
DIGEST

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HB 145 Engrossed

2015 Regular Session

Burford

Abstract: Authorizes the governing authority of DeSoto Parish Fire Protection District No. 3 to establish a service charge for residential or commercial structures and authorizes the collection and enforcement of such service charge.

Present law (R.S. 40:1502) authorizes the governing authority of any fire protection district in DeSoto Parish to establish, assess, and collect a service charge to fund the purchase of fire protection equipment, maintenance, and operation of fire protection facilities and equipment, and obtaining water for fire protection purchases.

Proposed law retains present law except grants the following additional authorities to DeSoto Parish Fire Protection District No. 3.

Proposed law authorizes the district, subject to voter approval, to establish a service charge for each residential or commercial structure located within the boundaries of the district. Specifies that each residential or commercial unit in a structure and each housing unit within a multiple dwelling structure shall be considered a separate structure. Provides that a mobile home shall be considered a structure. Further provides that the amount of such service charges shall be framed so as to cover and used to pay the costs of fire protection and emergency medical transportation and all emergency services incidental thereto.

Proposed law authorizes the governing authority to use any reasonable means to collect and enforce the collection of such service charges, including any means authorized by law for the collection of taxes. Provides that such means shall include the assessor carrying the charges on the tax rolls and the sheriff collecting the charges at the same time as ad valorem taxes are collected and with the same authority as such taxes are collected. Requires the sheriff to notify delinquent property owners of any delinquency by sending a "Final Notice". Requires that the sheriff publish notice of the pending delinquent property sale. Authorizes the governing authority to compensate the sheriff and assessor for collecting by mutual agreement.

Proposed law authorizes the governing authority to place liens on property for unpaid fire protection service charges. Proposed law provides that service charge obligations prime all other liens, mortgages, and privileges against the property except for liens previously filed for taxes or local and special assessments.

Proposed law entitles the district governing authority to recover the unpaid charges together with all costs of court and attorney fees, by ordinary process in the 42nd Judicial District Court.

Proposed law also authorizes the governing authority to provide, by resolution, for interest on the unpaid charges, which shall be paid prior to cancellation of the lien.

(Adds R.S. 40:1502.16)