

2017 Regular Session

HOUSE BILL NO. 451

BY REPRESENTATIVE ABRAMSON

DISTRICTS/CRIME PREVENT: Provides relative to the Audubon Area Security District in Orleans Parish

1 AN ACT

2 To amend and reenact R.S. 33:9091.3(D)(1)(a) and (F)(1) and (3)(a) and (c), relative to the
3 Audubon Area Security District in Orleans Parish; to provide relative to membership
4 on the governing board of the district; to provide relative to the parcel fee levied
5 within the district; to provide relative to the amount, expiration, and renewal of the
6 fee; and to provide for related matters.

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

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 33:9091.3(D)(1)(a) and (F)(1) and (3)(a) and (c) are hereby amended
12 and reenacted to read as follows:

13 §9091.3. The Audubon Area Security District

14 * * *

15 D. Governance. (1) The district shall be governed by a nine-member board
16 of commissioners, referred to in this Section as the "board". The board shall be
17 composed as follows:

18 (a) The president of the Audubon Area Zoning Association, referred to in
19 this Section as the "association", shall be a member or he may designate a member
20 of the board of directors of the association to serve as a member.

21 * * *

1 F. Parcel fee. The governing authority of the city of New Orleans is hereby
2 authorized to impose and collect a parcel fee within the district subject to and in
3 accordance with the provisions of this Subsection:

4 (1) The amount of the fee shall be as requested by duly adopted resolution
5 of the board. The fee shall be a flat fee per parcel of land. The fee shall not exceed
6 five hundred fifty dollars per year for each parcel for calendar year ~~2009~~ 2019;
7 however, the maximum fee amount ~~shall~~ may be increased by twenty-five dollars per
8 year for each calendar year after ~~2009~~ 2019.

9 * * *

10 (3)(a) The fee shall be imposed only after the question of its imposition has
11 been approved by a majority of the registered voters of the district who vote on the
12 proposition at an election held for that purpose in accordance with the Louisiana
13 Election Code. ~~The proposition shall state that the governing authority of the city of~~
14 ~~New Orleans shall cease levying any other tax for district purposes on and after~~
15 ~~January 1, 2009.~~ The amount of the fee may be changed by duly adopted resolution
16 of the board, not to exceed the maximum amount authorized as provided in this
17 Subsection. No other election shall be required except as provided by this Paragraph.

18 * * *

19 (c) The fee shall be levied beginning on January 1, ~~2009~~ 2019. The fee shall
20 expire ~~on December 31, 2018~~ at the end of the term provided for in the proposition
21 authorizing the fee, not to exceed ten years, but may be renewed if approved by a
22 majority of the registered voters of the district voting on the proposition at an
23 election as provided in Subparagraph (a) of this Paragraph. Any election to authorize
24 the renewal of the fee shall be held ~~only~~ at the same time as the mayoral primary a
25 regularly scheduled election for in the city of New Orleans. If the fee is renewed, the
26 term of the imposition of the fee shall be as provided in the proposition authorizing
27 such renewal; ~~not to exceed eight years.~~

28 * * *

1 Section 2. The provisions of this Act shall not affect the parcel fee being levied
2 within the Audubon Area Security District on the effective date of this Act. The governing
3 authority of the city of New Orleans shall continue to levy the parcel fee until such time as
4 it expires, as provided in the proposition approved by a majority of the district's registered
5 voters voting on the proposition at an election held on November 4, 2008. The governing
6 authority of the city shall then begin to levy a parcel fee as provided in this Act, if the parcel
7 fee has been approved by a majority of the district's registered voters as provided in this Act.

8 Section 3. This Act shall become effective upon signature by the governor or, if not
9 signed by the governor, upon expiration of the time for bills to become law without signature
10 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
11 vetoed by the governor and subsequently approved by the legislature, this Act shall become
12 effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 451 Engrossed

2017 Regular Session

Abramson

Abstract: Relative to the Audubon Area Security District, provides relative to the membership of the district's governing board and the parcel fee imposed within the district.

Present law creates the Audubon Area Security District in Orleans Parish as a political subdivision for the purpose of promoting and encouraging security in and the beautification and overall betterment of the area included within the district.

Present law provides that the district shall be managed by a nine-member board of commissioners. Requires all members of the board to be residents of the district. Provides that the board shall be composed as follows:

- (1) The president of the Audubon Area Zoning Assoc.
- (2) Four members appointed by the board of directors of the Audubon Area Zoning Assoc.
- (3) One member appointed by the mayor of the city of New Orleans from a list of nominations submitted by the Audubon Area Zoning Assoc.
- (4) One member appointed by the state representative whose district encompasses the area from a list of nominations submitted by the Audubon Area Zoning Assoc.
- (5) One member appointed by the state senator whose district encompasses the area from a list of nominations submitted by the Audubon Area Zoning Assoc.

- (6) One member appointed by the member of the city council whose district encompasses the area from a list of nominations submitted by the Audubon Area Zoning Assoc.

Proposed law retains present law but provides that the president of the Audubon Area Zoning Assoc. may designate a member of the board of directors of the association to serve as a member of the governing board of the district.

Present law authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose a parcel fee on behalf of the district. Provides that the fee is a flat fee per parcel of land not to exceed \$500 per year for each parcel for the calendar year 2009. Provides that the maximum fee amount shall be increased by \$25 per year for each calendar year after 2009.

Proposed law retains present law but increases the maximum rate of the fee from \$500 to \$550 per year per parcel, beginning in the calendar year 2019. Proposed law provides that the maximum fee amount may be increased by \$25 per year for each calendar year after 2019.

Present law provides that the fee shall be levied beginning on Jan. 1, 2009, and shall expire on Dec. 31, 2018.

Proposed law provides that the fee shall be levied beginning on Jan. 1, 2019. Provides further that the fee shall expire at the end of the term provided for in the proposition authorizing the fee, not to exceed 10 years.

Present law authorizes renewal of the fee, subject to voter approval. Requires the election for renewal of the fee to be held only at the same time as the mayoral primary election for the city of New Orleans. Proposed law retains present law but provides that the election for renewal of the fee shall be held at the same time as a regularly scheduled election in the city of New Orleans.

Present law provides that the maximum term for a renewal is eight years. Proposed law removes present law.

Provides that the provisions of the Act have no effect on the parcel fee being imposed within the Audubon Area Security District on the effective date of the Act. Provides that the fee shall continue to be imposed until it expires.

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

(Amends R.S. 33:9091.3(D)(1)(a) and (F)(1) and (3)(a) and (c))