

2026 Regular Session

HOUSE BILL NO. 573

BY REPRESENTATIVE HILFERTY

SEWERAGE/NO WATER BD: Provides relative to the Sewerage and Water Board of New Orleans

1 AN ACT

2 To amend and reenact R.S. 33:4073 and 4159.2(A) and to enact R.S. 33:4071(G),
3 4121(A)(4) and (K), and 4159.2(D), relative to the city of New Orleans; to provide
4 relative to the Sewerage and Water Board of New Orleans; to provide relative to the
5 composition of the board; to provide relative to the officers of the board; to provide
6 relative to the powers and duties of the board; to provide relative to the powers and
7 duties of the city council with respect to the board; to provide relative to rates
8 established by the board; to provide relative to billing policies of the board; and to
9 provide for related matters.

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

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 33:4073 and 4159.2(A) are hereby amended and reenacted and R.S.
15 33:4071(G), 4121(A)(4) and (K), and 4159.2(D) are hereby enacted to read as follows:

16 §4071. Creation and organization of sewerage and water board

17 * * *

18 G. The governing authority of the city of New Orleans may adopt ordinances
19 that conflict with the provisions of this Section. If the provisions of an ordinance
20 adopted by the governing authority conflict with the provisions of this Section and

1 the provisions of the ordinance were adopted later than the provisions of this Section
2 were enacted, the provisions of the ordinance shall supercede the provisions of this
3 Section.

4 * * *

5 §4073. Officers of sewerage and water board; compensation of members

6 A. The mayor shall be ex officio president of the board. The board shall
7 elect an executive director, whose salary and bond shall be fixed by the board. The
8 executive director shall hold office at the pleasure of the board. The election or
9 removal of the executive director, the amount of his salary, and the acceptance of his
10 bond shall be determined by a majority vote of the entire board at one of its regular
11 monthly meetings. The duties of the executive director shall be fixed by the board.
12 No member of the board shall receive any salary or compensation for his services,
13 except actual expenses incurred in ~~travelling~~ traveling by authority of, or for the
14 benefit of the board. The board shall have power to elect one of its members
15 president pro tempore who shall act in the absence or disability of the president.

16 B. The governing authority of the city of New Orleans may adopt ordinances
17 that conflict with the provisions of this Section. If the provisions of an ordinance
18 adopted by the governing authority conflict with the provisions of this Section and
19 the provisions of the ordinance were adopted later than the provisions of this Section
20 were enacted, the provisions of the ordinance shall supercede the provisions of this
21 Section.

22 * * *

23 §4121. New Orleans; rate; fixing; private users of sewerage system; revenue bonds

24 A.

25 * * *

26 (4) Notwithstanding any other provision of law to the contrary, the
27 governing authority of the city of New Orleans may establish alternative procedures
28 for rate approval.

29 * * *

- (3) Two syndicate members of the board of liquidation, city debt, to be appointed by the mayor on the recommendation of the board of liquidation, city debt.
- (4) Seven citizens, to be appointed by the mayor, with the advice and consent of the city council from a list of nominees submitted by the Sewerage and Water Board Selection Committee.

Present law provides for the composition of the Sewerage and Water Board Selection Committee. Provides for the filling of vacancies on the board.

Present law authorizes the board to adopt rules and procedures authorizing the adjusting, releasing, or extinguishing of any indebtedness from a customer's sewerage and water bill under certain circumstances.

Proposed law retains present law and additionally authorizes the governing authority of the city of New Orleans to adopt ordinances that conflict with the provisions of present law. Provides that if the provisions of an ordinance conflict with the provisions of present law and the provisions of the ordinance were adopted later than the provisions of present law were enacted, the provisions of the ordinance shall supercede the provisions of present law.

Present law provides that the mayor shall be ex officio president of the board. Requires the board to elect an executive director, whose salary and bond shall be fixed by the board. Provides that no member of the board shall receive any salary or compensation for his services, except actual expenses incurred in traveling by authority of, or for the benefit of the board. Authorizes the board to elect one of its members president pro tempore who shall act in the absence or disability of the president.

Proposed law retains present law and additionally authorizes the governing authority of the city of New Orleans to adopt ordinances that conflict with the provisions of present law. Provides that if the provisions of an ordinance conflict with the provisions of present law and the provisions of the ordinance were adopted later than the provisions of present law were enacted, the provisions of the ordinance shall supercede the provisions of present law.

Present law requires the board to fix the rates to be charged users of the sewerage system, and to collect the same from all persons who use the sewerage system. Exempts the city of New Orleans and its public institutions from which no revenue is derived. Additionally exempts certain accounts of the Orleans Parish School Board.

Present law provides that the rates to be charged the users of the sewerage system shall not become effective unless and until approved by the Board of Liquidation, City Debt, and by the council of the city of New Orleans. Requires that the rates be equal and uniform for each grade or class of customers.

Present law authorizes the board to issue bonds payable solely out of revenues derived from sewerage service charges for purposes relating to the sewerage system of the city including the refunding of bonds. Provides further with respect to such bonds.

Proposed law retains present law and authorizes the governing authority of the city of New Orleans to establish alternative procedures for rate approval. Further authorizes the governing authority of the city of New Orleans to adopt ordinances that conflict with the provisions of present law. Provides that if the provisions of an ordinance conflict with the provisions of present law and the provisions of the ordinance were adopted later than the provisions of present law were enacted, the provisions of the ordinance shall supercede the provisions of present law.

Present law authorizes the New Orleans city council to establish, by ordinance, procedures regarding the billing policies of the board, including reducing or modifying a bill received by a customer, or waiving late charges or accrued interest. Requires that the procedures

established by the city council be uniformly implemented so as to prevent special treatment as it relates to any bill modification or amnesty.

Proposed law retains present law and additionally authorizes the governing authority of the city of New Orleans to adopt ordinances that conflict with the provisions of present law. Provides that if the provisions of an ordinance conflict with the provisions of present law and the provisions of the ordinance were adopted later than present law was enacted, the provisions of the ordinance shall supercede the provisions of present law.

Present law requires the city council to establish a billing ordinance working group to review and opine on ordinances before any such ordinance may be considered by the Public Works, Sanitation, and Environmental Committee of the city council, including evaluating the necessity of such an ordinance. Provides that the working group shall be composed as follows:

- (1) The chairman of the New Orleans City Council Budget, Audit, and Board of Review Committee, or his designee.
- (2) The chairman of the New Orleans City Council Public Works, Sanitation, and Environment Committee, or his designee.
- (3) The chairman of the New Orleans City Council Governmental Affairs Committee, or his designee.
- (4) A member of the House of Representatives residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (5) A member of the Senate residing in Orleans Parish, or his designee, appointed by the New Orleans City Council president.
- (6) The executive director of the Sewerage and Water Board of New Orleans, or his designee.
- (7) The president of the Sewerage and Water Board of New Orleans, or his designee.

Proposed law removes present law.

Present law authorizes the city council to open an investigation of the board after the occurrence of any catastrophic failure of the city's sewerage and drainage infrastructure. Provides that a catastrophic failure shall be defined as an impact to board-owned-and-operated equipment or assets that result in a diminished level of service to more than 10,000 customers and an emergency declaration by the board's general superintendent. Requires that any information regarding such a failure requested in writing from the board by the city council shall be submitted to the council not later 30 days after receipt of the written request. Authorizes the city council to request the attendance of a representative of the board at any meeting of the Public Works, Sanitation, and Environment Committee of the city council.

Proposed law retains present law and additionally authorizes the governing authority of the city of New Orleans to adopt ordinances that conflict with the provisions of present law. Provides that if the provisions of an ordinance conflict with the provisions of present law and the provisions of the ordinance were adopted later than present law was enacted, the provisions of the ordinance shall supercede the provisions of present law.

(Amends R.S. 33:4073 and 4159.2(A); Adds R.S. 33:4071(G), 4121(A)(4) and (K), and 4159.2(D))