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The original instrument was prepared by Martha Hess. The following digest, which does not constitute a part of the legislative instrument, was prepared by Jay Lueckel.

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## DIGEST

Dorsey-Colomb (SB 648)

Proposed law creates the Old LNB Building Redevelopment District in East Baton Rouge Parish as a special taxing district and political subdivision of the state.

Proposed law provides that the purpose of the district is to provide for cooperative economic development in order to provide for the redevelopment of, and dramatic improvement to, the property within the district located in the city-parish.

Proposed law provides that the district be governed by a three-member board of commissioners. All three members shall constitute a quorum for the transaction of business. The commissioners shall be:

- (1) The mayor-president of the city-parish or his designee.
- (2) The mayor-president pro-tempore of the city-parish.
- (3) The council member for Metropolitan Council District No. 10 of the city-parish.

Proposed law provides that the domicile of the board shall be established by the board at a location within the district. Provides the general rights and powers of the district and its board of commissioners. Provides that the district shall be subject to the Public Records Law, officials journals law, Code of governmental Ethics, and audit law.

Proposed law authorizes the district to exercise the power of economic development districts in the TIF provisions for local governmental subdivisions in present law including ad valorem tax increment financing and sales tax increment financing; the power of community development districts to levy special assessments for the payment of bonds, financing, maintenance and preservation; and the levy of sales taxes or hotel occupancy taxes above and in addition to any other sales taxes or hotel occupancy taxes then in existence or permitted to be in existence within the district, in an amount as may be determined by the board with the approved written consent of the owners of immovable property in the district, all in addition to the powers of economic development districts granted in the proposed law and the power to levy taxes in the TIF law in R.S. 33:9038.39, subject to the limitations and prohibitions of the Louisiana Constitution.

The aggregate tax rates of the sales tax and occupancy tax must be at least equal to the aggregate rate of all sales and occupancy taxes within the city-parish. In addition, the taxes levied are deemed to supersede other city-parish sales and occupancy taxes if the taxes:

- (1) Do not secure bonds that have been authorized.
- (2) Have not been dedicated by other law or by proposition approved by electors.
- (3) Are not based on a per head or per person basis.
- (4) Is not the occupancy tax authorized by R.S. 33:4574.1.1(A)(6) relating to Visit Baton Rouge.

Proposed law authorizes the district to use hotel and sales tax incremental financing or other financing pledging the revenues of the district. Provides relative to publishing requirements for certain actions by the board. Prohibits court authority into board action relative to adoption of ordinances or resolutions or pledge of tax increments after 30 days after publication unless a claim has been filed.

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

(Adds R.S. 33:9038.67)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Specifically authorizes the district to levy sales taxes or hotel occupancy taxes above and in addition to any other sales taxes or hotel occupancy taxes then in existence or permitted to be in existence within the district, (a) in an amount as may be determined by the board (b) with the approved written consent of the owners of immovable property in the district, all in addition to the powers of economic development districts granted in the proposed law and the power to levy taxes in the TIF law in R.S. 33:9038.39, subject to the limitations and prohibitions of the Louisiana Constitution.
2. Prohibits the district from the taxing the "use" of tangible personal property, but authorizes a tax on the consumption and storage for use or consumption of such property.
3. Prohibits the hotel occupancy tax of the district from superceding any occupancy tax authorized by R.S. 33:4574.1.1(A)(6) relating to Visit Baton Rouge.
4. Reduces the maximum existence of the district from 50 years to 30 years.
5. Limits the district to acquiring necessary property by gift, grant, purchase or lease, deleting the words "or otherwise".

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Changes the board meeting attendance provisions such that only the Mayor-President may have a designee attend board meetings; the other two members shall attend in person.
2. All three members of the board comprise a quorum for the transaction of business.
3. Makes the district subject to the Public Records Law, officials journals law, Code of governmental Ethics, and audit law.
4. Provides relative to publishing requirements for certain actions by the board.
5. Prohibits court authority into board action relative to adoption of ordinances or resolutions or pledge of tax increments after 30 days after publication unless a claim has been filed.