
DIGEST

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HB 138 Original

2026 Regular Session

Carpenter

Abstract: Provides relative to the members of the governing board and parcel fee of the Parkwood Terrace Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish.

Present law creates the Parkwood Terrace Crime Prevention and Neighborhood Improvement District as a political subdivision in East Baton Rouge Parish for the purpose of providing security for district residents and serving the needs of district residents by funding beautification and improvements for the overall betterment of the district. Provides for district boundaries. Provides that the district is governed by a seven-member board of commissioners. Provides for the powers and duties of the district.

Proposed law retains present law.

Present law authorizes the governing authority of the parish of East Baton Rouge, subject to voter approval, to impose and collect a parcel fee within the district.

Proposed law instead authorizes the district to impose and collect a parcel fee within the district, subject to voter approval.

Present law provides that the amount of the fee shall be as requested by duly adopted resolution of the board. Provides that the fee shall not be less than \$100 per parcel per year for lots zoned for residential use.

Proposed law retains present law and provides that the fee shall not exceed \$150 per parcel per year for lots zoned for residential use.

Proposed law authorizes the board, during the term of the fee, to increase the fee one time during each subsequent calendar year, without election, not to exceed ten percent of the amount imposed during the previous calendar year. Prohibits the board from increasing the fee in excess of the maximum amount of \$150 per parcel per year.

Present law requires the board, at least 30 days prior to any election to approve imposition of a parcel fee, to mail notification of the upcoming election to each registered voter of the district and to the owner of each parcel if the owner is not a registered voter of the district.

Proposed law removes present law.

Present law provides that the fee expires 10 years from its initial levy. Proposed law provides that the fee expires at the time provided in the proposition authorizing the fee, not to exceed 10 years.

Proposed law additionally authorizes the district to solicit, accept, and expend additional voluntary contributions and grants to carry out its purposes.

Present law provides that it is the purpose and intent of present law that the additional law enforcement personnel and services provided by the district shall be supplemental to and not in lieu of personnel and services provided in the district by the city of Baton Rouge and East Baton Rouge Parish.

Proposed law retains present law and additionally provides that the personnel and services provided by the district shall be supplemental to and not in lieu of personnel and services provided in the district by the city of Baker.

Present law provides that if the district ceases to exist, any funds of the district shall be transmitted to the governing authority of the city of Baton Rouge and parish of East Baton Rouge and shall be used for law enforcement purposes in the area included within the district.

Proposed law instead requires that funds of the district be transmitted to the governing authority of the city of Baker to be used for law enforcement purposes in the area included within the district.

Proposed law requires the district to indemnify its officers and board members to the fullest extent permitted by present law (relative to indemnification of officers, directors, employees, and agents of nonprofit organizations) as fully as if the district were a nonprofit corporation governed thereby and as may be provided in district bylaws. Provides that no board member or officer shall be liable to the district or to any individual who resides, owns property, visits, or otherwise conducts business in the district for monetary damages for breach of duties. However, provides that this shall not eliminate or limit the liability of a board member or officer for:

- (1) Acts or omissions not in good faith or which involve intentional misconduct or a knowing violation of law.
- (2) Any transaction from which the member derived an improper personal benefit.

Proposed law provides that a board member or officer shall not be individually liable for any act or omission arising out of the performance of his duties to the fullest extent permitted by present law relative to limitation of liability of directors, officers, and trustees of certain organizations and districts.

Proposed law requires the governing authority of East Baton Rouge Parish to continue to levy the fee until such time as it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on Dec. 10, 2016. However, proposed law authorizes the board to submit the question of imposition of the fee as provided in proposed law to the voters prior to the expiration of the fee. Requires the board to begin to levy a parcel fee as provided in proposed law if the parcel fee is approved by the voters.

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

(Amends R.S. 33:9097.29(E)(3), (F)(intro. para.), (1), and (3), (G), and (H); Adds R.S. 33:9097.29(I) and (J))