

2020 Regular Session

HOUSE BILL NO. 600

BY REPRESENTATIVE HILFERTY

DISTRICTS/CRIME PREVENT: Provides relative to the Mid-City Security District

1 AN ACT

2 To amend and reenact R.S. 33:9091.14(D)(1), (F)(1) and (2)(introductory paragraph) and  
3 (3)(c), relative to the Mid-City Security District; to provide relative to the governing  
4 board of the district; to provide relative to the membership of the board; to provide  
5 relative to the parcel fee levied within the district; to provide for changes to the  
6 amounts of the parcel fees levied within the district; and to provide for related  
7 matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:9091.14(D)(1), (F)(1) and (2)(introductory paragraph) and (3)(c)  
13 are hereby amended and reenacted to read as follows:

14 §9091.14. Mid-City Security District

15 \* \* \*

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

19 (a) ~~The Mid-City Neighborhood Organization shall appoint four members,~~  
20 ~~one of whom shall be from the City Park Triangle~~ The New Orleans city council

1 member representing Council District A shall appoint three members. Such  
2 appointments shall be made after considering the recommendations, if any, of the  
3 neighborhood associations representing the citizens within Council District A.

4 (b) ~~The Parkview Neighborhood Association shall appoint one member~~ The  
5 New Orleans city council member representing Council District B shall appoint two  
6 members. Such appointments shall be made after considering the recommendations,  
7 if any, of the neighborhood associations representing the citizens within Council  
8 District B.

9 \* \* \*

10 F. Parcel fee. The governing authority of the city of New Orleans may  
11 impose and collect a parcel fee within the district subject to and in accordance with  
12 the provisions of this Subsection.

13 (1) The amount of the fee shall be as requested by duly adopted resolution  
14 of the board: as follows:

15 (a) For ~~improved~~ residential parcels containing one to four residential units,  
16 the fee shall be a flat fee per parcel of land not to exceed two hundred fifty dollars  
17 per year for each ~~improved~~ residential parcel.

18 (b) For unimproved residential parcels, the fee shall be a flat fee per parcel  
19 of land not to exceed two hundred dollars per year per each residential parcel.

20 (c) For improved residential parcels subject to a special assessment level  
21 pursuant to La. Const. Article VII, Section 18(G), the fee shall be a flat fee per parcel  
22 of land not to exceed one hundred and fifty dollars per year.

23 (d) For residential parcels containing five or more residential units, the fee  
24 shall be a flat fee per residential unit, whether occupied or unoccupied, not to exceed  
25 two hundred dollars per year per residential unit. The fee shall be imposed on the  
26 owner of the residential parcel as a whole.

27 (e) For parcels designated as small residential or large residential short term  
28 rentals, as defined by an ordinance adopted by the City of New Orleans, the fee shall

1 be a flat fee per parcel not to exceed three hundred seventy five dollars per year per  
2 small or large residential parcel.

3 (f) For residential and commercial parcels on which improvements have  
4 been made, but a building itself is not present, including but not limited to paved  
5 parking lots and courtyards, the fee shall be a flat fee not to exceed two hundred and  
6 fifty dollars per year.

7 (g) ~~For commercial parcels;~~ For commercial parcels on which a physical  
8 business structure is present, the fee shall be a flat fee per commercial business unit  
9 on the parcel of land not to exceed three hundred seventy-five dollars for each  
10 improved commercial parcel unit.

11 (h) For commercial parcels on which no improvements have been made, i.e.,  
12 vacant lots or unpaved parking lots, the fee shall be a flat fee not to exceed one  
13 hundred and fifty dollars per year.

14 (i) For commercial short term rental parcels, as defined by an ordinance  
15 adopted by the City of New Orleans, the fee shall be a flat fee not to exceed three  
16 hundred seventy-five dollars per unit.

17 (j) For all commercial parcels, the fee shall be imposed on the owner of the  
18 commercial parcel as a whole.

19 (k) Any improved parcel consisting of both commercial and residential uses  
20 shall be considered commercial for purposes of this Section.

21 (l) The fees imposed pursuant to this Subsection shall be imposed on all  
22 property owners within the district unless otherwise provided by this Subsection.

23 (2) The fee shall be imposed on each ~~improved~~ parcel located within the  
24 district.

25 \* \* \*

26 (3)

27 \* \* \*

28 (c) ~~If approved, the fee shall expire on December 31, 2014, but the~~ The fee  
29 may be renewed if approved by a majority of the registered voters of the district

1 voting on the proposition at an election as provided in Subparagraph (a) of this  
2 Paragraph. Any election to authorize the renewal of the fee shall be held at the same  
3 time as a regularly scheduled municipal, state, or federal election. If the fee is  
4 renewed, the term of the imposition of the fee shall be as provided in the proposition  
5 authorizing such renewal, not to exceed eight years.

6 \* \* \*

7 Section 2. The parcel fees that were approved in the election that was held on  
8 November 16, 2019 shall continue to be imposed until they expire as provided in the  
9 proposition authorizing their imposition or until other fee amounts are approved by voters  
10 of the district.

11 Section 3. The five members of the board in office on the effective date of this Act  
12 shall continue to serve until the expiration of their current terms. The members appointed  
13 to serve on the expiration of such terms shall be appointed as provided in this Act. Upon the  
14 expiration of their respective terms, the three appointments made pursuant to R.S.  
15 33:9091.14(D)(1)(a) shall be made first, and the two appointments made pursuant to R.S.  
16 33:9091.14(D)(1)(b) shall be made thereafter.

17 Section 4. This Act shall become effective upon signature by the governor or, if not  
18 signed by the governor, upon expiration of the time for bills to become law without signature  
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
21 effective on the day following such approval.

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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)]

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HB 600 Original                                      2020 Regular Session                                      Hilferty

**Abstract:** Provides relative to the membership of the governing board and to the parcel fee levied within the Mid-City Security District.

Present law creates the Mid-City Security District in Orleans Parish as a political subdivision of the state for the purpose of promoting and encouraging security in the area included within the district. Provides for district boundaries.

Present law provides that the district shall be governed by a five-member board of commissioners, all of whom shall be qualified voters and residents of the district.

Present law provides that board members shall be appointed as follows:

- (1) Four members appointed by the Mid-City Neighborhood Organization.
- (2) One member appointed by the Parkview Neighborhood Organization.

New law replaces present law membership with the following:

- (1) Three members appointed by the New Orleans city council member representing Council District A, after considering the recommendations, if any, of the neighborhood associations representing the citizens within Council District A.
- (2) Two members appointed by the New Orleans city council member representing Council District B, after considering the recommendations, if any, of the neighborhood associations representing the citizens within Council District B.

Present law authorizes the governing authority of the city of New Orleans, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the amount of the fee shall be as requested by duly adopted resolution of the board of the district. Further provides for the following amounts:

- (1) For improved residential parcels, the fee shall be a flat fee per parcel of land not to exceed \$250 per year for each improved parcel.
- (2) For improved parcels subject to a special assessment pursuant to present constitution, the fee shall be a flat fee per parcel of land not to exceed \$150 per year.
- (3) For commercial parcels, the fee shall be a flat fee per parcel of land not to exceed \$375 for each improved parcel.

New law retains (2) and creates new parcel fee structure as follows:

- (1) For residential parcel fees containing one to four residential units, the fee shall be a flat fee per parcel of land not to exceed \$250 per year for each residential parcel.
- (2) For unimproved residential parcels, the fee shall be a flat fee per parcel of land not to exceed \$200 per year per each residential parcel.
- (3) For residential parcels containing five or more residential units, the fee shall be a flat fee per residential unit, whether occupied or unoccupied, not to exceed \$200 per year per residential unit. The fee shall be imposed on the owner of the residential parcel as a whole.
- (4) For parcels designated as small residential or large residential short term rentals, the fee shall be a flat fee per parcel not to exceed \$375 per year per small or large residential parcel.
- (5) For residential and commercial parcels on which improvements have been made, but a building itself is not present, the fee shall be a flat fee not to exceed \$250 per year.
- (6) For commercial parcels on which a physical business structure is present, the fee shall be a flat fee per commercial business unit on the parcel of land not to exceed \$375 for each commercial unit.

- (7) For commercial parcels on which no improvements have been made, the fee shall be a flat fee not to exceed \$150 per year.
- (8) For commercial short term rental parcels, the fee shall be a flat fee not to exceed \$375 per unit.

Proposed law also adds provision that states that, for all commercial parcels, the fee shall be imposed on the owner of the commercial parcel as a whole.

Present law provides that any improved parcel consisting of both commercial and residential uses shall be considered commercial for purposes of present law. Proposed law adds provision that provides that the fees imposed pursuant to proposed law shall be imposed on all property owners within the district unless otherwise provided for by proposed law. Otherwise retains present law.

Present law requires that the initial election on the question of the imposition of the fee be held at the same time as a regularly scheduled election in the city of New Orleans. Provides that the fee shall expire on Dec. 31, 2014. Authorizes renewal of such fee. Provides that any election to authorize fee renewal shall be held at the same time as a regularly scheduled mayoral election in the city of New Orleans. Further provides that if the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed eight years. Proposed law deletes prior expiration date; otherwise retains present law.

Provides that the parcel fees that were approved in the election that was held on Nov. 16, 2019, shall continue to be imposed until such time as they expire as provided in the proposition or until other fee amounts are approved by voters of the district.

Provides that the five members of the board in office on the effective date of present law shall continue to serve until the expiration of their then current terms, and that members appointed to serve on the expiration of such terms shall be as provided by proposed law.

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

(Amends R.S. 33:9091.14(D)(1), (F)(1) and (2)(intro. para.) and (3)(c))