

2018 Regular Session

HOUSE BILL NO. 806

BY REPRESENTATIVE JOHNSON

1 AN ACT

2 To enact R.S. 33:4715.3, relative to the construction and operation of courtroom and related  
3 facilities in certain parishes; to create a special district for such purpose; to provide  
4 for governance, jurisdiction, powers, and functions of the district; to provide for its  
5 authority to levy taxes and incur debt; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:4715.3 is hereby enacted to read as follows:

8 §4715.3. Parish justice center district; certain parishes

9 A.(1) There is hereby created within any parish having a population of not  
10 less than forty-one thousand five hundred people and not more than forty-five  
11 thousand people as determined by the most recent federal decennial census a body  
12 politic and corporate which shall be known as the parish justice center district,  
13 hereafter in this Section referred to as the "district". The district shall have  
14 boundaries coterminous with the parish. The district shall be a political subdivision  
15 of the state as defined in the Constitution of Louisiana.

16 (2) The purposes of the district are to locate, build, operate, and maintain  
17 courtroom facilities for the judicial district that encompasses the district, hereafter  
18 in this Section referred to as the "judicial district", including all matters relating to  
19 incurring debt and financing such activities as approved by the voters, all as more  
20 specifically prescribed by this Section. Such courtroom facilities shall include  
21 offices for judges and support staff, jury rooms, accommodations for the public, and

1 other facilities deemed appropriate for administration of justice by the governing  
 2 authority of the district.

3 B. The district shall be governed by a board of commissioners consisting of  
 4 the elected judges of the judicial district.

5 C. The district, acting through its board of commissioners, shall have all  
 6 powers necessary or convenient to effectuate the purposes of the district, including  
 7 but not limited to the following:

8 (1) To sue and be sued.

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

10 (3) To receive and expend funds collected pursuant to and in accordance  
 11 with this Section.

12 (4)(a) To acquire and develop property to be used as a justice center.

13 (b) To develop plans for and to construct a justice center.

14 (c) To operate and maintain the justice center.

15 (5) To acquire, purchase, lease as lessee, and hold and use any property,  
 16 movable or immovable, corporeal or incorporeal, or any interest therein necessary  
 17 or desirable for carrying out the purposes of the district, and to sell, lease as lessor,  
 18 transfer, and dispose of any property or interest therein at any time acquired by it.

19 (6) To exercise the authority granted to political subdivisions by R.S.  
 20 33:4715.1. Public facilities of the district are hereby deemed to be public facilities  
 21 for purposes of such authority.

22 (7) To enter into contracts with any public or private entity in carrying out  
 23 its corporate objectives, including but not limited to contracts for construction or  
 24 acquisition of property and facilities incident to the purposes of the district.

25 (8) To enter into agreements with any persons, corporations, associations,  
 26 or other entities, including public corporations, political subdivisions, the United  
 27 States government and agencies thereof, the state of Louisiana or any of its agencies,  
 28 or any combination thereof, for the operation or use of properties and facilities of the  
 29 district.

1                   (9) To adopt bylaws for the management and regulation of its affairs and for  
 2                   the regulation and control of its facilities, programs, and activities.

3                   (10) To accept gifts, grants, and donations of property and money. Title to  
 4                   immovable property acquired shall reside with the district.

5                   (11) To govern, manage, and direct the justice center; to lay out, regulate,  
 6                   improve, and beautify the same; to pass ordinances for the regulation and governance  
 7                   thereof; to appoint and employ such architects, engineers, surveyors, clerks, and  
 8                   others as may be necessary and to prescribe and define their respective duties and  
 9                   authority and the amount of their compensation; and generally to do all things in  
 10                  regard to the powers granted pursuant to this Section.

11                  (12) To purchase items and supplies as may be necessary or convenient in  
 12                  performing the functions of the district.

13                  (13) To contract with, employ, and fix the compensation and terms of  
 14                  employment of attorneys, clerks, or any other agents or employees.

15                  (14) To perform or have performed any other function or activity necessary  
 16                  for the achievement of the purpose of the district.

17                  D.(1) The board of commissioners may, subject to the provisions of this  
 18                  Subsection and other applicable provisions of law, levy ad valorem taxes within the  
 19                  district.

20                  (2) The board of commissioners may, subject to the provisions of this  
 21                  Subsection and other applicable provisions of law, levy sales and use taxes. Any  
 22                  such tax shall be in addition to all other sales and use taxes authorized by law and  
 23                  shall be excluded when calculating the combined rate of sales and use taxes levied  
 24                  in the parish pursuant to Article VI, Section 29(B) of the Constitution of Louisiana  
 25                  including but not limited to sales and use taxes authorized by R.S. 47:338.54. Such  
 26                  tax shall be levied upon the sale at retail, the use, lease or rental, the consumption,  
 27                  and the storage for use or consumption, of tangible personal property, and on sales  
 28                  of services, all as defined in Chapter 2 of Subtitle II of Title 47 of the Louisiana  
 29                  Revised Statutes of 1950, R.S. 47:301 et seq., in the district. Sales and use taxes

1           shall be collected at the same time and in the same manner as set forth in R.S. 47:301  
2           through 316.

3           (3)(a) No tax may be levied pursuant to Paragraph (1) or (2) of this  
4           Subsection unless the levy is authorized by a majority of the electors of the district  
5           who vote at an election held for that purpose in accordance with the Louisiana  
6           Election Code.

7           (b) A tax proposition submitted to the voters shall state the rate, duration,  
8           and purpose of the tax as requested by duly adopted resolution of the governing  
9           authority of the district. The rate, duration, and use of any tax shall be as so stated  
10          in the proposition authorizing its levy.

11          (4)(a) The board of commissioners may, subject to the provisions of this  
12          Subsection and other applicable provisions of law, incur debt and fund tax revenues  
13          into bonds in the manner provided by Part III of Chapter 4 of Subtitle II of Title 39  
14          of the Louisiana Revised Statutes of 1950.

15          (b) Any proposition submitted to the voters for the issuance of bonds secured  
16          by sales and use taxes shall state the amount of bonds to be issued, and the district  
17          governing authority shall not issue such bonds in an amount exceeding the stated  
18          amount.

19          (5) The district may, on its own initiative, call a special election to submit  
20          to the qualified electors of the district a proposition or propositions authorizing the  
21          levy of a tax or the issuance of bonds or both.

22          (6) The district, through the board, may also seek any additional sources of  
23          funding, specifically including grants, from both public or private entities to  
24          accomplish the purposes of the district.

25          E. The governing authority of the district shall exercise the authority granted  
26          in this Section to the extent that sufficient revenues are authorized by the voters of  
27          the district, and the parish governing authority shall not exercise any authority which  
28          conflicts with such exercise of authority by the district. To the extent that voters do  
29          not authorize the district to acquire sufficient revenues for the exercise of the  
30          authority granted in this Section, the parish governing authority may, as it deems

1           appropriate, exercise its own authority, as otherwise provided by law, to provide for  
 2           the acquisition, construction, renovation, operation, or maintenance of the parish  
 3           courthouse.

4                     F. The district shall be subject to audit by the legislative auditor pursuant to  
 5           R.S. 24:513.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_