

2019 Regular Session

HOUSE BILL NO. 539

BY REPRESENTATIVE MARCELLE

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

TAX INCREMENT FINANCING: Provides relative to tax increment financing in certain parishes

1 AN ACT

2 To enact R.S. 33:9038.43, relative to tax increment financing in certain parishes; to  
3 authorize the parish governing authority to take certain actions with respect to such  
4 financing including creation of districts, levy of taxes, issuance of bonds, and  
5 entering cooperative endeavor agreements; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:9038.43 is hereby enacted to read as follows:

8 §9038.43. Tax increment financing; certain parishes

9 A. The governing authority of a parish with a population of more than four  
10 hundred thirty-five thousand persons as established by the most recent federal  
11 decennial census may create an economic development district that incorporates  
12 property in the parish to provide for cooperative economic and community  
13 development among the district, the parish, the state, and owners of property in the  
14 district. Such a district shall be a political subdivision of the state having all of the  
15 rights, powers, privileges, and immunities accorded by law and the Constitution of  
16 Louisiana to political subdivisions of the state, subject to the limitations provided in  
17 this Section.

18 B. A district created pursuant to this Section shall be governed by a board  
19 of commissioners that is comprised of the chief executive of the parish, the pro  
20 tempore of the chief executive of the parish, the member of the parish governing

1 authority in whose district the economic development district is wholly or primarily  
2 located or the designees of such officials.

3 C. A district created pursuant to this Section shall have and exercise all  
4 powers of a political subdivision necessary or convenient for the carrying out of its  
5 objects and purposes, including but not limited to the following:

6 (1) To sue and to be sued.

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

8 (3) To acquire by gift, grant, purchase, or otherwise all property, including  
9 rights of way, and to hold and use any franchise or property, movable, immovable,  
10 or mixed, corporeal or incorporeal, or any interest therein.

11 (4) To enter into contracts for the purchase, acquisition, construction, and  
12 improvement of works and facilities necessary in connection with the purposes of the  
13 district.

14 (5) In its own name and on its own behalf to incur debt and to issue revenue  
15 bonds, special assessment bonds, certificates, notes, and other evidences of  
16 indebtedness and to levy and cause to be collected certain taxes as provided in this  
17 Section and as may be provided by general law.

18 (6) To regulate the imposition of fees and rentals charged by the district for  
19 its facilities and services rendered by it.

20 (7) To borrow money and pledge all or part of its revenues, leases, rents, or  
21 other advantages as security for such loans.

22 (8) To appoint officers, agents, and employees, prescribe their duties, and fix  
23 their compensation.

24 (9) To develop public improvement projects that will result in the  
25 redevelopment of property and the growth of commerce in the district.

26 (10) To exercise any and all of the powers granted to an economic  
27 development district established pursuant to this Part, including but not limited to the  
28 powers of tax increment financing pursuant to R.S. 33:9038.33 and 9038.34 and the

1 power to levy taxes within the district pursuant to R.S. 33:9038.39. The district shall  
2 exercise such powers in accordance with the provisions of this Part.

3 (11) To exercise any and all of the powers granted to a community  
4 development district pursuant to Chapter 27-B of this Title, including but not limited  
5 to the power to levy special assessments on property within the district pursuant to  
6 R.S. 33:9039.29. The district shall exercise such powers in accordance with the  
7 provisions of Chapter 27-B of this Title.

### 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 539 Original

2019 Regular Session

Marcelle

**Abstract:** Authorizes certain parishes to provide for tax increment financing.

Proposed law authorizes the governing authority of a parish with a population of more than 435,000 to create an economic development district to provide for cooperative economic and community development among the district, the parish, the state, and owners of property in the district. Provides that such a district shall be governed by a board of commissioners that is comprised of the chief executive of the parish, the pro tempore of the chief executive, the member of the parish governing authority in whose district the economic development district is wholly or primarily located or the designees of such officials.

Proposed law provides that the powers and duties of such a district are those of a political subdivision. Provides that its powers and duties include:

- (1) To develop public improvement projects that will result in the redevelopment of property and the growth of commerce in the district.
- (2) To exercise the powers granted to an economic development district established pursuant to present law. (Present law authorizes such a district to utilize tax increment financing. Further authorizes a district to levy ad valorem taxes up to five mills, sales taxes up to 2%, and hotel occupancy taxes up to 2%, all subject to voter approval unless there are no voters in the district.)
- (3) To exercise the powers granted to a community development district established pursuant present law. (Present law authorizes such a district to finance, construct, and operate various public facilities and authorizes the levy of special property assessments, based on proportionate benefit from the facility, to fund such activities.)

(Adds R.S. 33:9038.43)