

DIGEST

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SB 496 Reengrossed

2018 Regular Session

Ward

Proposed law creates the Capital Area Road and Bridge District as a political subdivision of the state comprised of the territory in East Baton Rouge, Ascension, Livingston, Iberville, and West Baton Rouge parishes to finance road and bridge projects including a new bridge over the Mississippi River.

Proposed law provides that the management and control of the district shall be vested in a board of commissioners composed of seven members, including the secretary of the Dept. of Transportation and Development or his designee, the president of each of the parishes in the district or their designees, and one gubernatorial appointee who shall be a resident of the district and serve at the pleasure of the governor. Proposed law allows for members to be state or local elected officials or employees of the state or of a parish or municipality.

Proposed law provides for meetings of the board, the selection of officers, and quorums.

Proposed law provides for the powers of the district, which include the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To initiate or coordinate research, studies, and gathering of information on the projects.
- (4) To be designated an official depository for information relating to and about the road or bridge projects.
- (5) To receive money from any public or private body which may desire to appropriate or donate such funds to be used to defray the expenses of the district.

Proposed law authorizes the commission to apply for and accept grants or contributions. Proposed law provides that the commission shall have the advice and service of Dept. of Transportation and Development. Proposed law further provides that the district is permitted to use alternative competitive procurement and delivery methods for the award of any contracts for a major project.

Proposed law authorizes the district to create subdistricts which have the same powers as the district itself.

Proposed law regarding financing of road and bridge projects, authorizes the district to:

- (1) Levy ad valorem taxes.
- (2) Impose a parcel fee not to exceed an annual fee of \$500 per parcel.
- (3) Levy a sales and use tax not to exceed 1%.
- (4) Issue bonds secured by ad valorem and sales and use taxes.

Proposed law provides that the levy of any tax, the imposition of a parcel fee, and the issuance of bonds is subject to approval of the voters in each parish comprising the district. Prohibits submission of a tax or bond proposition to the voters that does not provide funding for a new bridge over the Mississippi River and connecting infrastructure.

Authorizes use of district revenue for costs related to the transportation infrastructure projects that the district is authorized to undertake. Such related costs include:

- (1) Costs of studies, surveys, development of plans and specifications, preparation, implementation and administration, personnel and professional services costs for architectural, engineering, legal, marketing, financial, planning, police, fire, public works or other services incurred by the district directly or on behalf of the district. Proposed law prohibits basing charges for professional services on a percentage of tax revenues.
- (2) Property acquisition and assembly costs, including acquisition of land and other immovable or movable property or rights or interests therein.
- (3) On- and off-site preparation costs, including clearance of any area by demolition or removal of any existing buildings, structures, fixtures, utilities and improvements and clearing and grading and including without limitation installation, repair, construction, reconstruction, or relocation of public streets, public utilities, and other public improvements.
- (4) Costs of renovation, rehabilitation, relocation, repair, or remodeling of any existing buildings, improvements, and fixtures.
- (5) Costs of construction of public improvements, including but not limited to buildings, structures, works, utilities, or fixtures.
- (6) Financing costs of the district, including all necessary and incidental expenses related to the issuance of obligations, payment of any interest on any obligations which accrues during the estimated period of construction for which such obligations are issued and thereafter, and any reasonable reserves related to the issuance of such obligations.

Proposed law authorizes the district to impose and collect tolls in accordance with present law that authorizes parishes to issue bonds secured by toll revenue.

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

(Adds R.S. 48:771-780)

Summary of Amendments Adopted by Senate

Senate Floor Amendments to engrossed bill

1. Makes similar to SB362 of the 2018 Regular Session, but this bill has different membership and the ability to create subdistricts.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the reengrossed bill:

1. Modify procedures for notification of mortgage holders regarding proceedings against property for unpaid parcel fees.