

2025 Regular Session

SENATE BILL NO. 187

BY SENATOR BOUDREAUX

SPECIAL DISTRICTS. Provides for the creation of the St. Martin Parish Economic and Industrial Development District. (8/1/25)

AN ACT

To enact Subpart B-50 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.883 through 130.889, relative to economic development districts in St. Martin Parish; to create the St. Martin Parish Economic and Industrial Development District as a political subdivision of the state; to provide for the district boundaries, purpose, and governance; to provide relative to the authority, powers, duties and functions of the board of commissioners; to provide relative to the economic plans and projects; to provide relative to powers of the district, including the power of taxation with voter approval; to provide relative to the authorization of the district to issue and sell bonds and other debt obligations; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart B-50 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:130.883 through 130.889, is hereby enacted to read as follows:

SUBPART B-50. ST. MARTIN PARISH ECONOMIC AND

INDUSTRIAL DEVELOPMENT DISTRICT

§130.883. St. Martin Parish Economic and Industrial Development District

A.(1) There is hereby created a body politic and corporate of the state which shall exist in perpetuity and be known as the St. Martin Parish Economic and Industrial Development District, hereinafter referred to as the "district". The district shall comprise all of the territory located within St. Martin Parish. The district shall be a political subdivision of the state as defined in Article VI, Section 44(2) of the Constitution of Louisiana. Pursuant to Article VI, Sections 19 and 20 of the Constitution of Louisiana, the district, acting through its board of commissioners, the governing authority of the district, is hereby granted all of the rights, powers, privileges, and immunities accorded by law and the Constitution of Louisiana to political subdivisions of the state, including the powers of taxation and issuance of revenue and general obligation bonds.

B. The district is established for the primary purpose of stimulating industrial and commercial development in St. Martin Parish. In the pursuit of this goal, special attention shall be focused on developing stable and more extensive employment opportunities, promoting economic development in disadvantaged communities, improving infrastructure, and promoting the overall welfare of the citizens of the parish.

§130.884. Board of commissioners; members; officers; employees

A.(1) In order for the development and effectuation of the services to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, there is hereby authorized to be created a board of commissioners for the district, hereinafter referred to as the "board".

(2) Each commissioner shall be a qualified voter and taxpayer within the limits of the district during his term of office and shall reside in St. Martin Parish. In making appointments to the commission, the appointing authorities

1 shall make every effort within the law to provide for racial and gender diversity
2 among commissioners and shall make reasonable efforts to ensure that the
3 racial proportion of the appointees reflects the same racial proportion of St.
4 Martin Parish.

5 (3) The commissioners of the board shall be determined as follows:

6 (a) The St. Martin Parish Council shall, as a collective body, appoint two
7 commissioners.

8 (b) The St. Martin Parish School Board shall, as a collective body,
9 appoint three commissioners.

10 (c) The St. Martin Parish Sheriff shall, as a collective body, appoint one
11 commissioner.

12 (d) The Breaux Bridge City Council shall, as a collective body, appoint
13 one commissioner.

14 (e) The St. Martinville City Council shall, as a collective body, appoint
15 one commissioner.

16 (f) The village of Parks Council shall, as a collective body, appoint one
17 commissioner.

18 B. The power and authority to appoint commissioners shall not be
19 construed to confer on the appointing authority any direction, control, or other
20 influence over the district or board not specifically provided herein or otherwise
21 provided by law. Furthermore, current members of all appointing authorities
22 may not serve as commissioners.

23 C. The members of the board of the St. Martin Economic Development
24 Authority serving on January 1, 2025, shall comprise the initial membership of
25 the board created pursuant to this Section in accordance with the following:

26 (1) Each member shall retain his board position and shall serve the
27 remainder and duration of his applicable term.

28 (2) All commissioners appointed to the board, other than to fill a
29 vacancy, shall serve three-year terms.

1 (3) If a member vacates the board position prior to the end of his term,
2 the position shall be filled in accordance with Paragraph D of this Subsection.

3 D. The sitting members of the board shall fill any vacancy not caused by
4 the normal expiration of a commissioner's term within forty-five days by
5 appointing an interim board member who shall serve the remaining term of the
6 vacating commissioner. A commissioner appointed in an interim capacity shall,
7 upon the expiration of his interim term, be eligible for reappointment.

8 E. Each member of the board may receive reimbursement for expenses
9 incurred in the performance of his duties, provided such duties are authorized
10 and approved by the board. No board member shall be paid a salary for serving
11 on the board.

12 F.(1) The board shall elect from among its members a chairman, a vice
13 chairman, a secretary, and a treasurer whose duties shall be those usual to such
14 offices. The offices of secretary and treasurer may be combined.

15 (2)(a) The board of commissioners may annually elect an executive
16 committee from the board of commissioners consisting of up to five
17 commissioners. The executive committee shall be the elected officers plus two
18 other persons selected from the board of commissioners.

19 (b) The executive committee shall exercise all powers of the board of
20 commissioners between meetings including budget expenditures. A report shall
21 be made to the full board of commissioners at least every ninety days.

22 (c) A quorum of the executive committee shall be a simple majority of
23 the executive committee.

24 (d) The executive committee shall serve until their successors are elected
25 and qualified.

26 G. The board or the executive committee shall meet in regular session
27 every other month and shall also meet in special session as often as the
28 chairman of the board convenes them or on the written request of the
29 commissioners. The board of commissioners shall have a minimum of one

1 meeting every three months. Any commissioner shall be entitled to attend any
2 other meeting of the executive committee meeting. Five or more members of the
3 board shall constitute a quorum for the transaction of any and all business of
4 the board of commissioners.

5 H. The board shall prescribe rules and bylaws to govern its meetings and
6 activities. The board may amend or repeal its rules. The board may authorize
7 attendance and participation in meetings by telephone or electronic means.

8 I. A commissioner, member of his immediate family, and employees of
9 the district are prohibited from bidding on or entering into any contract, or
10 other transaction that is under the supervision or jurisdiction of the district. If
11 any commissioner or employee of the district owns or controls any interest,
12 direct or indirect, in any property later included in any project under the
13 jurisdiction of the district or has interest in any contract for materials or
14 services to be furnished or used in connection with any project, he shall disclose
15 the same in writing to the board. Failure to disclose shall constitute misconduct
16 in office. After disclosure, a commissioner shall not vote on any issue or
17 expenditure of funds relating to such property or interest.

18 J. A commissioner may be removed from office for just cause, but only
19 after the commissioner has been given a copy of the charges against him and has
20 had an opportunity to be heard in person by counsel before the board.

21 K. Elected officials are prohibited from serving on the board of
22 commissioners.

23 §130.885. Powers of district

24 A. The district, acting by and through its board of commissioners or its
25 executive committee, shall have and exercise all powers of a political subdivision
26 necessary or convenient to implement its objects and purposes, including but
27 not limited to rights and powers set out in this Subpart:

28 (1) To sue and be sued.

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

1 (3) To acquire by gift, grant, purchase, lease, option, bequest, mortgage
2 device, exchange, or sale, all property, including rights-of-way, and to hold and
3 use any franchise or property, real, personal, or mixed, tangible or intangible,
4 or any interest therein, necessary or desirable for carrying out the objects and
5 purposes of the district, including but not limited to the establishment,
6 maintenance, and operation of businesses, warehouses, housing programs, or
7 industrial parks and all types of terminals. The district may provide industrial
8 incentives, below market leases, loans, grants, and infrastructure.

9 (4) To purchase, acquire, construct, improve, equip, and furnish works
10 and facilities necessary to achieve the purposes of the district, including
11 economic development projects.

12 (5) To require and issue licenses with respect to the use of its properties
13 and facilities.

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

16 (7) To appoint, contract with, or employ officers, attorneys, clerks,
17 engineers, deputy commissioners, a director, and other agents and employees,
18 prescribe their duties, and fix their compensation and terms of employment.

19 (8) To provide or arrange or contract for the furnishing or repair by any
20 person or agency, public or private, of or for services, privileges, or works on
21 streets, roads, public utilities, or other facilities for or in connection with a
22 redevelopment project to install, construct, and reconstruct streets, utilities,
23 parks, playgrounds, and other public improvements.

24 (9) To establish business and industry foundations or nonprofit economic
25 development corporations, for the purpose of providing venture capital, equity
26 loans, or financing, and to take stock as security for an equity position in start-
27 up and expanding businesses and industries; the purpose being to help establish
28 sound, financially stable businesses and industries which will employ, at least
29 fifty percent of their work force, residents from St. Martin Parish and

1 surrounding parishes. The foundation may enter into contractual agreements
2 for intervention in the event of a negative cash flow by the business industry.

3 B. In order to provide growth and development of the district and the
4 prosperity and welfare of the people of the district, to expand, restore, improve,
5 and develop existing housing, commercial, and industrial structures within the
6 district, and to encourage the fullest use of underutilized resources, and in order
7 to improve communication and coordination among the economic and human
8 development efforts of state, federal, and local governments and to encourage
9 maximum local participation in the development and coordination of federal,
10 state, regional, and local programs in Louisiana and in order to better
11 coordinate state plans and programs with one another, as well as with programs
12 in the federal, regional, local, and private sectors, the district, acting by and
13 through the board shall:

14 (1) Make recommendations concerning natural and environmental
15 factors, needs, and trends of business and industry, housing needs, social or
16 educational trends, population, or other developments; the habits and lifestyles
17 of the people of the district; the relation of land use within the district as it
18 relates to the parish as a whole; areas for the concentration of wholesale, retail,
19 housing, business, and other commercial or industrial uses; and areas for
20 recreational uses and for spaces and areas of mixed uses.

21 (2) Make recommendations concerning the need for and the proposed
22 general location of public and private works and facilities or to provide those
23 facilities.

24 (3) Make or assist in studies and investigations of the resources of the
25 district and the existing and emerging problems of industry, commerce,
26 transportation, population, housing, and public service affecting the
27 redevelopment of the district, and in making such studies to seek the
28 cooperation and collaboration of the appropriate departments, agencies, and
29 instrumentalities of federal, state, and local government, educational

1 institutions, research organizations, whether public or private, and of civic
2 groups and private persons and organizations. The district may implement said
3 plans, programs, and objectives.

4 (4) Prepare, and from time to time revise, inventory listings of the
5 district's resources and of the major public and private works and facilities of
6 all kinds which are deemed necessary to the redevelopment of the district.

7 (5) Cooperate and confer with and upon request supply information to
8 federal agencies and to local and regional agencies created pursuant to a federal
9 program or which receive federal support, and cooperate and confer, as far as
10 possible, with economic development districts in and outside of the state.

11 (6) Advise and supply information, as far as available, to civic groups
12 and private persons and organizations who may request such information or
13 advice, and who study or otherwise concern themselves with the district's
14 problems and development of the fields of business and industry, labor, natural
15 resources, urban growth, public facilities, recreational facilities, housing, and
16 public service activities such as public health and education, insofar as such
17 problems and development may be relevant to the district's redevelopment.

18 (7) Provide information to officials of departments, agencies, and
19 instrumentalities of state and local government and to the public at large, in
20 order to foster public awareness and understanding of the objectives of the
21 district in order to stimulate public interest and participation in the orderly,
22 integrated development of the district.

23 (8) Accept and receive, in furtherance of its functions, funds, grants, and
24 services from the federal government or its agencies, from departments,
25 agencies, and instrumentalities of state, parish, municipal, or local government,
26 or from private or civic sources.

27 (9) Solicit the assistance and active cooperation of industry and private
28 organizations in creating public-private partnerships which could assist in
29 economic development within the district.

1 (10) Hold public hearings and sponsor public forums whenever it deems
2 necessary or useful in the execution of its functions.

3 (11) Exercise all other powers necessary and proper for the discharge of
4 its duties.

5 C.(1) The district, acting by and through the board or the executive
6 committee, may prepare or cause to be prepared a revitalization plan specifying
7 the private, nonprofit, or public improvements, facilities, or services proposed
8 to be furnished, operated, maintained, constructed, renovated, or acquired by
9 the district and shall conduct such public hearings, publish such notice with
10 respect thereto, and disseminate such information as it may deem appropriate
11 or advisable and in the public interest.

12 (2) Any plan may specify and encompass any public services, capital
13 improvements, and facilities which a parish may undertake, furnish, or provide
14 under the constitution and laws of the state, and such specified public services,
15 capital improvements, and facilities shall be special and in addition to all
16 services, improvements, and facilities which the parish is then furnishing or
17 providing or may then or in the future be obligated to furnish or provide within
18 the district.

19 (3) Any plan may include:

20 (a) A program to implement the plan in such a manner to aid and
21 encourage private development within the district, to enhance and improve
22 residential neighborhoods within the district, and to promote and coordinate
23 public development.

24 (b) An estimate of the annual and total cost of acquiring, constructing,
25 renovating, furnishing, operating, or maintaining the services, improvements,
26 or facilities set forth therein.

27 (c) An estimate of the total revenue required to implement the plan for
28 furnishing the specified services and for capital improvements, debt service, or
29 both, including the proportion of the revenue to be set aside and dedicated to

1 paying the cost of furnishing-specified services and proportion of such revenue
2 to be set aside and dedicated to paying the cost of capital improvements or
3 paying the cost of debt service on any bonds to be issued to pay the costs of
4 capital improvements.

5 (d) A list of the services, professional and otherwise, proposed to be
6 rendered, an estimate of the aggregate of the proposed expense of such services,
7 and an estimate of other expenses of the board required for the implementation
8 of the plan.

9 (e) A proposed budget of income and expenditures specifying the source
10 of funding, including the amount and duration of any proposed ad valorem tax,
11 sales and use tax, parcel fee, service charge or rates of service charges, or any
12 combination thereof.

13 (4)(a) The board may submit the proposed plan to the governing
14 authority of the parish for review and comment as to whether the plan is
15 consistent with its respective comprehensive plans. Within thirty days after the
16 receipt of the proposed plan, the governing authority shall submit its written
17 findings as to whether or not the plan or any portion or detail thereof is
18 inconsistent with its comprehensive plan, together with its written comments
19 and recommendations with respect thereto to the board.

20 (b) After receipt of the recommendations of the governing authority, the
21 board shall review and consider the plan together with the written comments
22 and recommendations. The board may modify the proposed plan based on such
23 comments and recommendations and may thereafter proceed with plans,
24 programs, and objectives to foster economic development and revitalization.

25 §130.886. Economic inducement and redevelopment

26 A. The district may construct and acquire facilities, including the
27 acquisition of sites and other necessary property or appurtenances thereto
28 within the district, or outside the district if the project is undertaken conjointly
29 with other local units of government, under the authority of the local services

1 law, R.S. 33:1321 et seq., or other authorizing authority, and to acquire,
2 construct, improve, operate, maintain, and provide improvements and services
3 necessary therefor, including but not limited to roads, street lighting, bridges,
4 rail facilities, parks, playgrounds, tourism facilities, drainage, sewerage disposal
5 facilities, solid waste disposal facilities, waterworks, and other utilities and
6 related properties.

7 B. The district may sell, lease, contract for the use or otherwise dispose
8 of, by suitable and appropriate contract, to any enterprise locating or existing
9 within the district, all or any part of a site, building, or other property owned
10 by the district. In determining the consideration for any contract to lease, sell,
11 or otherwise dispose of lands, buildings, or other property of the district, the
12 board may take into consideration the value of the lands, buildings, or other
13 properties involved as well as the potential value of the economic impact of the
14 enterprise being induced to locate or expand within the district. Such economic
15 impact may include increased employment, increased use of local labor, wages
16 and salaries to be paid, consumption of local materials, products, and resources,
17 and special tax revenues to be generated by the enterprise acquiring or leasing
18 lands, buildings, or other property from the district. The district may enter into
19 mortgages, credit sales, sale lease backs, or leases.

20 C. The district may:

21 (1) Lease or contract for the use of any or all of its authorized projects
22 and charge and collect rent, fees, or charges therefor, and terminate any such
23 lease or contractual arrangement upon the failure of the lessee or contracting
24 party to comply with any of the obligations thereof all as may be provided for
25 in the lease agreement to which the district may become a part. The district may
26 provide for a grace period prior to or in the event of a default or a restructuring
27 of the obligation, contract, or indebtedness.

28 (2) Sell, exchange, donate, grant, and convey any or all of its projects
29 upon such terms and conditions as the board may deem advisable, including the

1 power to receive for any such sale the first mortgage note or notes of the
2 purchaser of a project representing unpaid installments of the purchase price
3 due by the purchaser to the district whenever the board finds any such actions
4 to be in furtherance of the purposes for which the district was organized. The
5 district may acquire resources for resale or lease by entering into credit sales
6 agreements.

7 (3) As security for the payment of the principal of and interest on any
8 bonds, notes, or other obligations of the district and any agreements made in
9 connection therewith, mortgage and pledge any or all of its projects or any part
10 or parts thereof, whether then owned or thereafter acquired, and to pledge the
11 revenues and receipts therefrom or from any other source.

12 D. The resolution adopted by the board or the executive committee
13 authorizing any lease, sale, or other disposition of lands, buildings, or other
14 property of the district or any attachment thereto shall set forth, in a general
15 way, the terms of the authorized lease, sale, or other disposition, and such
16 resolution shall be published as soon as possible in one issue of the official
17 journal of the district. For a period of thirty days from the date of publication
18 of any such resolution, any interested person may contest the legality of such
19 resolution, after which time no person shall have any cause of action to contest
20 the legality of said resolution or to draw in question the legality of the
21 authorized lease, sale, or other disposition of district property for any cause
22 whatsoever. It shall be conclusively presumed thereafter that every legal
23 requirement has been complied with and no court shall have authority to
24 inquire into such matters after the lapse of said thirty days.

25 §130.887. Taxes; borrowing money

26 A. The board of commissioners may, when necessary, levy annually an
27 ad valorem tax, provided that the amount, term, and purpose of said tax, as set
28 out in a proposition submitted to the electors in accordance with the Louisiana
29 Election Code, shall be approved by a majority of the qualified electors voting

1 in an election held for that purpose.

2 B.(1) The board of commissioners may, subject to approval of a majority
3 of the electors voting at an election held for the purpose, levy and collect a sales
4 and use tax within the boundaries of the district for such purposes and at such
5 rate as provided by the proposition authorizing its levy, not exceeding one
6 percent, which tax may exceed the limitation set forth in Article VI, Section
7 29(A) of the Constitution of Louisiana.

8 (2) The tax shall be levied upon the sale at retail, the use, the lease or
9 rental, the consumption, the distribution and storage for use or consumption of
10 tangible personal property, and upon the sales of services within the district, all
11 as presently defined in R.S. 47:301 through 317.

12 (3) Except where inapplicable, the procedure established by R.S. 47:301
13 through 317 shall be followed in the imposition, collection, and enforcement of
14 the tax, and procedural details necessary to supplement the provisions of R.S.
15 47:301 through 317 and to make them applicable to the tax herein authorized
16 shall be fixed in the resolution imposing the tax.

17 (4) The tax shall be imposed and collected uniformly throughout the
18 district. However, a special taxing district may be established for a particular
19 plan, program, objective, or specific development within the district.

20 C. All funds derived under this Section may be used only for expenses or
21 specified purposes of the district. The board of commissioners may establish
22 and maintain, in addition to all necessary and normal accounts, the following
23 special accounts:

24 (1) A revolving loan guarantee fund, to be used to guarantee business,
25 housing, industrial or business terminal development loans to the extent
26 permitted by the Constitution of Louisiana under the following guidelines:

27 (a) The district may loan or grant funds to businesses, industries,
28 manufacturing firms, housing programs, and wholesale distribution firms and
29 service firms.

1 **(b) Loan guarantees shall be used to assist an identifiable business**
2 **concern to finance plant construction, conversion, or expansion and to finance**
3 **acquisition of land, existing structures, machinery, or equipment and to provide**
4 **operational funds.**

5 **(c) The terms and rates shall be compatible with loans offered by local**
6 **lending institutions, and the guarantee shall never exceed forty percent of the**
7 **cost of the total project. In addition, the district shall attempt to obtain the most**
8 **favorable security available under the circumstances to protect and ensure the**
9 **recovery of its commitment under the guarantee.**

10 **(d) Loan guarantees may be evaluated for the economic impact in terms**
11 **of the number and types of jobs created or saved.**

12 **(e) Loan guarantees shall be made to leverage other sources of private**
13 **and public capital to attain the greatest economic impact possible with the**
14 **limited funds available.**

15 **(f) Loan guarantees shall be targeted to industries, manufacturing firms,**
16 **and wholesale distribution firms and service firms.**

17 **(g) No project may be considered unless the project will be constructed**
18 **and maintained by persons at least fifty percent of whom are residents of the**
19 **parish of St. Martin and at least fifty percent of the goods and services for**
20 **maintenance of the project are obtained from a supplier domiciled within said**
21 **parish, except where not reasonably possible to do so without substantial added**
22 **expense, substantial inconvenience, or substantial sacrifice in operational**
23 **efficiency. The district executive committee or board of commissioners may**
24 **evaluate a development or project and waive the provisions of the**
25 **Subparagraph.**

26 **(h) The lending or underwriting principals shall have such demonstrated**
27 **experience, ability, and net worth as would allow for the success, continuation,**
28 **security, and solvency of the program. Prudent lending and underwriting**
29 **standards shall be applied in order to comply with the primary objectives of this**

1 Section. The district is not required to obtain any right, title, or interest in any
2 real or personal property in order to pay the cost of an economic development
3 project.

4 (2) An economic development operation fund, for the development and
5 attraction of industries to accomplish the following:

6 (a) The operational fund shall be used for operating expenses necessary
7 in the creation of industrial and commercial development, in hiring sufficient
8 staff to accomplish the purposes set out in this Subpart, and other related
9 expenses.

10 (b) The operational fund may also be utilized in contracting for services
11 as may be required by the district, including but not limited to planning
12 assistance, surveys, land use studies, professional and technical services,
13 construction contracting, and other services necessary to effectuate a strategic
14 plan or an industrial development plan for a specific industry which has
15 submitted a plan to the board of commissioners.

16 (3) An account for the maintenance and operation of a governmental
17 procurement center to provide necessary information to companies and
18 individuals engaged in providing services and goods to accomplish the
19 following:

20 (a) Pinpoint and identify potential buying centers and aid in placing the
21 company on a bidder's list for these centers and assist companies in obtaining
22 specifications for their products or services.

23 (b) Provide trained counselors to assist in acquiring solicitation and bid
24 packages and conduct seminars designed to disseminate other information
25 needed by the target companies and individuals.

26 D. Any tax levied under this Section shall be in addition to all other taxes
27 which the city, parish, or any other political subdivision within the parish of St.
28 Martin are now or hereafter authorized to levy and collect.

29 §130.888. Obligations of the district

1 A. The district shall have authority to incur debt for any one or more of
2 its lawful purposes set forth in this Subpart, to issue in its name negotiable
3 bonds, notes, certificates of indebtedness, or other evidences of debt and to
4 provide for the security and payment thereof.

5 B.(1) The district may in its own name and behalf incur debt and issue
6 general obligation ad valorem property tax secured bonds under the authority
7 of and subject to the provisions of Article VI, Section 33 of the Constitution of
8 Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of Title 39 of
9 the Louisiana Revised Statutes of 1950, when approved by a majority of the
10 qualified voters who vote in a special or general election called and conducted
11 under the authority of the Louisiana Election Code, including Chapter 6-A of
12 Title 18 of the Louisiana Revised Statutes of 1950. General obligation bonds of
13 the district may be issued for any of the purposes for which the district is
14 created or is authorized to act under any provisions of this Subpart, all of which
15 purposes are hereby found and declared to be public purposes and functions of
16 the state of Louisiana, which are delegated to the district.

17 (2) The district may in its own name and behalf, issue revenue bonds for
18 the purposes for which the district is created or is authorized to act under any
19 of the provisions of this Subpart, including improvement revenue bonds. Said
20 bonds shall be issued in the manner as provided in R.S. 39:991 through 1001
21 and R.S. 39:1011 through 1024. When approved by the State Bond Commission
22 the bonds may be tax free or regular business or industrial revenue bonds with
23 or without the full faith and credit of the taxing district.

24 (3) The district may in its own name and behalf, borrow from time to
25 time in the form of certificates of indebtedness. The certificates shall be secured
26 by the dedication and pledge of moneys of the district derived from any lawful
27 sources, including fees, lease rentals, service charges, mortgages, local service
28 agreement payments from one or more other contracting parties, the avails of
29 sales or use taxes, ad valorem property taxation, or any combination of such

1 sources of income, provided that the term of such certificates shall not exceed
2 twenty years and the annual debt service on the amount borrowed shall not
3 exceed the anticipated revenues to be dedicated and pledged to the payment of
4 the certificates of indebtedness, as shall be estimated by the board of
5 commissioners or the executive committee of the district at the time of the
6 adoption of the resolution authorizing the issuance of such certificates. The
7 estimate of the board of commissioners or the executive committee referred to
8 in the authorizing resolution shall be conclusive for all purposes of this Section.

9 (4) The district may borrow the amount of the anticipated ad valorem
10 tax, not to exceed ten mills, authorized by R.S. 33:130.305 for a period not to
11 exceed twenty years and may issue certificates of indebtedness therefor and may
12 dedicate the avails of the tax for the payment thereof for the period of time said
13 certificates are outstanding.

14 (5) The board of commissioners, as the governing authority of the
15 district, is authorized to adopt all necessary resolutions or ordinances which
16 may be necessary for ordering, holding, canvassing, and promulgating the
17 returns of any election required for the issuance of general obligation bonds, or
18 limited tax secured obligations or for the voting of a property tax millage, or
19 sales or use taxes, which resolutions or ordinances may include covenants for
20 the security and payment of any bonds or other evidence of debt so issued.

21 (6) For a period of thirty days from the date of publication of any
22 resolution or ordinance authorizing the issuance of any bonds, certificates of
23 indebtedness, notes, or other evidence of debt of the district, any interested
24 person may contest the legality of such resolution or ordinance and the validity
25 of such bonds, certificates of indebtedness, notes, or other evidence of debt
26 issued or proposed to be issued thereunder and the security of their payment,
27 after which time no one shall have any cause of action to contest the legality of
28 said resolution or ordinance or to draw in question the legality of said bonds,
29 certificates of indebtedness, notes, or other evidence of debt, the security

therefor, or the debts represented thereby for any cause whatsoever, and it shall be conclusively presumed that every legal requirement has been complied with, and no court shall have authority to inquire into such matters after the lapse of thirty days.

(7) The issuance and sale of such bonds, certificates of indebtedness, notes, or other evidence of debt by the district shall be subject to approval by the State Bond Commission.

(8) Such bonds, certificates of indebtedness, notes, or other evidence of debt shall have all the qualities of negotiable instruments under the commercial laws of the state of Louisiana.

§130.889. Securities

Bonds, certificates, or other evidences of indebtedness issued by the district under this Subpart are deemed to be securities of public entities within the meaning of Chapters 13 and 13-A of Title 39 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in accordance with the provisions of Chapter 14 of Title 39 of the Louisiana Revised Statutes of 1950, and may be refunded in accordance with the provisions of Chapters 14-A and 15 of Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as short-term revenue notes of a public entity under Chapter 15-A of Title 39 of the Louisiana Revised Statutes of 1950.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 187 Engrossed

2025 Regular Session

Boudreaux

Proposed law provides for the creation of the St. Martin Parish Economic and Industrial Development District.

Proposed law provides that the boundaries of the district shall be coterminous with the boundaries St. Martin Parish.

Proposed law provides that the district is established for the primary purpose of stimulating industrial and commercial development in St. Martin Parish.

Proposed law provides that the district shall be governed by a board of directors appointed as follows:

- (1) The St. Martin Parish Council shall appoint two commissioners.
- (2) The St. Martin Parish School Board shall appoint three commissioners.
- (3) The St. Martin Parish Sheriff shall appoint one commissioner.
- (4) The Breaux Bridge City Council shall appoint one commissioner.
- (5) The St. Martinville City Council shall appoint one commissioner.
- (6) The village of Parks Council shall appoint one commissioner.

Proposed law provides that the board shall prescribe rules and bylaws to govern its meetings and activities. The board may amend or repeal its rules.

Proposed law provides that the district shall have and exercise all powers of a political subdivision necessary or convenient to implement its objects and purposes, including but not limited to rights and powers:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire by gift, grant, purchase, lease, option, bequest, mortgage device, exchange, or sale, or otherwise all property, and to hold and use any franchise or property, real, personal, or mixed, tangible or intangible, necessary or desirable for carrying out the objects and purposes of the district.
- (4) To purchase, acquire, construct, improve, equip, and furnish works and facilities.
- (5) To require and issue licenses with respect to the use of its properties and facilities.
- (6) To regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.
- (7) To appoint, contract with, or employ officers, attorneys, clerks, engineers, deputy commissioners, a director, and other agents and employees, prescribe their duties, and fix their compensation and terms of employment.
- (8) To provide or arrange or contract for the furnishing or repair by any person or agency, public or private, of or for services, privileges, or works on streets, roads, public utilities, or other facilities for or in connection with a redevelopment project to install, construct, and reconstruct streets, utilities, parks, playgrounds, and other public improvements.
- (9) To establish business and industry foundations or nonprofit economic development corporations, for the purpose of providing venture capital, equity loans, or financing, and to take stock as security for an equity position in start-up and expanding businesses and industries.

Proposed law provides that in order to provide growth and development of the district the board shall:

- (1) Make recommendations concerning natural and environmental factors, needs, and trends of business and industry, housing needs, social or educational trends,

- population, or other developments; the habits and lifestyles of the people of the district; the relation of land use within the district as it relates to the parish as a whole; areas for the concentration of wholesale, retail, housing, business, and other commercial or industrial uses; and areas for recreational uses and for spaces and areas of mixed uses.
- (2) Make recommendations concerning the need for and the proposed general location of public and private works and facilities or to provide those facilities.
 - (3) Make or assist in studies and investigations of the resources of the district and the existing and emerging problems of industry, commerce, transportation, population, housing, and public service affecting the redevelopment of the district, and in making such studies to seek the cooperation and collaboration of the appropriate departments, agencies, and instrumentalities of federal, state, and local government, educational institutions, research organizations, whether public or private, and of civic groups and private persons and organizations.
 - (4) Prepare, and from time to time revise, inventory listings of the district's resources and of the major public and private works and facilities of all kinds.
 - (5) Cooperate and confer with and upon request supply information to federal agencies and to local and regional agencies, and cooperate and confer, as far as possible, with economic development districts in and outside of the state.
 - (6) Advise and supply information, as far as available, to civic groups and private persons and organizations who may request such information or advice.
 - (7) Provide information to officials of departments, agencies, and instrumentalities of state and local government and to the public at large.
 - (8) Accept and receive, in furtherance of its functions, funds, grants, and services from the federal government or its agencies, from departments, agencies, and instrumentalities of state, parish, municipal, or local government, or from private or civic sources.
 - (9) Solicit the assistance and active cooperation of industry and private civic organizations which are active in anti-litter programs in the district and recycling efforts to assist in the control and reduction of litter in the district.
 - (10) Hold public hearings and sponsor public forums.
 - (11) Exercise all other powers necessary and proper for the discharge of its duties.

Proposed law provides that the district shall have a revitalization plan.

Proposed law provides that any plan may specify and encompass any public services, capital improvements, and facilities which a parish may undertake, furnish, or provide pursuant to present law, and such specified public services, capital improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the parish is then furnishing or providing or may then or in the future be obligated to furnish or provide.

Proposed law provides that the district may construct and acquire facilities.

Proposed law provides that the district may sell, lease, contract for the use or otherwise dispose of, by suitable and appropriate contract, to any enterprise locating or existing within the district, all or any part of a site, building, or other property owned by the district.

Proposed law provides that district may:

- (1) Lease or contract for the use of any or all of its authorized projects and charge and collect rent, fees, or charges therefor, and terminate any such lease or contractual arrangement upon the failure of the lessee or contracting party to comply with any of the obligations thereof.
- (2) Sell, exchange, donate, grant, and convey any or all of its projects.
- (3) As security for the payment of the principal of and interest on any bonds, notes, or other obligations of the district and any agreements made in connection therewith, mortgage and pledge any or all of its projects or any part or parts thereof, whether then owned or thereafter acquired, and to pledge the revenues and receipts therefrom or from any other source.

Proposed law provides the resolution adopted by the board or the executive committee authorizing any lease, sale, or other disposition of lands, buildings, or other property of the district or any attachment thereto shall set forth, in a general way, the terms of the authorized lease, sale, or other disposition, and such resolution shall be published as soon as possible in one issue of the official journal of the district.

Proposed law provides that the board of commissioners may, when necessary, levy annually an ad valorem tax, provided that the amount, term, and purpose of said tax, as set out in a proposition submitted to the electors in accordance with the Louisiana Election Code, shall be approved by a majority of the qualified electors.

Proposed law provides that the board of commissioners may, subject to approval of a majority of the electors voting at an election held for the purpose, levy and collect a sales and use tax within the boundaries of the district for such purposes and at such rate as provided by the proposition authorizing its levy, not exceeding one percent, which tax may exceed the limitation set in present constitution.

Proposed law provides that the tax shall be levied upon the sale at retail, the use, the lease or rental, the consumption, the distribution and storage for use or consumption of tangible personal property, and upon the sales of services within the district.

Proposed law provides that except where inapplicable, the procedure established by present law shall be followed in the imposition, collection, and enforcement of the tax, and procedural details necessary to supplement the provisions of present law and to make them applicable to the tax herein authorized shall be fixed in the resolution imposing the tax.

Proposed law provides that all funds derived under proposed law may be used only for expenses or specified purposes of the district.

Proposed law provides for a revolving loan guarantee fund, to be used to guarantee business, housing, industrial or business terminal development loans.

Proposed law provides that the district may loan or grant funds to businesses, industries, manufacturing firms, housing programs, and wholesale distribution firms and service firms.

Proposed law provides that any tax levied under proposed law shall be in addition to all other taxes which the city, parish, or any other political subdivision within the parish of St. Martin are authorized to levy and collect.

Proposed law provides that the district shall have authority to incur debt for any one or more of its lawful purposes.

Proposed law provides that the district may in its own name and behalf incur debt and issue general obligation ad valorem property tax secured bonds.

Proposed law provides that the district may in its own name and behalf issue revenue bonds.

Proposed law provides that the district may in its own name and behalf borrow from time to time in the form of certificates of indebtedness.

Proposed law provides that the district may borrow the amount of the anticipated ad valorem tax, not to exceed 10 mills, for a period not to exceed 20 years and may issue certificates of indebtedness.

Proposed law provides that the board of commissioners is authorized to adopt all necessary resolutions or ordinances.

Proposed law provides that for a period of 30 days from the date of publication of any resolution or ordinance authorizing the issuance of any bonds, certificates of indebtedness, notes, or other evidence of debt of the district, any interested person may contest the legality of such resolution or ordinance and the validity of such bonds, certificates of indebtedness, notes, or other evidence of debt issued or proposed.

Proposed law provides that the issuance and sale of such bonds, certificates of indebtedness, notes, or other evidence of debt by the district shall be subject to approval by the State Bond Commission.

Proposed law provides that such bonds, certificates of indebtedness, notes, or other evidence of debt shall have all the qualities of negotiable instruments pursuant to present law.

Proposed law provides that bonds, certificates, or other evidences of indebtedness issued by the district are deemed to be securities of public entities within the meaning of present law.

Effective August 1, 2025.

(Adds R.S. 33:130.883-889)