DIGEST

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Little HB No. 330

Abstract: Removes "quick take" expropriation authority of Bastrop with respect to property generally and to certain utility property; requires voter approval of utility contracts.

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 property. Authorizes the city to acquire such property by expropriation, purchase, gift, devise, or lease. Authorizes the city to hold, manage, control, and sell or lease any such property. Proposed law retains present law.

Present law additionally grants the city quick take powers and authorizes the city to acquire and dispose of property by exchange. Proposed law removes present law.

Present law prohibits the sale of real estate except at public sale by sealed bid or public auction. Proposed law retains requirement for public sale but removes specifications regarding sealed bid or public auction.

Present law authorizes the city 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. Proposed law retains present law. Present law authorizes the city to erect, acquire, and operate other public utility services and other methods of delivery. Proposed law removes present law.

Present law authorizes the city to take and quick take waterworks, electric plants, and gas plants and public utility services. Proposed law removes present law.

Present law authorizes the acquisition of utility services for the purpose of supplying communication, data, electronic media, and other or like public utility services. Proposed law removes present law.

Present law authorizes the city, for the purpose of supplying water, gas, and electricity, to charge and collect compensation for any such purpose and to provide penalties for unauthorized use of water, gas, and electricity. Proposed law retains present law.

Present law authorizes the city to contract with any person for the erection, 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. Proposed law retains present law.

Present law authorizes the city to enter into such contracts for any utility services. Proposed law removes present law.

Proposed law provides that no contract for the erection, purchase, or maintenance and operation of waterworks, electric plants, or gas plants can be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting.

Prohibits any court, after the effective date of proposed law, from issuing an order declaring property taken if the petition for such order was filed by the city of Bastrop pursuant to Act No. 623 of the 2010 R.S. (the Act which granted Bastrop the "quick take" authority removed by proposed law). Requires return of money deposited with the court pursuant to such a petition.

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

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