

2019 Regular Session

HOUSE BILL NO. 581

BY REPRESENTATIVE GAROFALO

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

LEVEES/BDS & DISTRICTS: Authorizes flood protection authority spending across various levee districts

1 AN ACT

2 To enact R.S. 38:292, relative to levee districts; to require pro rata payments for flood
3 control or flood protection projects that encompass multiple levee districts; to require
4 pro rata payments for drainage projects under the jurisdiction of multiple levee
5 districts; to provide an exemption; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:292 is hereby enacted to read as follows:

8 §292. Projects across multiple levee districts

9 A. Payment of the joint costs of management, planning, design, construction,
10 operation and maintenance, repair, replacement, and rehabilitation of any flood
11 control or flood protection project that impacts multiple levee districts shall be
12 proportionate to the value of the property protected by the flood control or flood
13 protection project within each levee district.

14 B. Payments for a drainage project under the jurisdiction of multiple levee
15 districts shall be proportionate to the value of the property protected by the drainage
16 protection project within each levee district or proportionate to the volumetric flows
17 contributed to the drainage protection project by each levee district's jurisdiction.
18 However, payment for the cost of any drainage project under the jurisdiction of an
19 individual levee district shall be borne by the levee district within which the project
20 is physically located.

- 1 C. Each levee district shall be authorized to establish individual accounts to
2 deposit funds for the joint costs of management, planning, design, construction,
3 operation and maintenance, repair, replacement, and rehabilitation for any flood
4 control, flood protection, or drainage project, under the jurisdiction of multiple levee
5 districts, proportionate to the value of the property protected by the flood control,
6 flood protection, or drainage project within each levee district.
- 7 D. The provisions of this Section shall not apply if the levee districts
8 proposing a flood control, flood protection, or drainage project provide their own
9 mutually acceptable plan for payments in an agreement.
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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 581 Engrossed

2019 Regular Session

Garofalo

Abstract: Requires payment for flood control or flood protection projects that encompass multiple levee districts be proportionate to the value of the property protected by the flood control or flood protection project within each levee district. Requires payment for a drainage project under the jurisdiction of multiple levee districts be proportionate to the value of the property protected by the drainage protection project within each levee district.

Proposed law requires payment of the joint costs of management, planning, design, construction, operation and maintenance, repair, replacement, and rehabilitation of any flood control or flood protection project that impacts multiple levee districts be proportionate to the value of the property protected by the flood control or flood protection project within each levee district.

Proposed law requires payments for a drainage project under the jurisdiction of multiple levee districts be proportionate to the value of the property protected by the drainage protection project within each levee district or proportionate to the volumetric flows contributed to the drainage protection project by each levee district's jurisdiction. Proposed law further provides that payment for the cost of any drainage project under the jurisdiction of an individual levee district will be borne by the levee district within which the project is physically located.

Proposed law requires each levee district to establish individual accounts to deposit funds for the joint costs of management, planning, design, construction, operation and maintenance, repair, replacement, and rehabilitation for any flood control, flood protection, or drainage project, under the jurisdiction of multiple levee districts, proportionate to the value of the property protected by the flood control, flood protection, or drainage project within each levee district.

Proposed law exempts levee districts proposing a flood control, flood protection, or drainage project that provide their own mutually acceptable plan for payments in an agreement.

(Adds R.S. 38:292)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Transportation, Highways and Public Works to the original bill:

1. Add another option for payment for a drainage project under the jurisdiction of multiple levee districts by allowing the payments be proportionate to the volumetric flows contributed to the drainage protection project by each levee district's jurisdiction.