

2015 Regular Session

HOUSE BILL NO. 769

BY REPRESENTATIVE BURRELL

1 AN ACT

2 To enact Chapter 13-N of Title 33 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 33:4720.301, to create the Shreveport Implementation and
4 Redevelopment Authority; to provide for the formation of a program or programs in
5 the city of Shreveport for the use of appropriate private and public resources to
6 eliminate and prevent the development or spread of slum, blighted, and distressed
7 areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted,
8 and distressed areas; to provide for the expeditious conversion of blighted or
9 underused property into habitable residential dwellings in the city of Shreveport; to
10 define the duties, liabilities, authority, and functions of the redevelopment authority;
11 to authorize public bodies to furnish funds, services, facilities, and property in aid
12 of redevelopment projects; and to provide for related matters.

13 Notice of intention to introduce this Act has been published
14 as provided by Article III, Section 13 of the Constitution of
15 Louisiana.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Chapter 13-N of Title 33 of the Louisiana Revised Statutes of 1950,
18 comprised of R.S. 33:4720.301, is hereby enacted to read as follows:

19 CHAPTER 13-N. SHREVEPORT IMPLEMENTATION AND

20 REDEVELOPMENT AUTHORITY

21 §4720.301. Shreveport Implementation and Redevelopment Authority

22 A. This Chapter may be referred to as the "Shreveport Implementation and
23 Redevelopment Law".

24 B. It is hereby found and declared that:

1 (1) There exist in the city of Shreveport areas which have become slums,
2 blighted, and distressed because of the unsafe, unsanitary, inadequate, or
3 overcrowded condition of the structures therein, or because of inadequate planning
4 for the area, or because of physically or functionally obsolete structures, or because
5 of excessive dwelling unit density, or because of the lack of proper light and air and
6 open space, or because of faulty street or lot design, or inadequate public utilities, or
7 community services, or because of failure to adequately maintain and repair
8 structures, or because of the conversion to incompatible types of land usage, or
9 because of environmental conditions and circumstances. Such conditions, or a
10 combination of some or all of them, have and will continue to result in making such
11 areas economic and social liabilities.

12 (2) The prevention and elimination of slum, blighted, and distressed
13 properties are matters of public policy and concern, as such areas tend to consume
14 a disproportionate amount of city revenues because of the extra services required for
15 police, fire, accident, and other forms of public protection, services, and facilities.

16 (3) The salvage, renewal, redevelopment, and reconstruction of such slum,
17 blighted, and distressed areas will promote the public health, safety, morals, and
18 welfare of the public.

19 (4) The powers conferred by this Chapter are for public uses, purposes,
20 welfare, and utility for which public money may be expended as necessary and in the
21 public's interest. The provisions provided in this Chapter shall apply for residential,
22 recreational, commercial, industrial, or other purposes and otherwise to encourage
23 the provision of healthful homes, safe neighborhoods, a decent living environment,
24 and adequate places of employment for the people. Such purposes are hereby
25 declared as a matter of legislative determination.

26 (5) The object of this Chapter is to provide for the following:

27 (a) The general and economic welfare of the city through housing,
28 commercial, office, hospitality, recreation, education, infrastructure and utility
29 capacity, manufacturing, industrial, research, retail, or other activities which will

1 create or retain jobs, maintain or diversify industry, including new or emerging
2 technologies, or maintain or increase the tax base.

3 (b) The improvement of conditions of deteriorated physical development,
4 slow economic growth, and eroded financial health of the public and private sectors.

5 (c) The control, abatement, and prevention of pollution to protect public
6 health and safety, and the development and use of indigenous and renewable energy
7 resources.

8 (d) Assistance to nonprofit and governmental entities in support of health,
9 educational, charitable, community, cultural, agricultural, consumer, or other
10 services benefiting the citizens.

11 C.(1) There is hereby created in the city of Shreveport a body politic and
12 corporate which shall exist in perpetuity and shall be known as the Shreveport
13 Implementation and Redevelopment Authority, referred to in this Chapter as the
14 "authority".

15 (2) The authority shall be a special district created pursuant to Article VI,
16 Section 19 of the Constitution of Louisiana and political subdivision of the state as
17 defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,
18 acting through its governing board, is hereby granted all of the rights, powers,
19 privileges, and immunities accorded by the laws and the Constitution of Louisiana
20 to political subdivisions of the state, except the authority shall not have the power to
21 impose taxes, issue licenses, incur debt, issue bonds, or expropriate, subject to the
22 limitations provided in this Chapter.

23 (3) The authority shall not be deemed to be an instrumentality of the state for
24 purposes of Article X, Section 1(A) of the Constitution of Louisiana.

25 D. The authority, for the purposes of this Chapter, shall formulate a workable
26 program or programs consistent with the Shreveport-Caddo 2030 Master Plan, an
27 approved redevelopment plan for the area, and the city of Shreveport's Consolidated
28 Strategy Plan for using appropriate private and public resources to eliminate and
29 prevent the development or spread of slums and blight, to encourage needed
30 rehabilitation, and to provide for the redevelopment of slum or blighted areas, or to

1 undertake other feasible parochial activities as may be suitably employed to achieve
2 the objectives of such workable program.

3 E. The authority, to the greatest extent it determines to be feasible in carrying
4 out the provisions of this Chapter, shall seek out cooperative endeavors, including
5 partnerships, joint ventures, and equity participation structures, with nonprofit
6 organizations and private enterprise. The authority shall give consideration to this
7 objective in exercising the powers granted pursuant to this Chapter.

8 F. The boundaries of the authority shall be comprised of all of the territory
9 located within the corporate limits of the city of Shreveport as they exist now or may
10 be changed.

11 G.(1) The authority shall be governed by a board of commissioners, referred
12 to in this Chapter as the "board", consisting of nine members appointed by the mayor
13 of the city of Shreveport as follows:

14 (a) One member appointed by the mayor for an initial term of one year and
15 thereafter the appointment shall be for a term of five years.

16 (b) One member appointed by the mayor for an initial term of five years and
17 thereafter the appointment shall be for a term of five years.

18 (c) One member appointed by the mayor for an initial term of three years and
19 thereafter the appointment shall be for a term of five years.

20 (d) One member appointed by the mayor from a list of three names from the
21 membership of the Greater Shreveport Chamber of Commerce, submitted by its
22 board of directors, who shall serve for an initial term of two years and thereafter the
23 appointment shall be for a term of five years.

24 (e) One member appointed by the mayor from a list of three names from the
25 membership of the Shreveport Bar Association, submitted by its executive council,
26 who shall serve an initial term of three years and thereafter the appointment shall be
27 for a term of five years.

28 (f) One member appointed by the mayor from a list of three names from the
29 membership of the Shreveport Chapter of the Society of Louisiana Certified Public

1 Accountants, submitted by the chapter officers, who shall serve an initial term of
2 four years and thereafter the appointment shall be for a term of five years.

3 (g) One member appointed by the mayor from a list of three names from the
4 membership of The Community Foundation of North Louisiana, submitted by its
5 board of directors, who shall serve an initial term of four years and thereafter the
6 appointment shall be for a term of five years.

7 (h) One member appointed by the mayor from a list of three names from the
8 membership of the Northwest Louisiana Association of REALTORS, submitted by
9 its board of directors, who shall serve an initial term of two years and thereafter the
10 appointment shall be for a term of five years.

11 (i) One member appointed by the mayor from a list of three names from the
12 membership of the Home Builders Association of Northwest Louisiana, submitted
13 by its board of directors, who shall serve an initial term of five years and thereafter
14 the appointment shall be for a term of five years.

15 (2) The board shall be representative of the city's population by race and
16 gender to ensure diversity.

17 (3) All appointments shall be subject to confirmation by the governing
18 authority of the city of Shreveport.

19 (4) Each board member shall be a citizen of the United States, a domiciliary
20 of and a qualified voter in the city of Shreveport for at least one year preceding the
21 date of appointment, and shall remain a domiciliary of and a qualified voter of such
22 jurisdiction during the entirety of the term of office. Furthermore, each board
23 member shall be of good character and shall possess a certain skill, knowledge, or
24 experience that will prove useful in the accomplishment of the goals of the authority
25 as set forth in Subsection B of this Section.

26 (5)(a) After the initial term of appointment to the board, each board member
27 shall serve a term of five years, unless removed for cause by the board as provided
28 in this Chapter, or removed for any reason by authorized action of the entity that
29 nominated the person for appointment by the mayor.

1 (b) Any appointment to fill a vacancy which occurs during a board member's
2 term shall be only for the remainder of the unexpired term of the position to which
3 the board member was appointed.

4 (6) The board shall establish rules and requirements relative to the
5 attendance and participation of members in its meetings, regular or special. Such
6 rules and regulations may prescribe a procedure whereby, should any member fail
7 to comply with such rules and regulations, such member may be disqualified and
8 removed automatically from office by no less than a majority vote of the remaining
9 members of the board, and that member's position shall be vacant as of the first day
10 of the next calendar month. Any person removed under the provisions of this
11 Paragraph shall be ineligible for reappointment to the board, unless such
12 reappointment is confirmed unanimously by the board.

13 (7) A vacancy on a board shall be filled in the same manner as the original
14 appointment.

15 (8) Board members shall serve without compensation, shall have the power
16 to organize and reorganize the executive, administrative, clerical, and other
17 departments and forces of the authority and to fix the duties, powers, and
18 compensation of all employees, agents, and consultants of the authority. The board
19 may reimburse any member for expenses actually incurred in the performance of
20 duties on behalf of the authority.

21 (9) The board shall elect yearly from its number a chairman, a vice chairman,
22 a secretary, and a treasurer and shall establish their duties as may be regulated by
23 rules adopted by the board. The offices of secretary and treasurer may be held by the
24 same person. The board may meet in regular session once each month and shall also
25 meet in special session as convened by the chairman or upon written notice signed
26 by four members. A majority of the members of the board, not including vacancies,
27 shall constitute a quorum for the conduct of business.

28 (10) All actions of the board shall be approved by the affirmative vote of a
29 majority of the members of that board present and voting. However, no action of the

1 board shall be authorized on the following matters unless approved by a majority of
2 the total board membership:

3 (a) Adoption of bylaws and other rules and regulations for conduct of the
4 authority's business.

5 (b) Hiring or firing of any employee or contractor of the authority. This
6 function may by majority vote be delegated by the board to a specified officer or
7 committee of the authority, under such terms and conditions, and to the extent, that
8 the board may specify.

9 (c) Adoption or amendment of the annual budget.

10 (d) Sale, lease, encumbrance, or alienation of real property, improvements,
11 or personal property with a value of more than fifty thousand dollars.

12 (11) Vote by proxy shall not be permitted. Any member may request a
13 recorded vote on any resolution or action of the authority.

14 (12) The board shall cause minutes and a record to be kept of all its
15 proceedings. Except as otherwise provided in this Paragraph, the authority shall be
16 subject to the Public Records Law (Chapter 1 of Title 44 of the Louisiana Revised
17 Statutes of 1950), the Open Meetings Law (R.S. 42:11 et seq.), and the Code of
18 Governmental Ethics (Chapter 15 of Title 42 of the Louisiana Revised Statutes of
19 1950). Notwithstanding the provisions of R.S. 42:14, until thirty days prior to the
20 date the board is scheduled to consummate a final sale or lease of any immovable
21 property owned by the authority, the board may meet in executive session to discuss
22 negotiations between the authority and any prospective seller, purchaser, lessor, or
23 lessee of that property. R.S. 44:31 through 35 shall not apply to any records related
24 to the negotiations of or to the terms of such a sale or lease until thirty days prior to
25 the date the board is scheduled to consummate a final sale or lease. The board shall
26 give written public notice of its intention to consummate a final sale or lease at least
27 thirty days prior to the date on which the board intends to take such action. This
28 notice shall comply with the procedural provisions of R.S. 42:19.

1 H. The authority, through the board, shall have all powers necessary or
2 convenient to carry out and effectuate the purposes and provisions of this Chapter,
3 including but not limited to the following:

4 (1) To sue and be sued and as such to stand in judgment.

5 (2) To adopt, use, and alter at will a corporate seal.

6 (3) To acquire by gift, grant, purchase, or lease, and to hold and use any
7 property, immovable, movable, mixed, corporeal, or incorporeal, or any interest
8 therein, necessary or desirable for carrying out the objects and purposes of the
9 authority, and to engage in any action, such as the purchase of insurance, necessary
10 or desirable for the maintenance or improvement of such property.

11 (4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or
12 otherwise dispose of or transfer to, or with, other political subdivisions of this state
13 or public or private persons at public or private sale any residential, commercial,
14 industrial, or subdivision land, property, improvements, or portions thereof,
15 including real property, which is, in the opinion of the board, appropriate to
16 accomplish the objectives and purposes of the authority.

17 (b) Prior to any sale, lease, conveyance, disposition, or transfer of property
18 pursuant to this Paragraph, the authority shall fix the price and terms of the sale,
19 lease, exchange, or other contract to be made with reference to the property. Such
20 sale, lease, conveyance, disposition, or transfer shall comply with the terms and
21 provisions of this Chapter.

22 (c) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the
23 Louisiana Revised Statutes of 1950 and the statutes referenced in that Chapter, shall
24 be in accordance with laws providing for the disposition or transfer of such land.

25 (d) Other than the requirements of this Chapter, no other law limiting or
26 regulating the form or manner of the sale, lease, conveyance, disposition, or transfer
27 of property by public bodies, including without limitation R.S. 41:1338, shall apply
28 to the sale, lease, conveyance, disposition, or transfer of property by the authority.
29 All such sales, leases, conveyance, dispositions, or transfers of property remain
30 subject to the limitations imposed by the Constitution of Louisiana.

1 (5) To convey to the United States, the state, or to any political subdivision
2 of the state any land, property, right-of-way, easement, servitude, or other thing of
3 value, which the authority may own or acquire, for use by such governmental entity
4 to accomplish the objectives and purposes of the authority, pursuant to the terms of
5 any appropriate cooperative endeavor agreement.

6 (6) To make and collect reasonable charges for the use of property of the
7 authority and for services rendered by the authority and to regulate fees or rentals
8 charged for use of privately owned facilities located on property owned or sold by
9 the authority when such facilities are offered for use by the public or by a private
10 industrial, commercial, research, or other economic development entity or activity.

11 (7) To enter into contracts and agreements with public bodies or public or
12 private entities to achieve the authority's objectives and purposes, including but not
13 limited to contracts for professional, legal, and other services and for the purchase,
14 lease, acquisition, sale, construction, operation, maintenance, marketing, and
15 improvement of land, public works, and facilities, as the board may deem necessary
16 or convenient to accomplish the objectives and purposes of the authority.

17 (8) To plan, develop, regulate, operate, and maintain activities and planned
18 land uses to foster creation of new jobs, economic development, industry, health
19 care, general public and social welfare, commerce, manufacturing, tourism,
20 relocation of people and businesses to the area, shipbuilding, aviation, military,
21 warehousing, transportation, offices, recreation, housing development, and
22 conservation.

23 (9) To acquire land and improvements to construct, operate, and maintain
24 facilities, improvements, and infrastructure, including buildings, roads, bridges,
25 drainage, and utilities, and to perform other functions and activities on property
26 owned or leased by the authority to accomplish the objectives and purposes of the
27 authority. However, the authority is prohibited from constructing, operating, or
28 maintaining any water, electric, or gas utility facilities which duplicate, curtail,
29 impair, or directly compete with a regulated water, electric, or gas utility facility
30 operating in or adjacent to the property owned or leased by the authority.

1 (10) To develop, activate, construct, exchange, acquire, improve, repair,
2 operate, maintain, lease, mortgage, sell, and grant a security device affecting the
3 movable and immovable property, servitudes, facilities, and works within the
4 jurisdiction of the authority under such terms and conditions as the board may deem
5 necessary or appropriate for any public purpose, including industrial, residential,
6 subdivision, and commercial development.

7 (11) To borrow money and to pledge or grant a security device affecting all
8 or part of its revenues, leases, rents, and other advantages as security for such loans.

9 (12) To appoint officers, agents, and employees, prescribe their duties, and
10 fix their compensation.

11 (13) To undertake and carry out redevelopment projects and related
12 activities.

13 (14) To apply for and accept advances, leases, grants, contributions, and any
14 other form of financial assistance from the federal government, the state, parish of
15 Caddo, city of Shreveport, or other public bodies, or from any sources, public or
16 private, for the purposes of this Chapter, and to give such security as may be required
17 and to enter into and carry out contracts or agreements in connection therewith; and
18 to include in any contract for financial assistance with the federal government such
19 conditions imposed pursuant to federal laws as the board may deem reasonable and
20 appropriate and which are not inconsistent with the purposes of this Chapter.

21 (15) To make or have made all surveys and plans necessary to the carrying
22 out of the purposes of this Chapter and to adopt or approve, modify, and amend such
23 plans, which plans may include but are not limited to:

24 (a) Plans for carrying out a program of voluntary or compulsory repair and
25 rehabilitation of buildings and improvements.

26 (b) Plans for the enforcement of state and local laws, codes, and regulations
27 relating to the use of land and the use and occupancy of buildings and improvements
28 and to the compulsory repair, rehabilitation, demolition, or removal of buildings and
29 improvements.

1 (c) Appraisals, title searches, surveys, studies, and other plans and work
 2 necessary to prepare for the undertaking of redevelopment projects and related
 3 activities.

4 (16) To develop, test, and report methods and techniques and carry out
 5 demonstrations and other activities for the prevention and the elimination of slums
 6 and urban blight, including developing and demonstrating new or improved means
 7 of providing housing or continuing care, assisted living, or independent living or
 8 other similar type housing for elderly or retired persons or other persons desiring
 9 such housing facilities.

10 (17) To make and from time to time amend and repeal bylaws, orders, rules,
 11 and regulations in order to effectuate the provisions of this Chapter.

12 (18) To exercise all or any part or combination of powers herein granted by
 13 this Chapter.

14 (19) To purchase property at a sale conducted pursuant to enforcement of
 15 judicial mortgages created in accordance with R.S. 13:2575(C) by tendering a bid
 16 equal to or greater than the minimum bid advertised, which bid may be a credit bid
 17 consisting of the obligation of the authority to satisfy the bid by payment to the
 18 political subdivision holding the lien being enforced in accordance with
 19 intergovernmental agreements between the authority and such political subdivision.
 20 Such a bid shall be given priority over all other bids regardless of amount, except for
 21 a higher bid submitted by a conventional mortgage holder holding a mortgage on the
 22 subject property.

23 I. The exercise by the board of the powers conferred by virtue of this Chapter
 24 shall be deemed and held to be an essential governmental function of the state and
 25 city of Shreveport. As the exercise of the powers granted by this Chapter will be in
 26 all respects for the benefit of the people of the state of Louisiana and city of
 27 Shreveport, for the increase of their commerce and prosperity, and for the
 28 improvement of their health and living conditions, the authority shall not be required
 29 to pay any taxes, including but not limited to sales and use taxes, ad valorem,
 30 occupational licensing, income, or any other taxes of any kind or nature, or fees or

1 assessments upon any property held, acquired, or used by the authority under the
2 provisions of this Chapter, or upon the income therefrom. The authority shall not be
3 deemed to be a public utility and shall not be subject in any respect to the authority,
4 control, regulation, or supervision of the Louisiana Public Service Commission.

5 J.(1) The authority may purchase adjudicated properties within its territorial
6 jurisdiction from any political subdivision of the state of Louisiana. No such
7 purchase shall be construed to, or otherwise have the effect of, extending or
8 suspending the period prescribed by law for the redemption of the property by the
9 tax debtor or any other person.

10 (2) In addition to the authority set forth in Subpart B of Part IV of Chapter
11 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, such purchases
12 by the authority may be by a direct negotiated purchase and sale agreement between
13 the authority and a political subdivision without any other requirement of a public
14 sale prior to the transfer of such properties to the authority. Such purchases by the
15 authority shall not be considered the sale of surplus property or of property owned
16 by the political subdivision.

17 (3) Effective upon the recordation of the transfer of an adjudicated property
18 to the authority pursuant to a purchase and sale agreement, the rights of the authority
19 in and to such property shall be the rights of a purchaser at a tax sale as contemplated
20 by Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,
21 subject only to the rights of redemption of the property set forth in Article VII,
22 Section 25(B) of the Constitution of Louisiana, and the property shall no longer be
23 deemed to be adjudicated property as of such recordation. For purposes of the right
24 of redemption in Article VII, Section 25(B) of the Constitution of Louisiana, the
25 redemption period commences on the date of the recordation of the initial
26 adjudication to the political subdivision and not on the date of transfer to the
27 authority.

28 (4) Any such purchase and sale agreement shall set forth the total
29 consideration to be paid by the authority and the method and timing of payment of
30 such consideration by the authority.

1 (5) The state and any political subdivision with liens on the property may,
2 pursuant to intergovernmental agreements with the authority, cancel such liens
3 contemporaneously with or subject to the transfer of the property to the authority.

4 (6)(a) The authority shall have the right, subject to the provisions of this
5 Section, to purchase properties at tax sales conducted in accordance with Part III of
6 Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, and
7 any and all such purchases shall be a purchase pursuant to those provisions and not
8 an adjudication to a political subdivision.

9 (b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of
10 the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale
11 which is a credit bid, consisting of the obligation of the authority to satisfy the
12 component parts of the bid by payments to the respective political subdivisions and
13 taxing entities in accordance with intergovernmental agreements between the
14 authority and such political subdivisions and taxing entities.

15 (7) The authority shall submit annual reports to the House Committee on
16 Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and
17 Municipal Affairs and each member of the Shreveport legislative delegation
18 concerning property purchased by the authority. Such report shall be filed by March
19 first each year and shall cover the previous calendar year. Each report shall include:

20 (a) The legal description or other indication of the location of each property
21 purchased.

22 (b) The amount paid for each property.

23 (c) The minimum bid that was set for the property and the appraised value
24 of the property.

25 (d) A general description of the authority's plans for the property and how
26 such plans advance the purposes for which the authority is created.

27 K.(1) The authority shall have the power to create and execute
28 redevelopment or development plans for specified areas within its territorial
29 jurisdiction. The implementation of all such plans shall not proceed until, to the
30 extent required by law, the authority has obtained the approval of the local planning

1 commission or zoning board. In the execution of such a redevelopment plan, the
2 authority shall have the powers provided in this Subsection. The fact that a certain
3 power is expressed or implied in this Paragraph as pertinent to the authority's
4 execution of a redevelopment plan shall not suggest or imply that such power is
5 otherwise denied to the authority.

6 (2) A redevelopment plan shall include a definition of the redevelopment
7 area. This area, or any part thereof, may be further designated as a subdistrict of the
8 authority.

9 (3) The authority may sell, lease, exchange, or otherwise transfer immovable
10 property or any interest therein acquired by it for residential, recreational,
11 commercial, industrial, or other uses or for public use, subject to such covenants,
12 conditions, and restrictions, including covenants running with the land, as it may
13 deem to be necessary or desirable to assist in carrying out the purposes of this
14 Chapter. The purchasers or lessees and their successors and assigns shall be
15 obligated to devote such immovable property only to the uses as the authority may
16 determine to be in the public interest, including the obligation to begin within a
17 reasonable time any improvements on such immovable property. Such immovable
18 property or interest shall be sold, leased, exchanged, or otherwise transferred at not
19 less than its fair value for uses in accordance with the redevelopment or development
20 plan. In determining the fair value of immovable property for uses in accordance
21 with the redevelopment or development plans, the authority shall take into account
22 and give consideration to the use provided in such plan; the restrictions upon and the
23 covenants, conditions, and obligations assumed by the purchaser or lessee; and the
24 objectives of such plan. The authority, in any instrument of conveyance to a private
25 purchaser or lessee, may provide that such purchaser or lessee shall be without power
26 to sell, lease, exchange, or otherwise transfer the immovable property without the
27 prior written consent of the authority until such purchaser or lessee has completed
28 the construction of any and all improvements which he has obligated himself to
29 construct thereon. Immovable property acquired in accordance with the provisions
30 of the plan shall be transferred as rapidly as feasible in the public interest, consistent

1 with the carrying out of the provisions of the project plan. Such plan and any
2 substantial modification of such plan shall be filed as a public record in the office of
3 the clerk of the parish, and any conveyances, encumbrances, or other contracts may
4 incorporate the provisions thereof by reference which shall afford notice thereof to
5 all parties.

6 (4) The authority may dispose of, sell, exchange, or lease immovable
7 property in a redevelopment area to any private person for the fair market value of
8 the property as determined by a certified and competent appraiser, or to any private
9 person pursuant to reasonable competitive bidding procedures as it shall prescribe
10 subject to the provisions set forth in this Paragraph. Such reasonable bidding
11 procedures must include public notice, by publication once each week for two
12 consecutive weeks in a newspaper having a general circulation in the community,
13 inviting proposals from and making available all pertinent information to private
14 redevelopers or any persons interested in undertaking to redevelop or rehabilitate a
15 redevelopment area or any part thereof. Such notice shall identify the area, or
16 portion thereof, and shall state that proposals shall be made by those in interest
17 within thirty days after publication of such notice, and that such further information
18 as is available may be obtained at such office as shall be designated in the notice.
19 The board shall consider all such redevelopment or rehabilitation proposals and the
20 financial and legal ability of the persons making such proposals to carry them out,
21 and may negotiate with any persons for proposals for the purchase, lease, or other
22 transfer of any immovable property acquired by the authority in the redevelopment
23 area. The board may accept such proposals as it deems to be in the public interest
24 and in furtherance of the purposes of this Chapter. Such notice, and all contracts to
25 sell, lease, exchange, or otherwise transfer immovable property under the provisions
26 of this Chapter, shall be a public record and shall include the name of the redeveloper
27 or purchaser, together with the names of its officers, principal members or
28 shareholders, investors and other interested parties, the redeveloper's estimate of the
29 cost of any residential development and rehabilitations, and the redeveloper's
30 estimate of rentals and sales prices of any proposed housing involved in such

1 redevelopment and rehabilitation. Thereafter, the board may execute such contracts
2 in accordance with the provisions of this Chapter and deliver acts of sale, leases, and
3 other instruments and take all steps necessary to effectuate such contracts.

4 (5) The authority may temporarily operate, maintain, or lease immovable
5 property acquired by it in a redevelopment area for or in connection with a
6 redevelopment project pending disposition of the property as authorized in this
7 Chapter for such uses and purposes as may be deemed desirable even though not in
8 connection with the redevelopment plan.

9 (6) Any immovable property within a redevelopment area acquired pursuant
10 to Subsection J of this Section may be disposed of without regard to the other
11 provisions of this Chapter. Immovable property acquired in accordance with the
12 redevelopment plan may be disposed of to a public body for public reuse without
13 regard to the provisions of this Subsection.

14 (7) Notwithstanding any other provisions of this Chapter where an area in
15 the city of Shreveport is designated as a redevelopment area under the Federal Area
16 Redevelopment Act (Public Law 87-27), or any Act supplementary thereto, land in
17 a redevelopment project area designated under the redevelopment plan for industrial
18 or commercial uses may be disposed of to any public body or nonprofit corporation
19 for subsequent disposition as promptly as practical by the public body or corporation
20 for redevelopment in accordance with the redevelopment plan, and only the
21 purchaser from or lessee of the public body or corporation, and their assignees, shall
22 be required to assume the obligation of beginning the building of improvements
23 within a reasonable time. Any disposition of land to a public body or corporation
24 under this Paragraph shall be at its fair value for uses in accordance with the
25 redevelopment plan.

26 L.(1) The authority may, in the implementation of a redevelopment plan,
27 create one or more subdistricts to conduct, oversee, or assist in the implementation
28 of such redevelopment plan. The boundaries of such a subdistrict may include all
29 or part of the redevelopment area. Such a subdistrict shall have and exercise such
30 powers and responsibilities as the authority shall specify in the enabling resolution.

1 The full extent of such powers and responsibilities may include such powers as the
 2 authority itself may exercise, and such other powers as are given to the subdistrict
 3 by this Paragraph or any other law, but any exercise of such powers by the subdistrict
 4 shall be confined solely to the geographical limits of the subdistrict. Such a
 5 subdistrict may be established to exist at the pleasure of the authority, or for any
 6 period of time, or until the happening of any occurrence or occurrences, that the
 7 authority may specify.

8 (2) The creation of a subdistrict shall in no instance result in the detachment,
 9 severance, or loss of any power or responsibility granted to the authority by this
 10 Chapter, and within the confines of any subdistrict, the authority shall have full
 11 jurisdiction, concurrent with that of the subdistrict, to exercise such powers and
 12 responsibilities. The fact that a certain power is expressed or implied in this
 13 Paragraph as pertinent to a subdistrict's conduct, oversight, or assistance in the
 14 implementation of the redevelopment plan shall not suggest or imply that such power
 15 is otherwise denied to the authority.

16 (3) Unless otherwise specified in the resolution or other formal act creating
 17 the subdistrict, the board members of the authority shall constitute the governing
 18 authority of the subdistrict.

19 (4) In addition to the other powers it may be granted, a subdistrict may
 20 enjoy, within its geographical boundaries, the powers of tax increment financing, and
 21 those other powers that may be exercised by an economic development district
 22 created by a local governmental subdivision pursuant to R.S. 33:9038.32. The
 23 subdistrict shall remain subject to all limitations and reservations applicable to the
 24 powers of the authority.

25 M. For the purpose of aiding in the planning, undertaking, or carrying out
 26 of a redevelopment or development project and related activities authorized by this
 27 Chapter, any public body may, upon such terms, with or without consideration as it
 28 may determine, do any of the following:

29 (1) Dedicate, sell, convey, or lease any of its interest in any property or grant
 30 easements, licenses, or other rights or privileges therein to the authority.

1 (2) Incur the entire expense of any public improvements made by such
2 public body.

3 (3) Do any and all things necessary to aid or cooperate in the planning or
4 carrying out of a redevelopment plan and related activities.

5 (4) Lend, grant, or contribute funds to the authority in accordance with an
6 appropriate cooperative endeavor agreement and borrow money and apply for and
7 accept advances, loans, grants, contributions, and any other form of financial
8 assistance from the government of the United States, the state of Louisiana, parish
9 of Caddo, city of Shreveport, or other public body, or from any other source.

10 (5) Enter into agreements which may extend over any period
11 notwithstanding any provision or rule of law to the contrary with the federal
12 government or other public body respecting action to be taken pursuant to any of the
13 powers granted by this Chapter, including the furnishing of funds or other assistance
14 in connection with a redevelopment project and related activities.

15 (6) Cause public buildings and public facilities, including parks,
16 playgrounds, recreational, community, educational, water, sewer, or drainage
17 facilities, or any other works which it is otherwise empowered to undertake to be
18 furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or
19 replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone,
20 or make exceptions from building regulations.

21 N. Any instrument executed, in proper form and with proper certification of
22 authority, by the authority purporting to convey any right, title, or interest in any
23 property under this Chapter shall be conclusively presumed to have been executed
24 in compliance with provisions of this Chapter insofar as title or other interest of any
25 bona fide purchasers, lessees, or transferees of the property is concerned.

26 O. As used in this Chapter, the following terms shall have the meanings
27 herein ascribed to them:

28 (1) "Federal government" means any department, agency, or instrumentality,
29 corporate or otherwise, of the United States of America.

1 (2) "Owners of a property interest" means anyone with a corporeal or
 2 incorporeal interest in immovable property filed for record in the conveyance records
 3 or mortgage records of the clerk of court and ex officio recorder of mortgages for the
 4 parish where the property is located, including a naked owner, a usufructuary, a
 5 mortgagee, a judgment creditor, or a holder of a personal or predial servitude.

6 (3) "Public body" means the state, any parish and any city and any board,
 7 authority, agency, district, subdivision, department, or instrumentality, corporate or
 8 otherwise, of the state, parish, or city.

9 (4) "Real property" or "immovable property" means any and all right, title,
 10 and interest in a tract of land, including its component parts and liens by way of
 11 judgment, mortgage, or otherwise.

12 P. Insofar as the provisions of this Chapter are inconsistent with the
 13 provisions of any other law, the provisions of this Chapter shall be controlling.
 14 However, the authority shall be subject to the provisions of the Local Government
 15 Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Chapter
 16 shall be in addition and supplemental to the powers conferred by any other law.

17 Q.(1) In addition to other powers granted to the authority pursuant to this
 18 Chapter, the authority may initiate an expedited quiet title and foreclosure action
 19 under this Subsection to quiet title to immovable property held by the authority,
 20 interests in property purchased by the authority at tax sales, or in formerly
 21 adjudicated properties acquired by the authority from a political subdivision, by
 22 recording with the conveyance records of the clerk of court and ex officio recorder
 23 of mortgages a notice of pending expedited quiet title and foreclosure action. The
 24 notice shall include a legal description of the property; the street address of the
 25 property if available; the name, address, and telephone number of the authority; a
 26 statement that the property is subject to expedited quiet title proceedings and
 27 foreclosure under this Subsection; and a statement that any legal interests in the
 28 property may be extinguished by a district court order vesting title to the property in
 29 the authority. If a notice is recorded in error, the authority may correct the error by
 30 recording a certificate of correction with the register of conveyances. A notice or

1 certificate under this Subsection need not be notarized and may be authenticated by
2 a digital signature or other electronic means. If the authority has reason to believe
3 that a property subject to an expedited quiet title and foreclosure action under this
4 Subsection may be the site of environmental contamination, the authority shall
5 provide the Department of Environmental Quality with any information in the
6 possession of the authority that suggests the property may be the site of
7 environmental contamination.

8 (2) After recording the notice under Paragraph (1) of this Subsection, the
9 authority shall initiate a search of records identified in this Paragraph to identify the
10 owners of a property interest in the property who are entitled to notice of the quiet
11 title and foreclosure hearing under this Subsection. The authority may enter into a
12 contract with or may request from one or more authorized representatives a title
13 search or other title product to identify the owners of a property interest in the
14 property as required under this Paragraph or to perform the other functions set forth
15 in this Subsection required for the quieting of title to property. The owner of a
16 property interest is entitled to notice under this Section if that owner's interest was
17 identifiable by reference to either of the following sources before the date that the
18 authority records the notice under Paragraph (1) of this Subsection:

19 (a) Land title records in the office of the recorder of mortgages and the
20 register of conveyances.

21 (b) Tax records in the office of the assessor.

22 (3) The authority may file a single petition with the district court to expedite
23 foreclosure under this Subsection listing all property subject to expedited foreclosure
24 by the authority and for which the authority seeks to quiet title. If available to the
25 authority, the list of properties shall include a legal description of, a tax parcel
26 identification number for, and the street address of each parcel of property. The
27 petition shall seek a judgment in favor of the authority against each property listed
28 and shall include a date, within ninety days of filing, on which the authority requests
29 a hearing on the petition. The petition shall request that a judgment be entered
30 vesting absolute title in the authority for each parcel of property listed, as provided

1 in this Paragraph. Prior to the entry of judgment under this Paragraph, the authority
 2 may request the court to remove property erroneously included in the petition or any
 3 tax delinquent properties redeemed prior to the hearing.

4 (4) The district court in which a petition is filed under Paragraph (3) of this
 5 Subsection shall immediately set the date, time, and place for a hearing on the
 6 petition for foreclosure. The date shall be set by the court and shall not be more than
 7 ten days after the date requested by the authority in the petition. In no event may the
 8 court schedule the hearing later than ninety days after the filing of a petition by the
 9 authority under Paragraph (3) of this Subsection.

10 (5) After completing the records search under Paragraph (2) of this
 11 Subsection, the authority shall determine the address or addresses reasonably
 12 calculated to inform those owners of a property interest in property subject to
 13 expedited foreclosure under this Subsection of the pendency of the quiet title and
 14 foreclosure hearing under Paragraph (11) of this Subsection. If, after conducting the
 15 title search, the authority is unable to determine an address reasonably calculated to
 16 inform persons with a property interest in property subject to expedited tax
 17 foreclosure, or if the authority discovers a deficiency in notice under this Subsection,
 18 the following shall be considered reasonable steps by the authority to ascertain the
 19 addresses of persons with a property interest in the property subject to expedited
 20 foreclosure or to ascertain an address necessary to correct a deficiency in notice
 21 under this Subsection:

22 (a) For an individual, a search of records of the recorder of mortgages and
 23 the register of conveyances.

24 (b) For a business entity, a search of business entity records filed with the
 25 commercial division of the Department of State.

26 (c) For a state or federal chartered depository financial institution, a search
 27 of entity records filed with the Louisiana Office of Financial Institutions or with the
 28 Federal Deposit Insurance Corporation (FDIC).

1 (6) Not less than thirty days before the quiet title and foreclosure hearing
2 under Paragraph (11) of this Subsection, the authority shall send notice by certified
3 mail, return receipt requested, of the hearing to the persons identified under
4 Paragraph (2) of this Subsection who have a property interest in property subject to
5 expedited foreclosure. The authority shall also send a notice via regular mail
6 addressed to the "Occupant" for each property subject to expedited foreclosure if an
7 address for the property is ascertainable.

8 (7) Not less than thirty days before the quiet title and foreclosure hearing
9 under Paragraph (11) of this Subsection, the authority or its authorized representative
10 or authorized agent shall visit each parcel of property subject to expedited
11 foreclosure and post on the property conspicuous notice of the hearing. In addition
12 to the requirements of Paragraph (8) of this Subsection, the notice shall also include
13 the following statement: "This Property has been transferred to the Shreveport
14 Implementation and Redevelopment Authority and is subject to an expedited quiet
15 title and foreclosure action. Persons with information regarding the prior owner of
16 the property are requested to contact the Shreveport Implementation and
17 Redevelopment Authority."

18 (8) The notices required under Paragraphs (6) and (7) of this Subsection shall
19 include all of the following:

20 (a) The date on which the authority recorded, under Paragraph (1) of this
21 Subsection, notice of the pending expedited quiet title and foreclosure action.

22 (b) A statement that a person with a property interest in the property may
23 lose his interest as a result of the quiet title and foreclosure hearing under Paragraph
24 (11) of this Subsection.

25 (c) A legal description, parcel number of the property, and the street address
26 of the property, if available.

27 (d) The person to whom the notice is addressed.

28 (e) The date and time of the hearing on the petition for foreclosure under
29 Paragraph (1) of this Subsection, and a statement that the judgment of the court may
30 result in title to the property vesting in the authority.

1 (f) An explanation of any rights of redemption and notice that the judgment
 2 of the court may extinguish any ownership interest in or right to redeem the property.

3 (g) The name, address, and telephone number of the authority.

4 (h) A statement that persons with information regarding the owner or prior
 5 owner of any of the properties are requested to contact the authority.

6 (9) If the authority is unable to ascertain the address reasonably calculated
 7 to inform the owners of a property interest entitled to notice under this Section, or
 8 is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the
 9 authority shall provide notice by publication. Prior to the hearing, a notice shall be
 10 published for three successive weeks, once each week, in a newspaper published and
 11 circulated in the parish. The published notice shall include all of the following:

12 (a) A legal description, parcel number of the property, and the street address
 13 of the property, if available.

14 (b) The name of any person not notified under Paragraphs (6) and (7) of this
 15 Subsection that the authority reasonably believes may be entitled to notice under this
 16 Section of the quiet title and foreclosure hearing under Paragraph (11) of this
 17 Subsection.

18 (c) A statement that a person with a property interest in the property may
 19 lose his interest as a result of the foreclosure proceeding under Paragraph (11) of this
 20 Subsection.

21 (d) The date and time of the hearing on the petition for foreclosure under
 22 Paragraph (11) of this Subsection.

23 (e) A statement that the judgment of the court may result in title to the
 24 property vesting in the authority.

25 (f) An explanation of any rights of redemption and notice that judgment of
 26 the court may extinguish any ownership interest in or right to redeem the property.

27 (g) The name, address, and telephone number of the authority.

28 (h) A statement that persons with information regarding the owner or prior
 29 owner of any of the properties are requested to contact the authority.

1 (10) If prior to the quiet title and foreclosure hearing under Paragraph (11)
2 of this Subsection, the authority discovers any deficiency in the provision of notice
3 under this Subsection, the authority shall take reasonable steps in good faith to
4 correct the deficiency before the hearing. The provisions of this Subsection relating
5 to notice of the quiet title and foreclosure hearing are exclusive and exhaustive.
6 Other requirements relating to notice and proof of service under other law, rule, or
7 other legal requirement are not applicable to notice or proof of service under this
8 Subsection.

9 (11) If a petition for expedited quiet title and foreclosure is filed under
10 Paragraph (3) of this Subsection, before the hearing, the authority shall file with the
11 clerk of the district court proof of notice by certified mail under Paragraph (6) of this
12 Subsection, proof of notice by posting on the property under Paragraph (7) of this
13 Subsection, and proof of notice by publication, if applicable, pursuant to Paragraph
14 (9) of this Section. A person claiming an interest in a parcel of property set forth in
15 the petition for foreclosure, including a current holder of a conventional mortgage,
16 who desires to contest that petition shall file written objections with the clerk of the
17 district court and serve those objections on the authority before the date of the
18 hearing. A holder of a conventional mortgage may object to the action and is entitled
19 to a dismissal of the proceedings by the district court upon a showing that it is the
20 holder of a legally enforceable conventional mortgage and upon payment of the
21 outstanding amount of any liens, taxes, and related costs. The district court may
22 appoint and utilize as the court considers necessary a curator for assistance with the
23 resolution of any objections to the foreclosure or questions regarding the title to
24 property subject to foreclosure. If the court withholds property from foreclosure, the
25 authority's ability to include the property in a subsequent petition for expedited quiet
26 title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited
27 quiet title and foreclosure action under this Subsection. The district court shall enter
28 judgment on a petition to quiet title and foreclosure filed under Paragraph (3) of this
29 Subsection not more than ten days after the conclusion of the hearing or contested
30 case, and the judgment shall become effective ten days after the conclusion of the

1 hearing or contested case. The district court's judgment shall specify all of the
2 following:

3 (a) The legal description and, if known, the street address of the property
4 foreclosed.

5 (b) That title to property foreclosed by the judgment is vested absolutely in
6 the authority, except as otherwise provided in Paragraphs (3) and (5) of this
7 Subsection, without any further rights of redemption.

8 (c) That all liens against the property, including any lien for unpaid taxes or
9 special assessments, are extinguished.

10 (d) That, except as otherwise provided in Subparagraph (e) of this Paragraph,
11 the authority has good and marketable title to the property.

12 (e) That all existing recorded and unrecorded interests in that property are
13 extinguished, except a visible or recorded easement or right-of-way or private deed
14 restrictions.

15 (f) A finding that all persons entitled to notice and an opportunity to be heard
16 have been provided that notice and opportunity. A person shall be deemed to have
17 been provided notice and an opportunity to be heard if the authority followed the
18 procedures for provision of notice by mail, by visits to property subject to expedited
19 quiet title and foreclosure, and by publication under this Subsection, or if one or
20 more of the following apply:

21 (i) The person had constructive notice of the hearing by acquiring an interest
22 in the property after the date of the recording, under Paragraph (1) of this Subsection,
23 of the notice of pending expedited quiet title and foreclosure action.

24 (ii) The person appeared at the hearing or submitted written objections to the
25 district court under this Subsection prior to the hearing.

26 (iii) Prior to the hearing under this Paragraph, the person had actual notice
27 of the hearing.

28 (12) Except as otherwise provided in Subparagraph (11)(e) of this
29 Subsection, title to property set forth in a petition for foreclosure filed under
30 Paragraph (3) of this Subsection shall vest absolutely in the authority upon the

1 effective date of the judgment by the district court, and the authority shall have
2 absolute title to the property. The authority's title shall not be subject to any
3 recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection,
4 and shall not be stayed or held invalid, except as provided in Paragraph (13) of this
5 Subsection. A judgment entered under this Subsection is a final order with respect
6 to the property affected by the judgment and shall not be modified, stayed, or held
7 invalid after the effective date of the judgment, except as provided in Paragraph (13)
8 of this Subsection.

9 (13) The authority or a person claiming to have a property interest under
10 Paragraph (2) of this Subsection in property foreclosed under this Subsection may,
11 within twenty-one days of the effective date of the judgment under Paragraph (11)
12 of this Subsection, appeal the district court's order or the district court's judgment
13 foreclosing property to the court of appeals. The appeal of the judgment shall be
14 entitled to preference and priority and shall be handled on an expedited basis by the
15 court of appeal and, if applicable, the Louisiana Supreme Court. In such cases, the
16 record shall be prepared and filed within fifteen days of the granting of the order of
17 appeal. The court of appeal shall hear the case within thirty days after the filing of
18 the appellee's brief. An appeal under this Paragraph is limited to the record of the
19 proceedings in the district court under this Subsection. The district court's judgment
20 foreclosing property shall be stayed until the court of appeal has reversed, modified,
21 or affirmed that judgment. If an appeal under this Paragraph stays the district court's
22 judgment foreclosing property, the district court's judgment is stayed only as to the
23 property that is the subject of that appeal, and the district court's judgment
24 foreclosing other property that is not the subject of that appeal is not stayed. To
25 appeal the district court's judgment foreclosing property, a person appealing the
26 judgment shall pay to the authority any taxes, interest, penalties, and fees due on the
27 property and provide notice of the appeal to the authority within twenty-one days
28 after the district court's judgment becomes effective. If the district court's judgment
29 foreclosing the property is affirmed on appeal, the amount determined to be due shall
30 be refunded to the person who appealed the judgment. If the district court's

1 judgment foreclosing the property is reversed or modified on appeal, the authority
2 shall refund the amount determined to be due to the person who appealed the
3 judgment, if any, and forward the balance to the appropriate taxing jurisdictions in
4 accordance with the order of the court of appeal.

5 (14) The authority shall record a notice of judgment for each parcel of
6 foreclosed property in the office of the register of conveyances. If the authority
7 records a notice of judgment in error, the authority may subsequently record a
8 certificate of correction. A notice or certificate under this Paragraph need not be
9 notarized and may be authenticated by a digital signature or other electronic means.
10 After the entry of a judgment foreclosing the property under this Subsection, if the
11 property has not been transferred by the authority, the authority may cancel the
12 foreclosure by recording with the register of conveyances a certificate of error, if the
13 authority discovers any of the following:

14 (a) The description of the property used in the expedited quiet title and
15 foreclosure proceeding was so indefinite or erroneous that the foreclosure of the
16 property was void.

17 (b) An owner of an interest in the property entitled to notice of the expedited
18 quiet title and proceedings against the property under this Subsection was not
19 provided notice sufficient to satisfy the minimum due process requirements of the
20 Constitution of Louisiana and the Constitution of the United States.

21 (c) A judgment of foreclosure was entered under this Subsection in violation
22 of an order issued by a United States bankruptcy court.

23 (15) If a judgment of foreclosure is entered under Paragraph (11) of this
24 Subsection, and all existing recorded and unrecorded interests in a parcel of property
25 are extinguished as provided in Paragraph (11) of this Subsection, the owner of any
26 extinguished recorded or unrecorded interest in that property who claims that he did
27 not receive notice of the expedited quiet title and foreclosure action shall not bring
28 an action for possession of the property against any subsequent owner but may only
29 bring an action to recover monetary damages from the authority as provided in this
30 Paragraph. The district court has original and exclusive jurisdiction in any action to

1 recover monetary damages under this Paragraph. An action to recover monetary
2 damages under this Paragraph shall not be brought more than two years after a
3 judgment for foreclosure is entered under Paragraph (11) of this Subsection. Any
4 monetary damages recoverable under this Paragraph shall be determined as of the
5 date a judgment for foreclosure is entered under Paragraph (11) of this Subsection
6 and shall not exceed the fair market value of the interest in the property held by the
7 person bringing the action under this Subsection on that date, less any taxes, interest,
8 penalties, and fees owed on the property as of that date. The right to sue for
9 monetary damages under this Paragraph shall not be transferable except by testate
10 or intestate succession.

11 (16) The owner of a property interest with notice of the quiet title and
12 foreclosure hearing under Paragraph (11) of this Subsection may not assert either of
13 the following:

14 (a) That notice to the owner was insufficient or inadequate in any way
15 because some other owner of a property interest in the property was not notified.

16 (b) That any right to redeem tax-reverted property was extended in any way
17 because some other person was not notified.

18 (17) A person holding or formerly holding an interest in tax-reverted
19 property subject to expedited foreclosure under this Subsection is barred from
20 questioning the validity of the expedited foreclosure under this Subsection.

21 (18) The failure of the authority to comply with any provision of this
22 Subsection shall not invalidate any proceeding under this Subsection if a person with
23 a property interest in property subject to foreclosure was accorded the minimum due
24 process required under the Constitution of Louisiana and the Constitution of the
25 United States.

26 (19) It is the intent of the legislature that the provisions of this Subsection
27 relating to the expedited quiet title and foreclosure of property by the authority
28 satisfy the minimum requirements of due process required under the Constitution of
29 Louisiana and the Constitution of the United States but that the provisions do not
30 create new rights beyond those granted by the Constitution of Louisiana or the

1 Constitution of the United States. The failure of the authority to follow a
2 requirement of this Section relating to the expedited quiet title and foreclosure of
3 property held by the authority shall not be construed to create a claim or cause of
4 action against the authority unless the minimum requirements of due process
5 accorded under the Constitution of Louisiana or the Constitution of the United States
6 are violated.

7 (20) As used in this Subsection, "authorized representative" includes one or
8 more of the following:

9 (a) A title insurance company or agent licensed to conduct business in this
10 state.

11 (b) An attorney licensed to practice law in this state.

12 (c) A person accredited in land title search procedures by a nationally
13 recognized organization in the field of land title searching.

14 (d) A person with demonstrated experience in the field of searching land title
15 records, as determined by the authority.

16 (21) As used in this Subsection, "district court" shall mean the First Judicial
17 District Court.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____