SLS 17RS-119

ORIGINAL

2017 Regular Session

SENATE BILL NO. 199

BY SENATOR ERDEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC PROPERTY. Allows public entities to borrow public equipment from each other without compensation. (gov sig)

1	AN ACT
2	To enact R.S. 33:4712.17, relative to property and buildings; to provide for the borrowing
3	of public equipment; to provide for use of public equipment among public entities;
4	to provide for a definition; and to provide for related matters.
5	Be it enacted by the Legislature of Louisiana:
6	Section 1. R.S. 33:4712.17 is hereby enacted to read as follows:
7	§4712.17. Borrowing or use of equipment by public entities
8	A. Notwithstanding any other provisions of law to the contrary, public
9	entities may allow other public entities to borrow or use equipment without
10	having to expend funds for such use, provided that both entities have gained the
11	approval of their requisite governing authorities.
12	B. For the purposes of this Section, "public entities" means: (a) state
13	boards, agencies or commissions, parishes, municipalities, city parish, and other
14	local school boards and districts, levee boards and districts, port boards and
15	commissions, port, harbor terminal and industrial districts, drainage and land
16	reclamation districts, all special service districts including but not limited to
17	road, water, sewage, fire protection, recreation, hospital service, and gas utility

Page 1 of 2 Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

1	districts; (b) all other political subdivisions, special authorities, commissions,
2	public trusts, and boards heretofore or hereafter created by or pursuant to the
3	constitution or statutes of the state, any laws incorporated into or ratified or
4	confirmed by the constitution, or general or special charters of any parish or
5	municipality; and (c) all other units of local government created by or governed
6	by the governing authorities of parishes or municipalities.
7	Section 3. This Act shall become effective upon signature by the governor or, if not
8	signed by the governor, upon expiration of the time for bills to become law without signature
9	by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
10	vetoed by the governor and subsequently approved by the legislature, this Act shall become
11	effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Ashley Mitchell Carter.

	DIGEST	
SB 199 Original	2017 Regular Session	Erdey

<u>Proposed law</u> provides that a public entity may borrow or use public equipment belonging to another public entity without rendering payment to the entity that owns the equipment as long as both entities have the approval of their governing authorities.

Proposed law defines "public entities" as the following:

- (a) state boards, agencies or commissions, parishes, municipalities, city parish, and other local school boards and districts, levee boards and districts, port boards and commissions, port, harbor terminal and industrial districts, drainage and land reclamation districts, all special service districts including but not limited to road, water, sewage, fire protection, recreation, hospital service, and gas utility districts.
- (b) all other political subdivisions, special authorities, commissions, public trusts, and boards heretofore or hereafter created by or pursuant to the constitution or statutes of the state, any laws incorporated into or ratified or confirmed by the constitution, or general or special charters of any parish or municipality.
- (c) all other units of local government created or governed by the governing authorities of parishes or municipalities.

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

(Adds R.S. 33:4712.17)