), 4710.26(C), and 4710.30, relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority; to provide relative to the powers and duties of the authority; to provide for an effective date; and to provide for related matters.

Notice of intention to introduce this Act has been published

as provided by Article III, Section 13 of the Constitution of

Louisiana.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:4710.11(A) and (D), 4710.13(3), (7), (8), and (13), 4710.15.1(A), 4710.15.2(A), 4710.16, 4710.17(A), 4710.17.1(A) and (D), 4710.24(A), (B)(1), (C)(1), and (F), 4710.25(A), 4710.26(B), 4710.28(A)(introductory paragraph), (1), and (2), and 4710.29 are hereby amended and reenacted to read as follows:

§4710.11. Creation

A. There is hereby created the Ernest N. Morial-New Orleans Exhibition Hall Authority, hereafter in this Chapter referred to as the "authority", which is created as a body politic and corporate and political subdivision of the state. The territorial limits and territorial jurisdiction of the authority shall be the entire parish of Orleans, including but not limited to the Ernest N. Morial Convention Center-New Orleans, referred to in this Chapter as the "convention center".

* * *

D.(1) As used in this Chapter, the word "project" or "projects" means one or more of any combination of convention, exhibition, and tourist facilities, including a convention center hotel with a multi-story parking garage and bridge connecting the hotel and the south end of the convention center, the "Convention Center Headquarters Hotel Project", and the necessary land, acquired by lease or purchase, site improvements, infrastructure, furnishings, machinery, equipment, and appurtenances for any such facility has the meaning provided in R.S. 33:4710.24.

~~(2) The authority may utilize its tax revenues, other income, and other revenues for the costs of the design, development, construction, furnishing, and equipping of the Convention Center Headquarters Hotel Project, as provided in and pursuant to any contract described in this Section or as provided in and pursuant to a cooperative endeavor agreement.~~

(3)(2) Any lease with respect to the Convention Center Headquarters Hotel Project, which means a convention center hotel with a multi-story garage and bridge connecting the hotel and the south end of the convention center, shall provide for a payment in lieu of ad valorem taxes by the lessee thereof during the term of such lease; such payment shall be calculated based on the number of rooms in the Convention Center Headquarters Hotel Project, multiplied by the average per-room tax assessment for the prior year of the three hotels that have the highest number of rooms, that are not the subject of any ad valorem tax exemption, abatement, or other reduction, and that are located within the area of downtown New Orleans bounded

1 on the east by Iberville Street, on the west by Calliope Street, on the north by
2 Claiborne Avenue, and on the south by the Mississippi River, the "base rate". Such
3 payments shall be in the amounts as follows:

4 (a) Beginning in the first calendar year after the hotel is open to the public,
5 a payment equal to forty-five percent of the base rate.

6 (b) In the second calendar year after the hotel is open to the public, a
7 payment equal to sixty-five percent of the base rate.

8 (c) In the third calendar year after the hotel is open to the public, a payment
9 equal to eighty-five percent of the base rate.

10 (d) In the fourth calendar year after the hotel is open to the public and
11 thereafter, a payment equal to one hundred percent of the base rate.

12 ~~(4)~~(3) In connection with any development by the authority, other than with
13 respect to the Convention Center Headquarters Hotel Project, that constitutes or
14 includes a joint project involving a private entity, whether through a lease or other
15 public-private partnership structure, on land owned by the authority or any other tax
16 exempt entity, the authority shall use reasonable efforts to require, in the contract of
17 lease or other agreement, that the private entity pay ad valorem taxes on any
18 improvements constructed in connection with such development and a payment for
19 the applicable property calculated and paid as set forth in this Paragraph. However,
20 in the absence of provision for such payment, the contract of lease or other
21 agreement shall provide for an annual payment in lieu of ad valorem taxes by the
22 private entity during the term of such lease or other agreement, such payment to be
23 in an amount equal to the amount of ad valorem taxes which the private entity would
24 have been obligated to pay had it been the owner of the property and improvements
25 during the term of such lease or other agreement. The amount of each annual
26 payment in lieu of taxes shall be the applicable ad valorem tax rate applied against
27 the assessed value of the property and improvements, as determined by the parish
28 assessor; however, if the parish assessor fails or refuses to determine the assessed
29 value of the property and improvements, the amount of each annual payment in lieu

1 of taxes shall be the applicable ad valorem tax rate applied against the appraised
2 value of the property and improvements, as determined by a Member Appraisal
3 Institute appraiser retained by the authority.

4 ~~(5)~~(4) Any payment in lieu of ad valorem taxes as provided by this
5 Subsection shall be paid to the local taxing authorities, through the normal collecting
6 agency, and, to the extent they do not in the aggregate exceed the amount of ad
7 valorem taxes that would be paid if the lessee were the owner, shall constitute
8 statutory impositions within the meaning of ~~R.S. 47:2128~~ Title 47 of the Louisiana
9 Revised Statutes of 1950.

10 * * *

11 §4710.13. Powers and duties

12 The authority shall have all the powers and authority necessary or convenient
13 to carry out the purposes of this Chapter including but not limited to the following
14 powers and authority:

15 * * *

16 (3) To acquire, whether by sale, exchange, lease, or otherwise, title to or
17 rights and interests in immovable property within the parish of Orleans, including
18 leasehold interests, required to implement the purposes of this Chapter. In
19 connection with any exchange of property in which the authority may engage, the
20 property acquired by the authority and the property given up by the authority shall
21 each have a value to the authority that is approximately equal, with any difference
22 to be paid in cash. The term "value to the authority" shall include any and all factors
23 reflecting a benefit to the authority and shall include without limitation proximity of
24 a property to other property owned by the authority, increased efficiency of
25 operations of the authority afforded by a property, the economic growth and
26 development resulting from such exchange, and resolution of any claims against or
27 potential liabilities of the authority achieved by any aspect of the exchange. Any

1 property that is acquired or owned by the authority is hereby declared to be public
2 property used for public purposes and shall be exempt from all ad valorem taxes.

3 * * *

4 (7) To incur debt and issue bonds or other obligations for the purpose of the
5 authority in the manner provided by this Chapter, or other applicable law.

6 (8) To pledge to the payment of its bonds or other obligations and interest
7 thereon the avails or proceeds of the hotel occupancy taxes authorized by this
8 Chapter and other income and revenues of the authority derived from any source,
9 including without limitation any and all taxes, fees, and charges authorized by this
10 Chapter and revenues derived from one or more projects ~~or expansion projects~~ and
11 leases and agreements securing the payment of bonds.

12 * * *

13 (13) Except as limited by the terms and conditions of the lease covering and
14 affecting the Poydras Street Wharf, to lease or sublease to or from any person, firm,
15 or corporation, public or private, all or any part of any project upon such terms and
16 conditions and for such term of years, not in excess of ~~sixty~~ ninety-nine years, as the
17 board deems advisable to carry out the provisions of this Chapter and to provide, if
18 deemed advisable by the board, for an option to purchase or otherwise lawfully
19 acquire such project upon the terms and conditions therein specified. Any lease or
20 sublease, or both, of the authority to an exhibition or convention user or to facilitate
21 the private development and funding of lodging facilities, including any assignments
22 thereof, any lease or sublease or extension or renewal thereof, including any
23 assignments thereof, for allied services such as hotels, restaurants, retail outlets,
24 offices, and entertainment, are exempt from the provisions of R.S. 38:2211 et seq.,
25 and any other provision of law with respect to the purchase or lease of property by
26 public entities; all other contracts, leases or subleases, or both, of the authority,
27 including any assignment thereof, shall be entered into in accordance with the
28 provisions of R.S. 38:2211 et seq.

29 * * *

1 §4710.15.1. Additional hotel tax authorized

2 A. In addition to the tax authorized by R.S. 33:4710.15, the authority may
3 levy and collect an additional tax on the occupancy of hotel rooms located within the
4 parish of Orleans. The tax shall be in the amount of one percent of the rent or fee
5 charged for such occupancy and shall be in addition to all taxation upon the
6 occupancy of hotel rooms located in the parish of Orleans. The tax shall be levied
7 and collected in the same manner, according to the same procedures, and upon the
8 same terms and conditions, including the approval of the governing authority of the
9 city of New Orleans and the electorate of the city, as required for the imposition of
10 the tax authorized by R.S. 33:4710.15(A). ~~The authority to levy and collect the tax~~
11 ~~authorized in this Subsection shall terminate upon payment in full of all bonds or~~
12 ~~other similar debt obligations of the authority payable in whole or in part from or~~
13 ~~secured by such tax and issued before July 1, 2029.~~

14 * * *

15 §4710.15.2. Additional hotel occupancy tax authorized

16 A.(1)~~(a)~~ In addition to the hotel occupancy taxes authorized to be levied and
17 collected by the authority pursuant to R.S. 33:4710.15 and 4710.15.1, the authority
18 may levy and collect a tax upon the paid occupancy of hotel rooms located within
19 the parish of Orleans. The hotel occupancy tax shall be in the amount of fifty cents
20 per occupied hotel room per night for hotels containing ten to two hundred
21 ninety-nine guest rooms, one dollar per occupied hotel room per night for hotels
22 containing three hundred to nine hundred ninety-nine guest rooms, and two dollars
23 per occupied hotel room per night for hotels containing one thousand or more guest
24 rooms.

25 ~~(b)~~(2) The tax shall be levied and collected in the same manner, according
26 to the same procedures, and upon the same terms and conditions, including the
27 approval of the governing authority of the city of New Orleans and the electorate of
28 the city, as required for the imposition of the tax by R.S. 33:4710.15(A).

~~(2) The authority to levy and collect the hotel occupancy tax shall terminate upon payment in full of all bonds or other similar debt obligations of the authority payable in whole or in part from or secured by such tax.~~

4 * *

5 §4710.16. Use of revenues

Prior to the issuance of bonds pursuant to this Chapter, any Any revenue of the authority derived from any source whatsoever, after all payments required to be made in connection with any bonds of the authority have been made, may be used by the authority for the payment of the administrative and operating expenses of the board authority and for the payment of any expenses incurred in ~~determining the feasibility of a project or projects and developing plans therefor~~ connection with any project, including engineering, architectural, legal, and administrative costs and fees incidental thereto. Any revenue of the authority remaining at the end of each fiscal year ~~prior to the issuance of bonds and~~ after the payment of such expenses shall be considered surplus and may, in the sole discretion of the authority, be distributed by the authority to the city of New Orleans or retained by authority for utilization on future expenses, capital expenditures, or costs reasonably anticipated to be incurred.

18 §4710.17. Bonds

A. The authority may, from time to time, with the approval of the State Bond Commission, issue negotiable bonds in one or more series in such principal amount as it deems necessary to provide for the acquisition, construction, reconstruction, extension, or improvement of one or more projects, including engineering, architectural, inspection, legal, and financial fees and costs, interest on such bonds during construction and for a reasonable period thereafter, establishment of reserves to secure such bonds, and all other expenditures of the authority incidental or necessary or convenient thereto. The annual payments due on bonds of the authority for principal, interest, premium, or otherwise shall not exceed the estimated annual revenues of the hotel occupancy taxes authorized by this Chapter and other income and revenues of the authority derived from any source whatsoever, including without

1 limitation any and all taxes, fees, and charges authorized by this Chapter and
2 revenues derived from one or more projects ~~or expansion projects~~ and leases and
3 agreements securing the payment of bonds. Such bonds shall be authorized and
4 issued by a resolution of the board of the authority and shall be of such series, bear
5 such date or dates, be serial or term bonds, or a combination thereof, mature at such
6 time or times, bear interest at such rate or rates payable on such date or dates, be in
7 such denominations, be in such form, carry such registration and exchangeability
8 privilege, be payable in such medium of payment and at such place or places, be
9 subject to such terms of redemption, and be secured in such manner consistent with
10 the authority contained in this Section as the resolution authorizing such bonds may
11 provide.

12 * * *

13 §4710.17.1. Additional authority to issue bonds

14 A. Without reference to any other provision of the Constitution of Louisiana
15 or of the laws of Louisiana and as a grant of power in addition to the authority to
16 issue bonds contained in R.S. 33:4710.17 and to carry out the purposes of this
17 Chapter, the authority may, from time to time, with the approval of the State Bond
18 Commission, issue negotiable bonds in one or more series for the purpose of
19 providing funds to finance ~~an expansion~~ a project or projects, including engineering,
20 architectural, inspection, legal, and financial fees and costs, interest on such bonds
21 during construction and for a reasonable period thereafter, establishment of reserves
22 to secure such bonds, all costs associated with the issuance of such bonds, including
23 credit enhancement, derivative products, underwriter's discount, and funding of
24 accounts, if any, required by the terms of the resolution or trust indenture authorizing
25 their issuance, and all other expenditures of the authority incidental or necessary or
26 convenient thereto. Such bonds shall be authorized and issued by a resolution or
27 resolutions of the board and shall be of such series, bear such date or dates, be of
28 such type, mature at such time or times, bear interest at such rate or rates payable on
29 such date or dates, be in such denominations, be in such form, carry such registration

1 and exchangeability privilege, be payable in such medium of payment and at such
2 place or places, be subject to such terms of redemption, and be secured in such
3 manner consistent with the authority contained in this Section as the resolution
4 authorizing such bonds may provide. Payment of the bonds authorized by this
5 Section may be secured by a pledge of the avails or proceeds of the hotel occupancy
6 taxes and food and beverage tax authorized by this Chapter, such other taxes, fees,
7 and charges authorized by this Chapter, and any other income and revenue of the
8 authority as may be determined by the board and as authorized or permitted by law.
9 The word "bonds" as used in this Section means and includes bonds, notes,
10 certificates of indebtedness, or other evidence of indebtedness for the repayment of
11 borrowed money.

12 * * *

13 D. The board may, in any resolution authorizing the issuance of such bonds,
14 enter into such covenants with the future owner or owners of the bonds as to the
15 management and operation of ~~expansion~~ projects, the lease or rental thereof, the
16 imposition and collection of fees and charges for services and facilities furnished by
17 the authority, the disposition of such fees and revenues, the issuance of future bonds
18 and the creation of future liens and encumbrances against the ~~expansion~~ projects and
19 the revenues therefrom, the carrying of insurance on the ~~expansion~~ projects, the
20 keeping of books and records, and other pertinent matters, including the appointment
21 of a receiver in the event of default, as may be deemed proper by the board to assure
22 the marketability of the bonds.

23 * * *

24 §4710.24. ~~Expansion project~~ Projects defined; additional taxes

25 A. As used in this Chapter, ~~"expansion project"~~ "project" or "projects" means
26 ~~a project or projects for the acquisition, construction, installation, and equipping of~~
27 ~~additions or improvements to the Ernest N. Morial Convention Center-New Orleans,~~
28 ~~the "convention center"~~ one or more of any combination of convention, exhibition,
29 tourist, entertainment, lodging, retail, parking, and related facilities, together with the

1 necessary land, acquired by lease or purchase, site improvements, infrastructure,
2 furnishings, machinery, equipment, and appurtenances for any such facility,
3 including but not by way of limitation each of the following:

4 ~~(1) Phase III Convention Center Expansion Project, which consists of a~~
5 ~~building attached to the convention center containing additional exhibit space,~~
6 ~~meeting rooms, ballroom space, a food court, exhibit hall concession stands, food~~
7 ~~production facilities, and other structures and facilities functionally related to the~~
8 ~~convention center and completed in April of 1999.~~

9 ~~(2) Phase IV Convention Center Expansion Project, which means the project~~
10 ~~to construct a free-standing building across Henderson Street from the existing~~
11 ~~convention center, on a site owned by the authority, containing approximately one~~
12 ~~million five hundred thousand square feet under roof including approximately five~~
13 ~~hundred thousand square feet of exhibit space, with accompanying meeting rooms,~~
14 ~~food service areas, building service areas, and other facilities functionally related~~
15 ~~thereto, and which shall be connected to Phase III Convention Center Expansion~~
16 ~~Project by a pedestrian bridge above Henderson Street.~~

17 ~~(3) Phase V Convention Center Expansion Project, which means all of the~~
18 ~~following projects:~~

19 ~~(a)(1) Constructing, installing, equipping, renovating, and refurbishing the~~
20 ~~convention center and related infrastructure and the acquisition of land in the vicinity~~
21 ~~of the convention center to implement the authority's five-year capital plan as~~
22 ~~approved by the board as the same may be amended from time to time ~~but excluding~~~~
23 ~~any expansion project beyond the projects referred to in Subparagraphs (b) and (c)~~
24 ~~of this Paragraph.~~

25 ~~(b)(2) The public or private development of the ~~Convention Center~~~~
26 ~~Headquarters Hotel Project any project, the private component of which may involve~~
27 ~~a joint project between the authority and a private entity.~~

28 ~~(c)(3) Additional riverfront development adjacent to or in support of the~~
29 ~~convention center including acquisition, expansion, investment, construction,~~

1 restoration, demolition, site preparation, and development of land, structures,
2 infrastructure, including public rights-of-way, utilities, lighting, and landscaping to
3 surrounding urban areas and riverfront. Such development shall be accomplished in
4 a manner that ensures no interference with or adverse effect upon vehicular access
5 to the facilities of the board of commissioners of the Port of New Orleans or the main
6 line track of the New Orleans Public Belt Railroad.

7 B.(1) Notwithstanding any other provision of this Chapter or any other law
8 to the contrary, in order to provide funds for any ~~expansion~~ project and for the use
9 of such funds, along with existing taxes, fees, and charges to secure any bonds issued
10 for such ~~expansion~~ project, the authority may levy and collect within the parish of
11 Orleans a tax of one percent on the occupancy of hotel rooms located in Orleans
12 Parish.

13 * * *

14 C.(1) In addition to other taxes authorized by this Chapter and to provide
15 additional funds for any ~~expansion~~ project, the authority may levy and collect an
16 additional tax on food and beverages sold by any food service establishment located
17 within the parish of Orleans or in any airport or air transportation facility owned and
18 operated by the city of New Orleans, excluding any food service establishment
19 owned by any individual or corporation who had gross annual receipts of less than
20 five hundred thousand dollars from the operation of all such establishments during
21 the calendar year prior to the year in which the additional food and beverage tax is
22 assessed. The tax shall be in the amount of one-fourth of one percent of gross
23 receipts from the sales of goods and beverages by food service establishments.

24 * * *

25 F. Without reference to any other provision of the constitution or laws of
26 Louisiana, including this Chapter, the authority may, from time to time, with the
27 approval of the State Bond Commission, issue negotiable bonds in one or more series
28 for the purpose of providing funds to finance ~~expansion projects~~ any project in
29 accordance with the provisions of R.S. 33:4710.17 and 4710.17.1 or other applicable

1 law; such bonds to be payable from all revenues derived by the authority as more
2 particularly set forth in the resolution or resolutions providing for their issuance.

3 §4710.25. Service contractor tax

A. Notwithstanding any other provision of law to the contrary, in order to provide funds for any ~~expansion~~ project, the authority may levy and collect, within the parish of Orleans, a tax on the furnishing of goods and services which are provided on a contractual basis by service contractors in conjunction with trade shows, conventions, exhibitions, and other events, whether public or private, such services to include goods and services provided in connection with the installation and dismantling of exhibits, displays and booths, decorations, electrical supplies, material handling, drag, flowers and floral decorations, computers, audio and visual equipment, bands and orchestras, lighting trusses, rigging and associated equipment, furniture, carpets, signs, props, floats, business machines, plumbing, telephones, photography, catering food services, compressed air or gas, balloons, scaffolding, fork lifts, highlights, security, information retrieval systems, and any other services or items associated with the above. The tax shall be levied on the service contractor providing the services in an amount equal to two percent of total charges specified in the contract to be paid to the service contractor for the furnishing of the goods and services; however, the amount of the tax may be included in the contract as a charge to be paid by the person for whom the goods and services were provided.

21 * * *

22 §4710.26. Sight-seeing tour tax

23 * * *

B. Notwithstanding any other provisions of law to the contrary, in order to provide funds for any ~~expansion~~ project, the authority may levy and collect a tax of one dollar on all tickets sold in the parish of Orleans for per capita sight-seeing tours in the parish of Orleans, or for tours, a portion of which includes sight-seeing in the parish of Orleans, except those sold by a governmental agency. The tax shall be imposed by ordinance adopted by the board which shall provide for the

1 administration and enforcement of the tax and the collection of the tax from persons
2 subject to the tax as the authority determines to be necessary or practical for the
3 effective collection, administration, and enforcement of the tax. The tax shall be
4 paid by the purchasers of the tickets at the time of purchase. The authority may enter
5 into agreements as it deems appropriate with any governmental agency providing for
6 that entity or agency to act as the authority's agent to collect the tax.

7 * * *

8 §4710.28. Minority businesses

9 A. To provide equal procurement, contractual, and employment participation
10 in any ~~expansion~~ project, as defined in R.S. 33:4710.24, the authority shall prescribe
11 rules and regulations as may be necessary to provide for the following protections
12 for the rights of minority citizens:

13 (1) To designate and set aside for awarding to minority businesses not less
14 than thirty percent of anticipated local procurement of goods and services
15 respectively, including contracts for professional services but excluding construction,
16 for any ~~expansion~~ project, based upon the total value of such procurement.

17 (2) To designate and set aside for awarding to minority contractors not less
18 than twenty percent of the construction contracts for any ~~expansion~~ project, based
19 upon the total value of such contracts.

20 * * *

21 §4710.29. Reporting

22 The authority shall present to the city council of New Orleans an annual
23 written ~~and oral~~ report on its financial condition at a meeting of the city council in
24 ~~January~~ the second fiscal quarter of each year. The written report shall include the
25 latest available annual and year-to-date financial statements, operating and capital
26 budgets for the current year and proposed for the upcoming year, and a schedule of
27 all reserves held by the authority for future use pursuant to R.S. 33:4710.19(B)(5)
28 specifying each project for which a reserve has been established.

1 Section 2. R.S. 33:4710.14, 4710.15(B)(5), 4710.15.1(B)(4), 4710.15.2(B)(5),
2 4710.23(A)(4) and (B)(4), 4710.24(E), 4710.25(D), 4710.26(C), and 4710.30 are hereby
3 repealed in their entirety.

4 Section 3. This Act shall become effective upon signature by the governor or, if not
5 signed by the governor, upon expiration of the time for bills to become law without signature
6 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
7 vetoed by the governor and subsequently approved by the legislature, this Act shall become
8 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 298 Engrossed

2025 Regular Session

Knox

Abstract: Provides relative to the powers and duties of the Ernest N. Morial-New Orleans Exhibition Hall Authority.

Present law creates the Ernest N. Morial-New Orleans Exhibition Hall Authority as a political subdivision of the state. Provides that the purpose of the authority is to acquire, construct, reconstruct, extend, improve, maintain, and operate projects within the city of New Orleans in order to promote the economic growth and development of the city and its neighboring parishes. Provides for the boundaries of the authority.

Proposed law retains present law.

Present law defines "project" to mean one or more of any combination of convention, exhibition, and tourist facilities, including a convention center hotel with a multi-story parking garage and bridge connecting the hotel and the south end of the convention center and necessary land acquired by lease or purchase, site improvements, infrastructure, furnishings, machinery, equipment, and appurtenances. Defines "expansion project" to mean a project(s) for the acquisition, construction, installation, and equipping of additions or improvements to the Ernest N. Morial Convention Center-New Orleans. Also includes in the definition various specified phases and stages of expansion of the existing convention center.

Proposed law removes the reference to "expansion project" throughout present law and modifies the definition of "project(s)" to mean one or more of any combination of convention, exhibition, tourist, entertainment, lodging, retail, parking, and related facilities, together with the necessary land, acquired by lease or purchase, site improvements, infrastructure, furnishings, machinery, equipment, and appurtenances for any such facility. Provides that the Convention Center Headquarters Hotel Project means a convention center hotel with a multi-story garage and bridge connecting the hotel and the south end of the convention center.

Present law additionally provides that an expansion project includes Phase V Convention Center Expansion Project which includes the following:

- (1) Constructing, installing, equipping, renovating, and refurbishing the convention center and related infrastructure and the acquisition of land in the vicinity of the convention center to implement the authority's five-year capital plan as approved by the board as the same may be amended from time to time.
- (2) The public or private development of the Convention Center Headquarters Hotel Project.
- (3) Additional riverfront development adjacent to or in support of the convention center.

Proposed law removes reference to Phase V Convention Center Expansion Project and makes present law applicable to the definition of project(s) as provided in proposed law.

Present law provides that any lease with respect to the Convention Center Headquarters Hotel Project shall provide for a payment in lieu of ad valorem taxes by the lessee. Provides that in connection with any development, other than with respect to the hotel project, that includes a joint project involving a private entity, the authority shall require that the private entity pay ad valorem taxes on any improvements constructed in connection with the development. Further provides that in the absence of a provision for such payment, the agreement must provide for an annual payment in lieu of ad valorem taxes by the private entity. Provides for the calculation of payments.

Proposed law retains present law.

Present law provides for the powers and duties of the authority, including the power to acquire by sale, exchange, lease, or otherwise title to or rights and interests in immovable property within Orleans Parish. Provides that in connection with any exchange of property, the property acquired by the authority and the property given up by the authority shall each have a value to the authority that is approximately equal, with any difference paid in cash. Provides that the term "value to the authority" includes any and all factors reflecting a benefit to the authority and includes without limitation proximity of a property to another property owned by the authority, increased efficiency of operations of the authority afforded by the property, and a resolution of any claims against or potential liabilities of the authority achieved by any aspect of the exchange.

Proposed law retains present law and additionally provides that "value to the authority" includes the economic growth and development resulting from the exchange. Provides that any property that is acquired or owned by the authority is declared to be public property used for public purposes and shall be exempt from all ad valorem taxes.

Present law authorizes the authority to lease or sublease all or any part of any project upon such terms and conditions and for such term of years, not in excess of 60 years, as the board deems advisable.

Proposed law increases the term of the lease or sublease to not in excess of 99 years.

Present law authorizes the authority, subject to approval of the holders of any mortgage or other lien or encumbrance, to purchase from International River Center or its successor all of Rivercenter's rights, title, and interest in and to and assume all obligations of Rivercenter arising out of the lease covering and affecting certain areas of the public wharf known as the Poydras Street Wharf.

Proposed law repeals present law.

Present law authorizes the authority to levy and collect several taxes on the occupancy of hotel rooms located within the parish of Orleans, including the following:

- (1) A hotel occupancy tax at a rate of 1%.

- (2) A hotel occupancy tax at a rate of \$.50 at a hotel with 10 to 299 guest rooms; \$1 at a hotel with 300 to 999 guest rooms; \$2 at a hotel with 1,000 or more guest rooms.

Proposed law retains present law.

Present law provides that the authority to levy and collect some of the taxes shall terminate upon payment in full of all bonds or other similar debt obligations of the authority payable in whole or in part from or secured by such taxes. Provides that other taxes terminate upon payment in full of all bonds or other similar debt obligations of the authority payable in whole or in part from or secured by such taxes and issued before July 1, 2029.

Proposed law repeals present law.

Present law authorizes the authority to levy a food and beverage tax on food service establishments located within Orleans Parish or in any airport or air transportation facility owned and operated by the city of New Orleans not to exceed 1/2 of 1%. Authorizes the levy of an additional food and beverage tax not to exceed 1/2 of 1%. Excludes food service establishments owned by an individual or corporation who had gross annual receipts of less than \$200,000.

Proposed law retains present law.

Present law provides that the authority to levy one of the food and beverage taxes terminates upon payment in full of all bonds or similar debt obligations. Provides that the authority to levy the other food and beverage tax terminates upon payment in full of all bonds or other similar debt obligations of the authority payable in whole or in part from or secured by such tax and issued before July 1, 2029.

Proposed law repeals present law.

Present law provides that the authority may incur debt and issue bonds for the purpose of the authority in the manner provided by present law.

Proposed law retains present law and additionally authorizes the authority to incur debt and issue bonds as provided by other applicable law.

Present law provides that, prior to the issuance of bonds, any revenue of the authority derived from any source whatsoever may be used by the authority for the payment of the administrative and operating expenses of the board and for the payment of any expenses incurred in determining the feasibility of a project(s) and developing plans therefor. Any revenue of the authority remaining at the end of each fiscal year prior to the issuance of bonds and after the payment of such expenses shall be considered surplus.

Proposed law modifies present law to provide that any revenue of the authority derived from any source whatsoever, after all payments required to be made in connection with any bonds of the authority have been made, may be used by the authority for the payment of the administrative and operating expenses of the authority and for the payment of any expenses incurred in connection with any project. Any revenue of the authority remaining at the end of each fiscal year after the payment of such expenses shall be considered surplus.

Present law authorizes the authority to issue bonds to provide for the acquisition, construction, reconstruction, extension, or improvement of one or more projects, including expansion projects. Provides that the annual payments due on bonds shall not exceed the estimated annual revenues, including revenues derived from one or more projects or expansion projects.

Proposed law retains present law but removes reference to expansion projects and makes present law applicable to projects as defined in proposed law.

Present law authorizes the authority to levy the following taxes:

- (1) A tax on contractor services provided to trade shows, conventions, exhibitions, and other events to fund expansion projects. Provides that the rate of the tax is 2% of the charges for the contract service.
- (2) A sight-seeing tour tax of \$1 per ticket to fund expansion projects.

Proposed law retains present law but removes reference to expansion projects and makes present law applicable to projects as defined in proposed law.

Present law provides that the authority to levy and collect the taxes terminates upon payment in full of all bonds or other similar debt obligations of the authority payable in whole or in part from or secured by such tax and issued before July 1, 2029.

Proposed law repeals present law.

Present law requires the authority to prescribe rules and regulations to provide for equal procurement, contractual, and employment participation of minority citizens in any expansion project.

Proposed law removes reference to expansion project and makes present law applicable to projects as defined in proposed law.

Present law requires the authority to present an annual written and oral report on its financial condition to the city council at a meeting of the council in Jan. each year.

Proposed law removes the requirement that the authority present an oral report and requires that the report be submitted in the second fiscal quarter of each year.

Present law provides that the authority shall not issue bonds or incur debt in any form for a term of more than 40 years from the date of issuance. Prohibits the authority from issuing bonds or incurring debt in any form for the Phase V Convention Center Expansion Project after July 1, 2029.

Proposed law repeals present law.

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

(Amends R.S. 33:4710.11(A) and (D), 4710.13(3), (7), (8), and (13), 4710.15.1(A), 4710.15.2(A), 4710.16, 4710.17(A), 4710.17.1(A) and (D), 4710.24(A), (B)(1), (C)(1), and (F), 4710.25(A), 4710.26(B), 4710.28(A)(intro para.), (1), and (2), and 4710.29; Repeals R.S. 33:4710.14, 4710.15(B)(5), 4710.15.1(B)(4), 4710.15.2(B)(5), 4710.23(A)(4), and (B)(4), 4710.24(E), 4710.25(D), 4710.26(C), and 4710.30)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Restore present law requirement that any lease with respect to the Convention Center Headquarters Hotel Project provide for a payment in lieu of ad valorem taxes by the lessee.
2. Add a definition for the Convention Center Headquarters Hotel Project.

3. Restore present law provisions that require a private entity involved in a joint project to pay ad valorem taxes on any improvements constructed in connection with any development, other than with respect to the Convention Center Headquarters Hotel Project.
4. Remove proposed law provisions that authorize the authority to require a lessee or sublessee to annually pay a sum in lieu of ad valorem taxes to compensate taxing authorities for services rendered to any project.
5. Remove proposed law provisions that require a lessee or sublessee to pay the full amount of ad valorem taxes levied by the Orleans Parish School Board.