

2026 Regular Session

HOUSE BILL NO. 138

BY REPRESENTATIVE CARPENTER

DISTRICTS/NEIGHBORHOOD: Provides relative to the Parkwood Terrace Crime Prevention and Neighborhood Improvement District in East Baton Rouge Parish

1 AN ACT

2 To amend and reenact R.S. 33:9097.29(E)(3), (F)(introductory paragraph), (1), and (3), (G),
3 and (H) and to enact R.S. 33:9097.29(I) and (J), relative to East Baton Rouge Parish;
4 to provide relative to the Parkwood Terrace Crime Prevention and Neighborhood
5 Improvement District; to provide relative to the members of the governing board of
6 the district; to provide relative to the powers and duties of the district; to provide
7 relative to the parcel fee imposed within the district; to establish a maximum fee; to
8 provide relative to the increase of the fee; to provide for effectiveness; and to provide
9 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. 33:9097.29(E)(3), (F)(introductory paragraph), (1), and (3), (G), and
15 (H) are hereby amended and reenacted and R.S. 33:9097.29(I) and (J) are hereby enacted to
16 read as follows:

17 §9097.29. Parkwood Terrace Crime Prevention and Neighborhood Improvement
18 District

19 * * *

1 (c) The fee shall expire ~~ten years from its initial levy~~ at the time provided in
2 the proposition authorizing the fee, not to exceed ten years, but may be renewed as
3 provided in Subparagraph (a) of this Paragraph. If the fee is renewed, the term of the
4 imposition of the fee shall be as provided in the proposition authorizing such
5 renewal, not to exceed ten years.

6 * * *

7 G. Additional contributions. The district may solicit, accept, and expend
8 additional voluntary contributions and grants to carry out its purposes.

9 ~~G.~~ H. Budget. (1) The board of commissioners shall adopt an annual budget
10 in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et
11 seq.

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

14 ~~H.~~ I. Miscellaneous provisions. (1) It is the purpose and intent of this
15 Section that the additional law enforcement personnel and services provided by the
16 district shall be supplemental to and not in lieu of personnel and services provided
17 in the district by the city of Baker and the city of Baton Rouge and parish of East
18 Baton Rouge.

19 (2) If the district ceases to exist, any funds of the district shall be transmitted
20 to the governing authority of the city of ~~Baton Rouge and parish of East Baton~~
21 ~~Rouge~~ Baker and shall be used for law enforcement purposes in the area included
22 within the district.

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

27 (2) No board member or officer shall be liable to the district or to any
28 individual who resides, owns property, visits, or otherwise conducts business in the
29 district for monetary damages for breach of his duties as a board member or officer,

1 provided that this provision shall not eliminate or limit the liability of a board
2 member or officer for any of the following:

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

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

7 (3) To the fullest extent permitted by R.S. 9:2792 et seq., including R.S.
8 9:2792.1 through 2792.9, a person serving the district as a board member or officer
9 shall not be individually liable for any act or omission arising out of the performance
10 of his duties.

11 Section 2.(A) Except as provided in Subsection B of this Section, the provisions of
12 this Act shall not affect the parcel fee levied within the Parkwood Terrace Crime Prevention
13 and Neighborhood Improvement District on the effective date of this Act. The governing
14 authority of East Baton Rouge Parish shall continue to levy the fee until such time as it
15 expires, as provided in the proposition approved by a majority of the district's registered
16 voters voting on the proposition at an election held on December 10, 2016.

17 (B) Notwithstanding the provisions of Subsection A of this Section, the board of
18 commissioners of the Parkwood Terrace Crime Prevention and Neighborhood Improvement
19 District may call an election for the purpose of submitting the question of the imposition of
20 the fee authorized in this Act to the voters prior to the expiration of the fee. If the imposition
21 of the fee is approved by a majority of the district's registered voters voting on the
22 proposition at any such election, the governing authority of the district shall then begin to
23 levy a parcel fee as provided in the proposition.

24 (C) At no time shall a property owner in the district be subject to an annual parcel
25 fee, whether paid to the district or to the parish on behalf of the district or both, that exceeds
26 the rate limits provided in R.S. 33:9097.29(F)(1) as amended by this Act.

27 Section 3. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana.

- 1 If vetoed by the governor and subsequently approved by the legislature, this Act shall
2 become effective on the day following such approval.
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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 138 Engrossed

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))