

2025 Regular Session

HOUSE BILL NO. 55

BY REPRESENTATIVE DAVIS

1 AN ACT

2 To enact R.S. 33:9097.42, relative to East Baton Rouge Parish; to provide for the creation
3 of the Cross Gates Subdivision Crime Prevention and Neighborhood Improvement
4 District; to provide for the boundaries, purpose, governance, and powers and duties
5 of the district; to provide for district funding; to provide for an effective date; and to
6 provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9097.42 is hereby enacted to read as follows:

12 §9097.42. Cross Gates Subdivision Crime Prevention and Neighborhood
13 Improvement District

14 A. There is hereby created within the parish of East Baton Rouge, as more
15 specifically provided in Subsection B of this Section, a body politic and corporate
16 which shall be known as the Cross Gates Subdivision Crime Prevention and
17 Neighborhood Improvement District, referred to in this Section as the "district". The
18 district shall be a political subdivision of the state as defined in the Constitution of
19 Louisiana.

20 B. The boundaries of the district shall include the area encompassed within
21 the following streets: Cross Gate Drive, North Antioch Crossing, Antioch Crossing,
22 Antioch Court, and Gateway Drive.

1 C. The purpose of the district shall be to aid in crime prevention, to enhance
2 security within the district, to provide for an increase in security patrols in the
3 district, and to provide for the overall betterment of the district.

4 D.(1) The district shall be governed by a five-member board of
5 commissioners, referred to in this Section as the "board". The board shall be
6 composed as follows:

7 (a) The board of directors of the Cross Gates Homeowners Association shall
8 appoint four members.

9 (b) The member of the Louisiana House of Representatives and the member
10 of the Louisiana Senate whose districts encompass all or the greater portion of the
11 area of the district shall jointly appoint one member.

12 (2) All members of the board shall own property and reside within the
13 district and shall be qualified voters of the district.

14 (3)(a) Members shall serve four-year terms after the initial terms as provided
15 in this Subparagraph. Two members shall serve an initial term of two years; two
16 shall serve three years; and one shall serve four years, as determined by lot at the
17 first meeting of the board.

18 (b) Members shall be eligible for reappointment.

19 (4) Any vacancy in membership of the board shall be filled in the manner of
20 the original appointment. If the appointing authority responsible for the appointment
21 of a member fails to fill a vacancy within thirty days, the remaining members of the
22 board may appoint an interim successor to serve until the position is filled by the
23 appointing authority.

24 (5) The board shall elect from its members a chairman, a vice chairman, a
25 secretary, a treasurer, and such other officers as it deems necessary. The duties of
26 the officers shall be fixed by the bylaws adopted by the board.

27 (6) The members of the board shall serve without compensation but shall be
28 reimbursed for reasonable out-of-pocket expenses directly related to the governance
29 of the district, not to exceed one hundred dollars per year.

1 (7) The board shall keep minutes of all meetings and shall make them
2 available through the secretary of the board. The minute books and archives of the
3 district shall be maintained by the secretary of the board. The monies, funds, and
4 accounts of the district shall be in official custody of the board.

5 (8) The board shall adopt such rules and regulations as it deems necessary
6 or advisable for conducting its business affairs. Rules and regulations of the board
7 relative to the notice and conduct of meetings shall conform to applicable provisions
8 of the Open Meetings Law. The board shall hold meetings as shall be provided for
9 in the bylaws and may hold special meetings at such times and places within East
10 Baton Rouge Parish as may be prescribed in the bylaws.

11 (9) A majority of the membership of the board shall constitute a quorum for
12 the transaction of business, and all official action of the board shall require the
13 favorable vote of a majority of those members present and voting. All members of
14 the board shall be voting members.

15 (10) The domicile of the board shall be in East Baton Rouge Parish.

16 E. The district, acting through its board, shall have the following powers and
17 duties:

18 (1) To sue and be sued.

19 (2) To adopt, use, and alter at will a corporate seal.

20 (3) To receive and expend funds collected pursuant to Subsections F and G
21 of this Section and in accordance with a budget adopted as provided by Subsection
22 H of this Section.

23 (4) To enter into contracts with individuals or entities, private or public.

24 (5) To provide or enhance security patrols in the district, to provide for
25 improved lighting, signage, or matters relating to the security of the district, to
26 provide for the beautification of and improvement to the district, and to provide
27 generally for the overall betterment of the district.

28 (6) To enter into contracts and agreements with one or more other districts
29 for the joint security, improvement, or betterment of all participating districts.

1 (7) To provide for such services and make such expenditures as the board
2 deems proper to carry out the purposes of the district.

3 (8) To acquire or lease items and supplies which the board deems proper to
4 carry out the purposes of the district.

5 (9) To procure and maintain liability insurance against any personal or legal
6 liability of a board member that may be asserted or incurred based upon service as
7 a member of the board or that may arise as a result of actions taken within the scope
8 and discharge of duties as a member of the board.

9 (10) To perform or have performed any other function or activity necessary
10 or appropriate to carry out the purposes of the district or for the overall betterment
11 of the district.

12 F.(1) The governing authority of the district may impose and collect a parcel
13 fee within the district subject to and in accordance with the provisions of this
14 Subsection.

15 (2) The fee shall be imposed on each improved and unimproved parcel
16 located within the district.

17 (3)(a) The amount of the fee shall be as provided in a duly adopted
18 resolution of the board. The fee shall be a flat fee per parcel not to exceed four
19 hundred dollars per year for each parcel; however, the initial fee for the first calendar
20 year shall not exceed one hundred fifty dollars per parcel.

21 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion
22 of ground, an individual tract, or a "condominium parcel" as defined in R.S.
23 9:1121.103.

24 (c) The owner of each parcel shall be responsible for payment of the fee.

25 (4)(a) A fee shall be imposed only after the question of its imposition has
26 been approved by a majority of registered voters of the district voting on the
27 proposition at an election held for that purpose in accordance with the Louisiana
28 Election Code. The amount of the fee may be changed by duly adopted resolution
29 of the board, not to exceed the maximum amount authorized by this Subsection and
30 approved by the voters. No other election shall be required except as provided by
31 this Paragraph.

1 **(b) The fee shall expire at the time provided in the proposition authorizing**
2 **the fee, not to exceed ten years from its initial imposition, but the fee may be**
3 **renewed as provided in Subparagraph (a) of this Paragraph. Any election to**
4 **authorize renewal of the fee shall be held for that purpose in accordance with the**
5 **Louisiana Election Code. If the fee is renewed, the term of the imposition of the fee**
6 **shall be as provided in the proposition authorizing the renewal, not to exceed ten**
7 **years.**

8 **(5) The fee shall be collected at the same time and in the same manner as ad**
9 **valorem taxes are collected for East Baton Rouge Parish. The tax collector shall**
10 **collect and remit to the district all amounts collected not more than sixty days after**
11 **collection; however, the district may enter into an agreement with the tax collector**
12 **to authorize retention of an annual collection fee, not to exceed one percent of the**
13 **amount collected.**

14 **(6) Any parcel fee which is unpaid shall be added to the tax rolls of East**
15 **Baton Rouge Parish and shall be enforced with the same authority and subject to the**
16 **same penalties and procedures as unpaid ad valorem taxes.**

17 **G. The district is authorized to solicit, accept, and expend additional**
18 **voluntary contributions and grants to carry out the purposes of the district.**

19 **H.(1) The board shall adopt an annual budget in accordance with the**
20 **Louisiana Local Government Budget Act, R.S. 39:1301 et seq.**

21 **(2) The district shall be subject to audit by the legislative auditor pursuant**
22 **to R.S. 24:513.**

23 **I.(1) It is the purpose and intent of this Section that any additional law**
24 **enforcement personnel and services provided for through the fees authorized in this**
25 **Section shall be supplemental to, and not in lieu of, personnel and services to be**
26 **provided in the district by publicly funded law enforcement agencies.**

27 **(2) If the district ceases to exist, any funds, equipment, and property of the**
28 **district shall be transmitted to the governing authority of the parish of East Baton**
29 **Rouge and shall be used only within the district for the purposes set forth in this**
30 **Section.**

1 J.(1) The district shall indemnify its officers and board members to the
2 fullest extent permitted by R.S. 12:227, as fully as if the district were a nonprofit
3 corporation governed thereby, and as may be provided in the district's bylaws.

4 (2) No board member or officer of the district shall be liable to the district
5 or to any individual who resides, owns property, visits, or otherwise conducts
6 business in the district for monetary damages, for breach of his duties as a board
7 member or officer, provided that this provision shall not eliminate or limit the
8 liability of a board member or officer for any of the following:

9 (a) Acts or omissions not in good faith or which involve intentional
10 misconduct or a knowing violation of law.

11 (b) Any transaction from which the board member or officer derived an
12 improper personal benefit.

13 (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.
14 9:2792.1 through 2792.9, a person serving the district as a board member or officer
15 shall not be individually liable for any act or omission arising out of the performance
16 of his duties.

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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____