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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

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## DIGEST

Present law (Act No. 253 of 1952 R.S.) creates and provides by special legislative charter for the city of Bastrop. Defines the boundaries, provides for the administration of its affairs, and provides relative to the powers and duties of the city and its officers.

Present law includes within the powers and duties of the city the power to acquire for any municipal purpose ownership of or a lesser interest in or to property inside and outside the boundaries of the city. Authorizes the city to acquire such property by expropriation, purchase, gift, devise, or lease. Grants the city quick taking powers and authorizes the city to acquire property or a lesser interest in property by exchange. Clarifies that the city may acquire property or a lesser interest in or to property inside or outside the boundaries of the city.

Proposed law removes the city's quick taking powers and authorizes the city to acquire property or a lesser interest in property by exchange.

Present law authorizes the city to hold, manage, control, and sell or lease any such property as it may appear. Prohibits, however, real estate from being sold by the city except at public sale. Authorizes the city to dispose of such property by exchange. Requires that real estate sold at public sale be sold by sealed bid or public auction. Provides that nothing shall prohibit the exchange of real estate.

Proposed law retains present law but removes the city's authorization to dispose of real estate by exchange.

Present law provides that procedures for expropriation and quick taking shall be as provided by law.

Proposed law retains present law only as it applies to expropriation.

Present law includes within the powers of the city the power to erect, purchase, expropriate, maintain, and operate waterworks, electric plants, and gas plants inside or outside the city limits, including the pipe and transmission lines incident thereto. Additionally authorizes the district to take and quick take any such waterworks, electric plants, and gas plants. Further authorizes the city to erect, purchase, expropriate, take, quick take, maintain, and operate public utility services. In addition to transmission lines, includes other methods of delivery incident to such public utilities.

Proposed law retains present law but removes the authority of the district to take and quick take any such waterworks, electric plants, and gas plants. Further removes the authority of the city to erect, purchase, expropriate, take, quick take, maintain, and operate public utility services.

Except for transmission lines, removes other methods of delivery incident to such public utilities.

Present law provides that for the purpose of supplying water, gas, and electricity inside or outside the city boundaries, the city may charge and collect compensation for any such purpose and provide penalties for unauthorized use of water, gas, and electricity. Further authorizes the city to charge and collect compensation for the purpose of supplying communication, data, electronic media and other or like public utility services and to provide penalties for the unauthorized use thereof.

Proposed law retains present law but removes the city's authority to charge and collect compensation for the purpose of supplying communication, data, electronic media and other or like public utility services and to provide penalties for the unauthorized use thereof.

Present law authorizes the city to contract with any person for the erection and/or maintenance and operation of waterworks, electric plants, or gas plants for terms not exceeding 25 years and subject to regulation and fixing of rates by the city or the public service commission as provided by law. Further authorizes the city to enter into any such contract for the erection, maintenance, and operation of utility services for terms not exceeding 25 years and subject to regulation and fixing of rates by the city or the public service commission as provided by law.

Proposed law retains present law but removes the city's authority to enter into any such contract for the erection, maintenance, and operation of utility services for terms not exceeding 25 years and subject to regulation and fixing of rates by the city or the public service commission as provided by law.

Present law authorizes provisions for suitable penalties, not exceeding a fine of \$500 or imprisonment for not more than six months, or both, for any one offense, for the violation of any of the regulatory ordinances which it enacts. Provides, however, that the penalties may exceed such limits in every instance authorized or permitted by state law, in the case of operating a vehicle while intoxicated, reckless operation of a vehicle, and hit and run driving. Provides that penalties shall not exceed penalties authorized for the violation of state crimes.

Proposed law retains present law but removes provision that specifically authorizes that penalties may exceed limits in every instance authorized or permitted by state law, in the case of operating a vehicle while intoxicated, reckless operation of a vehicle, and hit and run driving.

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

(Amends Para. (6) and (15) of §5 and §6 of Act No. 253 of the 1952 R.S.)