
DIGEST

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Amedee

SB No. 617

Proposed law authorizes the governing authority of Ascension Parish to create special taxing districts for funding new residential road infrastructure development only.

Proposed law requires that the parish governing authority hold two public hearings before creating such a district. Provides for the parish governing authority to serve as the governing authority of such a district. Authorizes any such district to finance, fund, plan, establish, acquire, construct or reconstruct, enlarge or extend, equip, operate, and maintain specified road infrastructure projects.

Proposed law authorizes a district, subject to voter approval, to levy a tax and maintenance assessment as follows:

- (1) An ad valorem tax not to exceed 15 mills for any and all road projects within the district.
- (2) A maintenance special assessment to finance maintenance and preservation of the district's facilities and road projects. Provides that the amount assessed against each property in the district shall be determined by apportioning the costs of the projects according to benefits received. Further provides that the benefits received are to be determined on a pro rata rate by the amount of road frontage on each lot and provides that assessments shall be sent to the assessor's office no later than April 30th for each new district for an assessment for the following fiscal year and shall not exceed \$200 per year per lot.

Proposed law provides that no election to approve the levy of a tax or assessment is required if there are no qualified electors in the district.

Proposed law grants a district the following additional powers and duties:

- (1) To adopt bylaws.
- (2) To adopt and alter an official seal.
- (3) To maintain an office and to occupy space made available by the parish governing authority.
- (4) To sue and to be sued.
- (5) To receive, administer, and comply with the conditions and requirements respecting any gift, grant, guarantee, subsidy, or donation of any property or money.
- (6) To acquire and to hold and use any franchise or property.
- (7) To borrow money.
- (8) To make and execute contracts.
- (9) To pledge or assign any revenues.
- (10) To employ such employees, to make use of such persons as the parish governing authority may make available to the district, and to employ or otherwise retain the services of accountants, financial advisors, underwriters, attorneys, engineers, and such other consultants.

- (11) To exercise any and all other powers necessary to accomplish its purposes.
- (12) Provides that nothing in proposed law shall be construed as to vest or confer the power of expropriation on the parish governing authority or any special taxing district.

Proposed law authorizes the district to issue bonds secured by the proceeds of the ad valorem taxes and the assessments. Requires voter approval for the issuance of general obligation bonds. Requires that bonds be issued in accordance with the provisions of the state constitution and all other laws applicable to the issuance of bonds by political subdivisions. Provides further with respect to such bonds.

Proposed law requires the governing authority of a special taxing district to require all developers to notify potential buyers of any property located within a new residential road infrastructure development of all potential taxes and fees.

Proposed law provides that proposed law is not applicable to the financial of any road infrastructure projects on any property in which the ownership of multiple adjacent parcels of the property resides with a single extended family or was inherited from a single family.

Proposed law provides that proposed law terminates on Aug. 1, 2024.

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

(Adds R.S. 33:4690.13)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Adds provision specifically providing that proposed law shall not be construed as to vest or confer expropriation authority.
2. Adds an exception to proposed law for partitions of family property.
3. Adds a sunset date.

Senate Floor Amendments to engrossed bill

1. Requires all developers to notify potential buyers of any property located within a new residential road infrastructure development of all potential taxes and fees that may be levied.
2. Adds provisions that proposed law is not applicable to the financing of any road infrastructure projects on any property in which the ownership of multiple adjacent parcels of the property resides with a single extended family or was inherited from a single family.
3. Makes technical changes.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the reengrossed bill.

1. Adds provision that makes the levy of a tax or assessment subject to voter approval unless there are no qualified voters in the district. Adds provision that the authority granted to levy a tax or assessment is in addition to powers and rights conferred by any other general or special law.