

SENATE BILL NO. 56

BY SENATORS CONNICK, ABRAHAM, BARTHELEMY, BASS, CARTER, DUPLESSIS, FESI, FOIL, HARRIS, HENRY, LUNEAU, MORRIS, STINE AND WOMACK

1 AN ACT

2 To amend and reenact R.S. 38:291(Y), 330.1(B)(2)(a), the introductory paragraph of
3 330.1(C)(1)(b), 330.1(C)(1)(b)(iii), 330.3(A), (B)(1), and (C)(1), and 330.10(A) and
4 to enact R.S. 38:330.1(C)(1)(b)(iv), 330.5(C) and 330.7(D), relative to the Southeast
5 Louisiana Flood Protection Authority-West Bank and Lafitte Area Independent
6 Levee District; to provide for renaming the Lafitte Area Independent Levee District;
7 to provide for the board of commissioners for the Southeast Louisiana Flood
8 Protection Authority-West Bank and Lafitte Area Independent Levee District; to
9 provide for legal proceedings; to modify the responsibilities of the chief law
10 enforcement officer; to direct the Louisiana State Law Institute to change statutory
11 references as necessary; to provide for a compliance officer of the Southeast
12 Louisiana Flood Protection Authority-East; and to provide for related matters.

13 Notice of intention to introduce this Act has been published.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. R.S. 38:291(Y), 330.1(B)(2)(a), the introductory paragraph of
16 330.1(C)(1)(b), 330.1(C)(1)(b)(iii), 330.3(A), (B)(1), and (C)(1), and 330.10(A) are hereby
17 amended and reenacted and R.S. 38:330.1(C)(1)(b)(iv), 330.5(C), and 330.7(D) are hereby
18 enacted to read as follows:

19 §291. Naming; limits of districts; composition of boards

20 * * *

21 Y. Lafitte Area ~~Independent~~ Levee District. (1)(a) The West Jefferson Levee
22 District as it existed on January 1, 2011, is reorganized as provided by this Paragraph
23 and as provided by Paragraph (R)(1) of this Section. The Lafitte Area ~~Independent~~
24 Levee District as it existed on January 1, 2011, is reorganized as provided by this
25 Paragraph and as provided by this Subsection shall be comprised of all of the lands
26 in the parish of Jefferson, lying north of Latitude 29° 17' 52" N and lying south of

1 29° 47' 00" N.

2 (b) These lands and all property thereon situated, not exempt from taxation,
3 shall be subject to the provisions of this Chapter.

4 ~~(2) The governor shall appoint, subject to Senate confirmation, a board of~~
5 ~~commissioners consisting of five persons who reside in that portion of Jefferson~~
6 ~~Parish located within the levee district and who meet the requirements of R.S.~~
7 ~~38:304(A) as follows:~~

8 ~~(a) One member shall be appointed from a list containing three nominations~~
9 ~~from the governing authority of Jean Lafitte.~~

10 **(2)(a) On and after August 1, 2026, the district shall be governed by the**
11 **board of commissioners of the Southeast Louisiana Flood Protection Authority-**
12 **West Bank pursuant to authority granted by Article VI, Sections 38 and 38.1 of**
13 **the Constitution of Louisiana and as provided in this Chapter.**

14 ~~(b) Four members shall be appointed at-large from a list of six nominations~~
15 ~~submitted jointly by the legislative delegation representing that portion of Jefferson~~
16 ~~Parish located within the levee district.~~

17 ~~(c) Members shall be nominated and appointed such that there are always at~~
18 ~~least two professionals with at least ten years of experience in their respective~~
19 ~~professional disciplines on the board, one of whom shall be an engineer.~~

20 ~~(3) A vacancy created whether by reason of death, resignation, expiration of~~
21 ~~term, or any other cause of a member of the board shall be filled in the same manner~~
22 ~~as provided in Paragraph (2) of this Subsection.~~

23 ~~(4)(a) The members of the board initially appointed shall at their first meeting~~
24 ~~determine by lot their terms of office, which terms shall commence immediately~~
25 ~~upon their appointment and shall expire, respectively, as follows: one member in two~~
26 ~~years, two members in three years, and two members in four years, from the first day~~
27 ~~of July immediately succeeding such appointment. Thereafter all terms shall be four~~
28 ~~years.~~

29 ~~(b) No member shall serve more than four consecutive four-year terms.~~
30 However, if a person has been appointed to fill more than one-half of an unexpired

1 term, such person shall be eligible to serve consecutively no more than three terms
2 in addition to such partial term.

3 ~~(5) The official domicile of the board of the district shall be established by~~
4 ~~the board.~~

5 ~~(6) The district shall have such taxing authority as authorized by Article VI,~~
6 ~~Section 39(A) and (B) of the Constitution of Louisiana and other applicable~~
7 ~~provisions of law.~~

8 ~~(7) Any books, records, documents, movable property, lands, or immovable~~
9 ~~property owned by the West Jefferson Levee District situated within the Lafitte Area~~
10 ~~Independent Levee District, that are owned by or in the possession of the West~~
11 ~~Jefferson Levee District and that are situated in or pertain to the operations in the~~
12 ~~jurisdiction of the Lafitte Area Independent Levee District shall, on June 29, 2011,~~
13 ~~become property of and shall be transferred to the Lafitte Area Independent Levee~~
14 ~~District without the necessity of any other act, instrument, or deed.~~

15 * * *

16 §330.1. Southeast Louisiana Flood Protection Authority-East and Southeast
17 Louisiana Flood Protection Authority-West Bank; territorial
18 jurisdiction; board of commissioners; appointments; terms;
19 compensation; vacancy; officers; meetings; domicile

20 * * *

21 B. Each flood protection authority, through its board of commissioners as
22 provided for in this Section, shall exercise all authority over and have management,
23 oversight, and control of the following territories as provided by law for the boards
24 of commissioners of such levee districts to which the authority is a successor and to
25 the extent provided for in this Part:

26 * * *

27 (2)(a) The following levee districts and parts of levee districts and parishes
28 shall be included within the Southeast Louisiana Flood Protection Authority-West
29 Bank:

30 (i) West Jefferson Levee District.

1 (ii) The Algiers Levee District.

2 **(iii) The Lafitte Area Levee District.**

3 * * *

4 C.(1) There is hereby created a board of commissioners for each flood
5 protection authority as follows:

6 * * *

7 (b) The board of commissioners of the Southeast Louisiana Flood Protection
8 Authority-West Bank shall be composed of ~~seven~~ **nine** members of whom ~~two~~ **three**
9 shall reside in Jefferson Parish on the west side of the Mississippi River within the
10 jurisdiction of the ~~authority~~ **West Jefferson Levee District, one shall reside within**
11 **the territorial jurisdiction of the Lafitte Area Levee District,** two shall reside in
12 Orleans Parish on the west side of the Mississippi River, and three shall reside
13 outside of Jefferson and Orleans parishes. The members shall be appointed by the
14 governor from nominations submitted by the nominating committee as follows:

15 * * *

16 (iii) ~~One member~~ **Three members** who shall possess the qualifications set
17 forth in either Item (i) or (ii) of this Subparagraph.

18 **(iv) The member appointed from the territorial jurisdiction of the Lafitte**
19 **Area Levee District shall be selected from a list of three individuals, submitted**
20 **by the mayor of Jean Lafitte and approved by the town council. The list shall**
21 **then be forwarded to the state senator for Senate District No. 8 and the state**
22 **representative for House District No. 84, who shall jointly select and submit one**
23 **nominee to the governor for appointment.**

24 * * *

25 §330.3. Levee district and board reorganization; transfer of authority; obligations;
26 taxes; lands

27 A.(1)(a) Any legal proceeding to which the East Jefferson Levee District,
28 Lake Borgne Basin Levee District, Orleans Levee District, or West Jefferson Levee
29 District is a party and which is filed, initiated, or pending before any court on
30 January 1, 2007, and all documents involved in or affected by said legal proceeding,

1 shall retain its effectiveness and shall be continued in the name of the district. ~~Other~~
 2 ~~than the district or districts originally named as party to the proceedings, neither an~~
 3 ~~authority or district within the territorial jurisdiction of the authority shall have any~~
 4 ~~liability for actions pending or claims arising prior to the effective date of this~~
 5 ~~Section.~~

6 **(b) Any legal proceeding to which the Lafitte Area Levee District is a**
 7 **party and which is filed, initiated or pending before any court on August 1,**
 8 **2026, and all documents involved in or affected by any legal proceeding, shall**
 9 **retain its effectiveness and shall be continued in the name of the Lafitte Area**
 10 **Levee District.**

11 **(c) Other than the district or districts originally named as a party to the**
 12 **proceedings, neither an authority or district within the territorial jurisdiction**
 13 **of the authority shall have any liability for actions pending or claims arising**
 14 **prior to August 1, 2026.**

15 ~~(b)~~**(d)** Neither an authority nor any district within the territorial jurisdiction
 16 of the authority shall have any liability for actions or claims other than the district
 17 against which the actions or claims arise.

18 ~~(e)~~**(e)** Except as provided in this Subparagraph, Paragraph (B)(4) of this
 19 Section, and R.S. 38:330.8(B), no provision of law providing the Southeast
 20 Louisiana Flood Protection Authority-East or Southeast Louisiana Flood Protection
 21 Authority-West Bank with any authority over and management, oversight, and
 22 control of the areas and levee districts provided for in R.S. 38:330.2(A) shall be
 23 construed or interpreted to make the taxes levied by, or other revenue of, a levee
 24 district within the territorial jurisdiction of the authority payable for the liability of
 25 another levee district, or for any liability of the authority when acting on behalf of
 26 another levee district. Notwithstanding any other provision of law to the contrary,
 27 taxes and other revenues generated in one or more levee districts within the
 28 jurisdiction of a levee authority may be used within any portion of the territorial
 29 jurisdiction of the authority if use of the funds will benefit all or a portion of the
 30 authority and the levee districts from which the taxes or revenues are generated.

1 (2) All obligations and unfinished business of the East Jefferson Levee
2 District, Lake Borgne Basin Levee District, Orleans Levee District, ~~and~~ West
3 Jefferson Levee District, **and Lafitte Area Levee District** shall be managed on
4 behalf of the districts by the appropriate authority.

5 (3) All outstanding indebtedness of the East Jefferson Levee District, Lake
6 Borgne Basin Levee District, Orleans Levee District, ~~and~~ West Jefferson Levee
7 District, **and Lafitte Area Levee District** shall remain with the district and shall not
8 be a liability of any authority.

9 B.(1) The proceeds of all taxes collected on all property taxed in the parishes
10 of Jefferson, Orleans, and St. Bernard for the purpose of constructing and
11 maintaining levees, levee drainage, flood protection, hurricane flood protection, and
12 for all other purposes incidental thereto, by or on behalf of the Algiers Levee
13 District, East Jefferson Levee District, Lake Borgne Basin Levee District, Orleans
14 Levee District, ~~or~~ West Jefferson Levee District, **or Lafitte Area Levee District,**
15 and, except as provided in R.S. 38:330.12, any other revenue from operations of such
16 districts shall be administered by the board of commissioners of the applicable flood
17 protection authority; however, the taxes and other revenues of each such levee
18 district shall only be used and expended for the purposes of such district.

19 * * *

20 C.(1) Any books, records, documents, funds, movable property, lands or
21 immovable property owned by the Algiers Levee District, East Jefferson Levee
22 District, Lake Borgne Basin Levee District, Orleans Levee District, ~~and~~ West
23 Jefferson Levee District, **and Lafitte Area Levee District** shall be retained as
24 property of the respective levee district in which such property is situated, but shall
25 be managed by the applicable flood protection authority, except as provided in R.S.
26 38:330.12.

27 * * *

28 §330.5. Employees

29 * * *

30 **C. For purposes of this Part, the Southeast Louisiana Flood Protection**

1 Authority-East board of commissioners may hire a compliance officer. The
2 position shall be in the classified service of the state. The compliance officer
3 shall possess the following credentials and experience:

4 (1) A bachelor's degree in accounting, auditing, business, finance, legal
5 studies, or related fields.

6 (2) A minimum of two years of industry specific experience.

7 (3) A Certified Compliance and Ethics Professional credential.

8 * * *

9 §330.7. Police officers

10 * * *

11 D.(1) The superintendent of police shall serve as the chief law
12 enforcement officer of the Southeast Louisiana Flood Protection Authority East
13 and its constituent levee districts pursuant to R.S. 38:330.1(B)(1)(a), and shall
14 be responsible solely for the execution, direction, and supervision of law
15 enforcement operations within the territorial jurisdiction of the flood authority.

16 (2) The authority of the superintendent of police shall be limited
17 exclusively to matters directly related to law enforcement operations, including
18 the prevention, detection, and investigation of crime and the enforcement of
19 applicable criminal and motor vehicle traffic laws and ordinances.

20 (3) The superintendent of police shall not exercise any authority over any
21 administrative, fiscal, personnel, procurement, policy-making, or other nonlaw
22 enforcement functions of the Southeast Louisiana Flood Protection Authority
23 East or its constituent levee districts.

24 (4) Nothing in this Section shall be construed to grant the superintendent
25 of police authority beyond operational law enforcement responsibilities, nor to
26 diminish the authority of any other official or entity lawfully responsible for
27 administrative governance.

28 * * *

29 §330.10. Statutory reference

30 A. Subject to the limitations of liability as set forth in R.S. 38:330.3,

1 whenever a reference to the "board of commissioners", "levee board" or "board of
2 levee commissioners" of the Algiers Levee District, East Jefferson Levee District,
3 Lake Borgne Basin Levee District, Orleans Levee District, ~~or~~ West Jefferson Levee
4 District, or Lafitte Area Levee District appears in any statute, or in a contract, or
5 a legal pleading, or in any other document, that reference shall be deemed to be a
6 reference to the board of commissioners of the Southeast Louisiana Flood Protection
7 Authority-East or the board of commissioners of the ~~Southeast Louisiana Flood~~
8 ~~Protection Authority-West Bank~~ West Bank Levee Authority, as applicable.

* * *

10 Section 2. The Louisiana State Law Institute is hereby directed to make technical
11 changes to statutory laws as necessary to reflect the succession of the Lafitte Area
12 Independent Levee District by the Lafitte Area Levee District as provided in this Act.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____