

Regular Session, 2011

HOUSE BILL NO. 531

BY REPRESENTATIVE ROBIDEAUX

PARISH/LAFAYETTE: Provides relative to the membership of the board of the Lafayette Parish Redevelopment Authority

1 AN ACT

2 To amend and reenact R.S. 44.4.1(B)(18) and to enact Chapter 13-M of Title 33 of the  
3 Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.201, to create  
4 the Lafayette Parish Redevelopment Authority; to provide for the formation of a  
5 program or programs in the parish of Lafayette for the use of appropriate private and  
6 public resources to eliminate and prevent the development or spread of slum,  
7 blighted, and distressed areas; to allow the rehabilitation, clearance, and  
8 redevelopment of slum, blighted, and distressed areas; to provide for the expeditious  
9 conversion of blighted or underused property into habitable residential dwellings in  
10 the parish of Lafayette; to define the duties, liabilities, authority, and functions of the  
11 redevelopment authority; to authorize public bodies to furnish funds, services,  
12 facilities, and property in aid of redevelopment projects; and to provide for related  
13 matters.

14 Notice of intention to introduce this Act has been published  
15 as provided by Article III, Section 13 of the Constitution of  
16 Louisiana.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. Chapter 13-M of Title 33 of the Louisiana Revised Statutes of 1950,  
19 comprised of R.S. 33:4720.201, is hereby enacted to read as follows:

1        CHAPTER 13-M. LAFAYETTE PARISH REDEVELOPMENT AUTHORITY2        §4720.201. Lafayette Parish Redevelopment Authority3                A. This Chapter may be referred to as the "Lafayette Parish Redevelopment  
4        Law".5                B. It is hereby found and declared that:

6                (1) There exist in the parish of Lafayette areas which have become blighted  
7        and distressed because of any or all of the following: the unsafe, unsanitary,  
8        inadequate, or overcrowded condition of the structures therein, inadequate planning  
9        for the area, physically or functionally obsolete structures, excessive dwelling unit  
10       density, the lack of proper light and air and open space, faulty street or lot design,  
11       inadequate public utilities or community services, failure to adequately maintain and  
12       repair structures, the conversion to incompatible types of land usage, or  
13       environmental conditions and circumstances. Such conditions or a combination of  
14       some or all of them have and will continue to result in making such areas economic  
15       and social liabilities.

16               (2) The prevention and elimination of blighted and distressed properties are  
17       matters of public policy and concern, as such areas tend to consume a  
18       disproportionate amount of parish revenues because of the extra services required for  
19       police, fire, accident, and other forms of public protection, services, and facilities.

20               (3) The salvage, renewal, redevelopment, and reconstruction of such areas  
21       will promote the public health, safety, and welfare of the public.

22               (4) The powers conferred by this Chapter are for public uses, purposes,  
23       welfare, and public money may be expended as necessary in the exercise of such  
24       powers. The provisions of this Chapter shall apply for residential, recreational,  
25       commercial, industrial, or other purposes and otherwise to encourage the provision  
26       of healthful homes, safe neighborhoods, a decent living environment, and adequate  
27       places of employment for the people. Such purposes are hereby declared as a matter  
28       of legislative determination.

1           (5) The object of this Chapter is to provide for the following:

2           (a) The general and economic welfare of the parish through housing,  
3           commercial, office, hospitality, recreation, education, infrastructure and utility  
4           capacity, manufacturing, industrial, research, retail, or other activities which will  
5           create or retain jobs, maintain or diversify industry, including new or emerging  
6           technologies, or maintain or increase the tax base.

7           (b) The improvement of conditions of deteriorated physical development,  
8           slow economic growth, and eroded financial health of the public and private sectors.

9           (c) The control, abatement, and prevention of pollution to protect public  
10          health and safety and the development and use of indigenous and renewable energy  
11          resources.

12          (d) Assistance to nonprofit and governmental entities in support of health,  
13          educational, charitable, community, cultural, agricultural, consumer, or other  
14          services benefitting the citizens.

15          C.(1) There is hereby created in the parish of Lafayette a body politic and  
16          corporate which shall exist in perpetuity and shall be known as the Lafayette Parish  
17          Redevelopment Authority, referred to in this Chapter as the "authority".

18          (2) The authority shall be a special district created pursuant to Article VI,  
19          Section 19 of the Constitution of Louisiana and political subdivision of the state as  
20          defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,  
21          acting through its governing board, is hereby granted all of the rights, powers,  
22          privileges, and immunities accorded by the laws and the Constitution of Louisiana  
23          to political subdivisions of the state, subject to the limitations provided in this  
24          Chapter.

25          D. The authority, for the purposes of this Chapter, may within its jurisdiction  
26          formulate a workable program or programs for using appropriate private and public  
27          resources to eliminate and prevent the development or spread of slums and blight,  
28          to encourage needed rehabilitation, to provide for the redevelopment of slums or

1 blighted areas, and to undertake other feasible parochial activities as may be suitably  
2 employed to achieve the objectives of such workable program.

3 E. The authority, to the greatest extent it determines to be feasible in carrying  
4 out the provisions of this Chapter, shall seek out cooperative endeavors, including  
5 partnerships, joint ventures, and equity participation structures, with nonprofit  
6 organizations and private enterprise. The authority shall give consideration to this  
7 objective in exercising the powers granted pursuant to this Chapter.

8 F.(1) The Lafayette Parish Redevelopment Authority shall be comprised of  
9 all of the territory located within the parish of Lafayette, including the territory  
10 comprising the municipalities of Broussard, Carencro, Duson, Scott, and  
11 Youngsville, constituted on the effective date of this Chapter; however, the  
12 governing authority of each municipality may opt out of being included within the  
13 territorial jurisdiction of the authority.

14 (2) The authority shall be activated and implemented when the governing  
15 authority of Lafayette City-Parish Consolidated Government recognizes and  
16 confirms the appointment of the initial five members of the board.

17 G.(1) The Lafayette Parish Redevelopment Authority shall be governed by  
18 a board of commissioners, referred to in this Chapter as the "board", consisting of  
19 five members appointed as follows:

20 (a) One member shall be appointed by the city-parish president of the  
21 Lafayette City-Parish Consolidated Government..

22 (b) One member shall be appointed by the governing authority of the  
23 Lafayette City-Parish Consolidated Government.

24 (c) One member shall be appointed by the member or members who  
25 represent Louisiana House of Representatives District No. 44..

26 (d) One member shall be by the member or members of Louisiana Senate  
27 District No. 24.

28 (e) One member appointed by the governing board of the Community  
29 Foundation of Acadiana.

1           (2) All appointments shall be confirmed by the governing authority of the  
2           Lafayette City-Parish Consolidated Government.

3           (3) Each appointing authority shall present its initial appointee to the  
4           governing authority of the Lafayette City-Parish Consolidated Government no later  
5           than December 31, 2011. Such presentations by the appointing authorities shall be  
6           in writing, shall be made at an official and open meeting of the governing authority  
7           of the Lafayette City-Parish Consolidated Government, and shall include information  
8           sufficient to allow the governing authority to assess the qualifications and fitness of  
9           the appointee for his intended duties. Upon receipt of such presentation, the  
10          governing authority shall have the right to confirm or reject said appointment. Such  
11          confirmation or rejection shall be made in the manner and under the procedure  
12          prescribed by the governing authority. Regardless of the manner and procedure so  
13          employed, if the governing authority does not reject an appointment within sixty  
14          days after the presentation required by this Paragraph, then the appointment shall be  
15          deemed confirmed.

16          (4) Each board member shall be a citizen of the United States, a domiciliary  
17          of and a qualified voter in the parish of Lafayette for at least one year preceding the  
18          date of appointment, and shall remain a domiciliary of and a qualified voter of such  
19          jurisdiction during the entirety of his term of office. Furthermore, each board  
20          member shall be of good character and shall possess some skill, knowledge, or  
21          experience that will prove useful in the accomplishment of the goals of the authority  
22          as set forth in Subsection B of this Section.

23          (5) Each board member shall serve for a term of four years unless removed  
24          for cause by the board as provided in this Chapter or removed for any reason by  
25          authorized action of the appointing authority. Initial terms shall be established in the  
26          bylaws of the authority.

27          (6) The board shall establish rules and requirements relative to the  
28          attendance and participation of members in its meetings, regular or special. Such  
29          rules and regulations may prescribe a procedure whereby, should any member fail

1        to comply with such rules and regulations, the member may be disqualified and  
2        removed from office by no less than a majority vote of the remaining members of the  
3        board, and that member's position shall be vacant as of the first day of the next  
4        calendar month. Any person removed under the provisions of this Paragraph shall  
5        be ineligible for reappointment to the board unless such reappointment is confirmed  
6        unanimously by the board.

7                (7)(a) A vacancy on the board shall be filled in the same manner as the  
8        original appointment. In such cases a majority of the remaining board members may  
9        appoint an interim member to serve until a new member is confirmed.

10               (b) When a vacancy occurs on the board, a majority of the remaining board  
11        members may select an interim member to serve until a new member is appointed.

12               (8) Board members shall serve without compensation, shall have the power  
13        to organize and reorganize the executive, administrative, clerical, and other  
14        departments and forces of the authority and to fix the duties, powers, and  
15        compensation of all employees, agents, and consultants of the authority. The board  
16        may reimburse any member for expenses actually incurred in the performance of  
17        duties on behalf of the authority.

18               (9) The board shall elect yearly from its number a chairman, a vice chairman,  
19        a secretary, and a treasurer and shall establish their duties as may be regulated by  
20        rules adopted by the board. The offices of secretary and treasurer may be held by the  
21        same person. The board may meet in regular session once each month and also shall  
22        meet in special session as convened by the chairman or upon written notice signed  
23        by three members. A majority of the members of the board, not including vacancies,  
24        shall constitute a quorum for the conduct of business.

25               (10) All actions of the board shall be approved by the affirmative vote of a  
26        majority of the members of the board present and voting; however, no action of the  
27        board shall be authorized on the following matters unless approved by a majority of  
28        the total board membership:

1           (a) Adoption of bylaws and other rules and regulations for conduct of the  
2           authority's business.

3           (b) Hiring or firing of any employee or contractor of the authority. This  
4           function may by majority vote of the total board membership be delegated by the  
5           board to a specified officer or committee of the authority, under such terms and  
6           conditions and to the extent that the board may specify.

7           (c) The incurring of debt.

8           (d) Levy of taxes and call for any tax or other election.

9           (e) Adoption or amendment of the annual budget.

10          (f) Sale, lease, encumbrance, or alienation of real property, improvements,  
11          or personal property with an assessed value of more than twenty thousand dollars.

12          (11) Vote by proxy shall not be permitted. Any member may request a  
13          recorded vote on any resolution or action of the authority.

14          (12) The board shall cause minutes and a record to be kept of all its  
15          proceedings. Except as otherwise provided in this Paragraph, the authority shall be  
16          subject to the Public Records Law, the Open Meetings Law, and the Code of  
17          Governmental Ethics. Notwithstanding the provisions of R.S. 42:14, until thirty days  
18          prior to the date the board is scheduled to consummate a final sale or lease of any  
19          immovable property owned by the authority, the board may meet in executive  
20          session to discuss negotiations between the authority and any prospective seller,  
21          purchaser, lessor, or lessee of that property. R.S. 44:31 through 35 shall not apply  
22          to any records related to the negotiations of or to the terms of such a sale or lease  
23          until thirty days prior to the date the board is scheduled to consummate a final sale  
24          or lease. The board shall give written public notice of its intention to consummate  
25          a final sale or lease at least thirty days prior to the date on which the board intends  
26          to take such action. This notice shall comply with the procedural provisions of R.S.  
27          42:19.

1           H. The authority, through the board, shall have all powers necessary or  
2           convenient to carry out and effectuate the purposes and provisions of this Chapter,  
3           including but not limited to the following:

4                     (1) To sue and be sued and as such to stand in judgment.

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

6                     (3) To acquire by gift, grant, purchase, lease, or otherwise and to hold and  
7           use any property, real, personal, mixed, tangible, or intangible, or any interest therein  
8           and to engage in any action, such as the purchase of insurance, necessary or desirable  
9           for the maintenance or improvement of such property. The authority shall not have  
10          any power to expropriate, except that power which is granted by the appropriate  
11          governing authority.

12                    (4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or  
13          otherwise dispose of or transfer to or with other political subdivisions of this state  
14          or public or private persons at public or private sale any residential, commercial,  
15          industrial, or subdivision land, property, improvements, or portions thereof,  
16          including real property.

17                    (b) Prior to any sale, lease, conveyance, disposition, or transfer of property  
18          pursuant to this Paragraph, the authority shall fix the price and terms of the sale,  
19          lease, exchange, or other contract to be made with reference to the property. Such  
20          sale, lease, conveyance, disposition, or transfer shall comply with the terms and  
21          provisions of this Chapter.

22                    (c) Any sale of land in an industrial area as provided by Chapter 8 of Title  
23          51 of the Louisiana Revised Statutes of 1950 and the statutes referenced therein shall  
24          be in accordance with laws providing for the disposition or transfer of such land.

25                    (d) Other than the requirements of this Chapter, no other law limiting or  
26          regulating the form or manner of the sale, lease, conveyance, disposition, or transfer  
27          of property by public bodies, including without limitation R.S. 41:1338, shall apply  
28          to the sale, lease, conveyance, disposition, or transfer of property by the authority.

1        All such sales, leases, conveyance, dispositions, or transfers of property remain  
2        subject to the limitations imposed by the Constitution of Louisiana.

3                (5) To convey to the United States, the state, or to any political subdivision  
4        of the state any land, property, right-of-way, easement, servitude, or other thing of  
5        value which the authority may own or acquire for use by such governmental entity  
6        pursuant to the terms of any appropriate cooperative endeavor agreement.

7                (6) To make and collect reasonable charges for the use of property of the  
8        authority and for services rendered by the authority and to regulate fees or rentals  
9        charged for use of privately owned facilities located on property owned or sold by  
10       the authority when such facilities are offered for use by the public or by a private  
11       industrial, commercial, research, or other economic development entity or activity.

12               (7) To enter into contracts and agreements with public bodies or public or  
13       private entities, including but not limited to contracts for professional, legal, and  
14       other services and for the purchase, lease, acquisition, sale, construction, operation,  
15       maintenance, marketing, and improvement of land, public works, and facilities.

16               (8) To plan, develop, regulate, operate, and maintain activities and planned  
17       land uses to foster creation of new jobs, economic development, industry, health  
18       care, general public and social welfare, commerce, manufacturing, tourism,  
19       relocation of people and businesses to the area, shipbuilding, aviation, military,  
20       warehousing, transportation, offices, recreation, housing development, and  
21       conservation.

22               (9) To make decisions and conduct all activities to meet the triple bottom-  
23       line development objectives of equity, economics, and environment.

24               (10) To acquire land and improvements to construct, operate, and maintain  
25       facilities, improvements, and infrastructure, including buildings, roads, bridges,  
26       drainage, and utilities, and to perform other functions and activities on property  
27       owned or leased by the authority to accomplish the objectives and purposes of the  
28       authority; however, the authority is prohibited from constructing, operating, or  
29       maintaining any water, electric, or gas utility facilities which duplicate, curtail,

1 impair, or directly compete with a regulated water, electric, or gas utility facility  
2 operating in or adjacent to the property owned or leased by the authority.

3 (11) To require and issue licenses.

4 (12) To levy annually and cause to be collected ad valorem taxes if such levy  
5 and the amount, term, and purpose of such taxes, as set out in propositions submitted  
6 to a vote in accordance with the Louisiana Election Code, are approved by a majority  
7 of the qualified electors of the parish voting in an election held for that purpose.

8 (13)(a) To levy and collect sales and use taxes within the boundaries of the  
9 authority for such purposes and at such rate as provided by the propositions  
10 authorizing their levy, not to exceed in aggregate one percent, if the proposition  
11 submitted to a vote in accordance with the Louisiana Election Code is approved by  
12 a majority of the qualified electors of the parish voting in an election held for that  
13 purpose. In submitting a sales tax proposition to a vote, the board may enter into a  
14 cooperative endeavor agreement with the parish governing authority providing for  
15 the sales tax to be divided into parts between the parish and the authority for such  
16 purposes and in such amounts as may be set forth in the proposition.

17 (b) The tax shall be levied upon the sale at retail, the use, the lease or rental,  
18 the consumption, the distribution, and storage for use or consumption of tangible  
19 personal property, and upon the sales of services within the parish, all as defined in  
20 R.S. 47:301 et seq.

21 (c) Except where inapplicable, the procedure established by R.S. 47:301 et  
22 seq. shall be followed in the imposition, collection, and enforcement of the tax, and  
23 procedural details necessary to supplement those Sections and to make them  
24 applicable to the tax authorized by this Paragraph shall be fixed in the resolution  
25 imposing the tax.

26 (d) The tax shall be imposed and collected uniformly throughout the parish.

27 (e) Any tax levied under this Paragraph shall be in addition to all other taxes  
28 which the parish or any other political subdivision within the parish is now or  
29 hereafter authorized to levy and collect.

1           (14) To develop, activate, construct, exchange, acquire, improve, repair,  
2           operate, maintain, lease, mortgage, sell, and grant a security device affecting the  
3           movable and immovable property, servitudes, facilities, and works within the parish  
4           under such terms and conditions as the board may deem necessary or appropriate for  
5           any public purpose, including industrial, residential, subdivision, and commercial  
6           development.

7           (15) To borrow money and to pledge or grant a security device affecting all  
8           or part of its revenues, leases, rents, and other advantages as security for such loans.

9           (16) To appoint officers, agents, and employees, prescribe their duties, and  
10          fix their compensation.

11          (17) To undertake and carry out redevelopment projects and related  
12          activities.

13          (18) To apply for and accept advances, leases, grants, contributions, and any  
14          other form of financial assistance from the federal government, the state, parish, or  
15          other public bodies, or from any source, public or private, for the purposes of this  
16          Chapter, and to give such security as may be required and to enter into and carry out  
17          contracts or agreements in connection therewith, and to include in any contract for  
18          financial assistance with the federal government such conditions imposed pursuant  
19          to federal laws as the board may deem reasonable and appropriate and which are not  
20          inconsistent with the purposes of this Chapter.

21          (19) To make or have made all surveys and plans necessary to the carrying  
22          out of the purposes of this Chapter and to adopt or approve, modify, and amend such  
23          plans, which plans may include but are not limited to:

24               (a) Plans for carrying out a program of voluntary or compulsory repair and  
25               rehabilitation of buildings and improvements.

26               (b) Plans for the enforcement of state and local laws, codes, and regulations  
27               relating to the use of land and the use and occupancy of buildings and improvements  
28               and to the compulsory repair, rehabilitation, demolition, or removal of buildings and  
29               improvements.

1           (c) Appraisals, title searches, surveys, studies, and other plans and work  
2           necessary to prepare for the undertaking of redevelopment projects and related  
3           activities.

4           (20) To develop, test, and report methods and techniques and carry out  
5           demonstrations and other activities for the prevention and the elimination of slums  
6           and urban blight, including developing and demonstrating new or improved means  
7           of providing housing or continuing care, assisted living, or independent living or  
8           other similar type housing for elderly or retired persons or other persons desiring  
9           such housing facilities.

10          (21) To make and from time to time amend and repeal bylaws, orders, rules,  
11          and regulations in order to effectuate the provisions of this Chapter.

12          (22) To exercise all or any part or combination of powers granted by this  
13          Chapter.

14          (23) The authority shall not be deemed to be an instrumentality of the state  
15          for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

16          I.(1) The authority may incur debt and issue general obligation bonds under  
17          the authority of and subject to the provisions of Article VI, Section 33 of the  
18          Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of  
19          Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation  
20          of authority property or to carry out the other public purposes of this Chapter, and  
21          to issue any other bonds permitted by law, borrow money, and issue certificates of  
22          indebtedness, notes, and other debt obligations as evidence thereof and provide for  
23          the manner and method of repayment in accordance with law.

24          (2) The authority may issue revenue bonds to finance the undertaking of a  
25          redevelopment project under this Chapter, or otherwise to acquire, purchase, lease,  
26          construct, or improve housing, residential development, subdivision development,  
27          commercial, research, industrial, or other plant sites and buildings, or other capital  
28          improvements authorized in this Chapter, including energy and pollution abatement  
29          and control facilities and necessary property and appurtenances thereto, and may sell,

1        lease, sublease, or otherwise dispose of by suitable and appropriate contract to any  
2        enterprise locating or existing within the jurisdiction of the authority such sites,  
3        buildings, or facilities and appurtenances thereto, all or severally. The funds derived  
4        from the sale of such bonds may be disbursed in whole or in part upon delivery of  
5        the bonds as shall be provided in the contract between the authority and the  
6        residential, commercial, research, industrial, or other enterprise to be aided,  
7        encouraged, or benefitted subject to the requirements of this Chapter.

8                (3) The authority may enter into, amend, or terminate, as it determines to be  
9        necessary or appropriate, any ancillary contracts to do either of the following:

10               (a) Facilitate the issuance, sale, resale, purchase, repurchase, or payments of  
11        bonds, including without limitation bond insurance, letters of credit, and liquidity  
12        facilities.

13               (b) Attempt to hedge risk or achieve a desirable effective interest rate or cash  
14        flow, all subject to the approval of the State Bond Commission.

15               (4) Bonds issued under Paragraph (2) of this Subsection shall be authorized  
16        by resolution of the board and shall be limited obligations of the authority; the  
17        principal and interest, costs of issuance, and other costs incidental thereto shall be  
18        payable solely from the income and revenue derived from the sale, lease, or other  
19        disposition of the project or facility to be financed by the bonds issued under this  
20        Subsection, or from the income and revenue derived from the sale, lease, or other  
21        disposition of any existing project or facility acquired, constructed, and improved  
22        under the provision of this Subsection, or from any source available for such  
23        purpose; however, in the discretion of the authority, the bonds may be additionally  
24        secured by mortgage or other security device covering all or part of the project from  
25        which the revenues so pledged may be derived. Any refunding bonds issued  
26        pursuant to this Subsection shall be payable from any source described in this  
27        Paragraph or from the investment of any of the proceeds of the refunding bonds  
28        authorized under this Subsection and shall not constitute an indebtedness or pledge  
29        of the general credit of the parish, as appropriate, or the authority within the meaning

1 of any constitutional or statutory limitation of indebtedness and shall contain a recital  
2 to that effect. Bonds of the authority issued under this Subsection shall be issued in  
3 such form, shall be in such denominations, shall bear interest, shall mature in such  
4 manner, and be executed by one or more members of the board as provided in the  
5 resolution authorizing the issuance thereof. Such bonds may be subject to  
6 redemption at the option of and in the manner determined by the board in the  
7 resolution authorizing the issuance thereof.

8 (5) No bonds or other evidences of indebtedness may be issued under this  
9 Subsection without the prior approval of the State Bond Commission of the terms  
10 and provisions thereof.

11 (6) Bonds issued under this Subsection shall be issued, sold, and delivered  
12 in accordance with the terms and provisions of a resolution adopted by the board.  
13 The board may sell such bonds in such manner, either at public or at private sale, and  
14 for such price as it may determine to be in the best interests of the authority, subject  
15 to the approval of the State Bond Commission. The resolution issuing bonds shall  
16 be published in a newspaper of general circulation within the jurisdiction of the  
17 authority, and for a period of thirty days after said publication, any interested citizen  
18 may bring an action to contest the bonds and the security therefor, as provided in the  
19 Constitution of Louisiana. If, after the expiration of thirty days, no suit has been  
20 filed, the issuance, sale, and security of the bonds shall be incontestable, and no court  
21 shall have authority to entertain any action questioning or contesting such matters.

22 (7) Bonds issued by the authority under this Chapter are deemed to be  
23 securities of public entities within the meaning of Chapters 13 and 13-A of Title 39  
24 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in  
25 accordance with the provisions of Chapter 14 of Title 39 of the Louisiana Revised  
26 Statutes of 1950, shall be subject to the refunding provisions of Chapter 14-A of  
27 Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as short-  
28 term revenue notes of a public entity under Chapter 15-A of Title 39 of the Louisiana  
29 Revised Statutes of 1950.

1           (8) No bonds, other debt obligations, or contracts of the authority shall be a  
2           charge upon the income, property, or revenue of the parish, nor shall any obligations  
3           of the authority be the obligations of the parish.

4           (9) Any bonds issued by the authority shall be subject to R.S. 13:5121 et  
5           seq., pursuant to which the issuance of the bonds may be submitted to the courts for  
6           validation.

7           J.(1) The exercise by the board of the powers conferred by this Chapter shall  
8           be deemed and held to be an essential governmental function of the state and parish.  
9           As the exercise of the powers granted by this Chapter will be in all respects for the  
10          benefit of the people of the state and parish, for the increase of their commerce and  
11          prosperity, and for the improvement of their health and living conditions, the  
12          authority shall not be required to pay any taxes, including but not limited to sales and  
13          use taxes, ad valorem, occupational licensing, income, or any other taxes of any kind  
14          or nature, or fees or assessments upon any property held, acquired, or used by the  
15          authority under the provisions of this Chapter, or upon the income therefrom. Any  
16          bonds, certificates, or other evidences of indebtedness issued by the authority and the  
17          income therefrom shall be exempt from taxation by the state and by any parish,  
18          municipality, or other political subdivision of the state. The authority is deemed not  
19          to be a public utility and shall not be subject in any respect to the authority, control,  
20          regulation, or supervision of the Louisiana Public Service Commission.

21          (2) All property of the authority, including funds owned or held by it for the  
22          purpose of this Chapter, shall be exempt from levy and sale by virtue of an  
23          execution, and no execution or other judicial process shall issue against the same, nor  
24          shall judgment against the parish or authority be a charge or lien upon such property;  
25          however, the provisions of this Paragraph shall not apply to or limit the right of  
26          obligees to pursue any remedies for the enforcement of any pledge or lien given  
27          pursuant to this Chapter by the authority on its rents, fees, grants, or revenues.

28          K.(1) The authority may purchase adjudicated properties within its territorial  
29          jurisdiction from any political subdivision of the state of Louisiana. No such

1 purchase shall be construed to or otherwise have the effect of extending or  
2 suspending the period prescribed by law for the redemption of the property by the  
3 tax debtor or any other person.

4 (2) In addition to the authority set forth in Subpart B of Part IV of Chapter  
5 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, such purchases  
6 by the authority may be by a direct negotiated purchase and sale agreement between  
7 the authority and a political subdivision without any other requirement of a public  
8 sale prior to the transfer of such properties to the authority. Such purchases by the  
9 authority shall not be considered the sale of surplus property or of property owned  
10 by the political subdivision.

11 (3) Effective upon the recordation of the transfer of an adjudicated property  
12 to the authority pursuant to a purchase and sale agreement, the rights of the authority  
13 in and to such property shall be the rights of a purchaser at a tax sale as contemplated  
14 by Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,  
15 subject only to the rights of redemption of the property set forth in Article VII,  
16 Section 25(B) of the Constitution of Louisiana, and the property shall no longer be  
17 deemed to be adjudicated property as of such recordation. For purposes of the right  
18 of redemption in Article VII, Section 25(B) of the Constitution of Louisiana, the  
19 three-year period commences on the date of the recordation of the initial adjudication  
20 to the political subdivision and not on the date of transfer to the authority.

21 (4) Any such purchase and sale agreement shall set forth the total  
22 consideration to be paid by the authority and the method and timing of payment of  
23 such consideration by the authority.

24 (5) The state and any political subdivision with liens on the property may,  
25 pursuant to intergovernmental agreements with the authority, cancel such liens  
26 contemporaneously with or subject to the transfer of the property to the authority.

27 (6)(a) The authority shall have the right, subject to the provisions of this  
28 Section, to purchase properties at tax sales conducted in accordance with R.S.

1        47:2155 and 2156, and any and all such purchases shall be a purchase pursuant to  
2        R.S. 47:2155 and 2156 and not an adjudication to a political subdivision.

3                (b) A bid by the authority at a tax sale for the minimum amount shall take  
4        priority over all other bids for the same quantity of property, except for a higher bid  
5        submitted by a conventional mortgage holder holding a mortgage on the subject  
6        property.

7                (7) The authority shall submit annual reports to the House Committee on  
8        Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and  
9        Municipal Affairs and each member of the Iberia Parish legislative delegation  
10       concerning property purchased by the authority. Such report shall be filed by March  
11       first each year and shall cover the previous calendar year. Each report shall include:

12               (a) The legal description or other indication of the location of each property  
13       purchased.

14               (b) The amount paid for each property.

15               (c) The minimum bid that was set for the property and the appraised value  
16       of the property.

17               (d) A general description of the authority's plans for the property and how  
18       such plans advance the purposes for which the authority is created.

19               L.(1) The authority shall have the power to create and execute  
20       redevelopment or development plans for specified areas within its territorial  
21       jurisdiction. The implementation of all such plans shall not proceed until, to the  
22       extent required by law, the authority has obtained the approval of the local planning  
23       commission or zoning board. In the execution of such a redevelopment plan, the  
24       authority shall have the powers provided in this Subsection. The fact that a certain  
25       power is expressed or implied in this Paragraph as pertinent to the authority's  
26       execution of a redevelopment plan shall not suggest or imply that such power is  
27       otherwise denied to the authority.

1           (2) A redevelopment plan shall include a definition of the redevelopment  
2           area. This area, or any part thereof, may be further designated as a subdistrict of the  
3           authority.

4           (3) The authority may sell, lease, exchange, or otherwise transfer immovable  
5           property or any interest therein acquired by it for residential, recreational,  
6           commercial, industrial, or other uses or for public use, subject to such covenants,  
7           conditions, and restrictions, including covenants running with the land, as it may  
8           deem to be necessary or desirable to assist in carrying out the purposes of this  
9           Chapter. The purchasers or lessees and their successors and assigns shall be  
10          obligated to devote such immovable property only to the uses as the authority may  
11          determine to be in the public interest, including the obligation to begin within a  
12          reasonable time any improvements on such immovable property. Such immovable  
13          property or interest shall be sold, leased, exchanged, or otherwise transferred at not  
14          less than its fair market value for uses in accordance with the redevelopment or  
15          development plan. In determining the fair market value of immovable property for  
16          uses in accordance with a redevelopment or development plan, the authority shall  
17          take into account and give consideration to the use provided in such plan; the  
18          restrictions upon and the covenants, conditions, and obligations assumed by the  
19          purchaser or lessee; and the objectives of such plan. The authority, in any instrument  
20          of conveyance to a private purchaser or lessee, may provide that such purchaser or  
21          lessee shall be without power to sell, lease, exchange, or otherwise transfer the  
22          immovable property without the prior written consent of the authority until such  
23          purchaser or lessee has completed the construction of any and all improvements  
24          which he has obligated himself to construct thereon. Immovable property acquired  
25          in accordance with the provisions of a plan shall be transferred as rapidly as feasible  
26          in the public interest, consistent with the carrying out of the provisions of the project  
27          plan. Such plan and any substantial modification of such plan shall be filed as a  
28          public record in the office of the clerk of the parish, and any conveyances,

1        encumbrances, or other contracts may incorporate the provisions thereof by reference  
2        which shall afford notice thereof to all parties.

3                (4) The authority may dispose of, sell, exchange, or lease immovable  
4        property in a redevelopment area to any private person for the fair market value of  
5        the property as determined by a certified and competent appraiser, or to any private  
6        person pursuant to reasonable competitive bidding procedures as it shall prescribe  
7        subject to the provisions set forth in this Paragraph. Such reasonable bidding  
8        procedures must include public notice, by publication once each week for two  
9        consecutive weeks in a newspaper having a general circulation in the district,  
10       inviting proposals from and making available all pertinent information to private  
11       redevelopers or any persons interested in undertaking to redevelop or rehabilitate a  
12       redevelopment area or any part thereof. Such notice shall identify the area, or  
13       portion thereof, and shall state that proposals shall be made in writing by those in  
14       interest within thirty days after publication of such notice, and that such further  
15       information as is available may be obtained at such office as shall be designated in  
16       the notice. The board shall consider all such redevelopment or rehabilitation  
17       proposals and the financial and legal ability of the persons making such proposals  
18       to carry them out, and may negotiate with any persons for proposals for the purchase,  
19       lease, or other transfer of any immovable property acquired by the authority in the  
20       redevelopment area. The board may accept such proposal as it deems to be in the  
21       public interest and in furtherance of the purposes of this Chapter. Such notice, and  
22       all contracts to sell, lease, exchange, or otherwise transfer immovable property under  
23       the provisions of this Chapter, shall be a public record and shall include the name of  
24       the redeveloper or purchaser, together with the names of its officers and principal  
25       members or shareholders and investors and other interested parties, the redeveloper's  
26       estimate of the cost of any residential development and rehabilitations, and the  
27       redeveloper's estimate of rentals and sales prices of any proposed housing involved  
28       in such redevelopment and rehabilitation. Thereafter, the board may execute such

1 contract in accordance with the provisions of this Chapter and deliver acts of sale,  
2 leases, and other instruments and take all steps necessary to effectuate such contract.

3 (5) The authority may temporarily operate, maintain, or lease real property  
4 acquired by it in a redevelopment area for or in connection with a redevelopment  
5 project pending disposition of the property as authorized in this Chapter for such  
6 uses and purposes as may be deemed desirable even though not in connection with  
7 the redevelopment plan.

8 (6) Any real property within a redevelopment area acquired pursuant to  
9 Subsection K of this Section may be disposed of without regard to the other  
10 provisions of this Chapter. Real property acquired in accordance with the  
11 redemption plan may be disposed of to a public body for public reuse without  
12 regard to the provisions of this Subsection.

13 (7) Notwithstanding any other provisions of this Chapter where an area in  
14 the parish is designated as a redevelopment area under the federal Area  
15 Redemption Act (Public Law 87-27), or any act supplementary thereto, land in  
16 a redemption project area designated under the redemption plan for industrial  
17 or commercial uses may be disposed of to any public body or nonprofit corporation  
18 for subsequent disposition as promptly as practical by the public body or corporation  
19 for redemption in accordance with the redemption plan, and only the  
20 purchaser from or lessee of the public body or corporation, and his assignees, shall  
21 be required to assume the obligation of beginning the building of improvements  
22 within a reasonable time. Any disposition of land to a public body or corporation  
23 under this Paragraph shall be at its fair market value for uses in accordance with the  
24 redemption plan.

25 M.(1) The authority may, in the implementation of a redemption plan,  
26 create one or more subdistricts to conduct, oversee, or assist in the implementation  
27 of such redemption plan. The boundaries of such a subdistrict may include all  
28 or part of the redemption area. Such a subdistrict shall have and exercise such  
29 powers and responsibilities as the authority shall specify in the enabling resolution.

1        The full extent of such powers and responsibilities may include such powers as the  
2        authority itself may exercise, and such other powers as are given to the subdistrict  
3        by this Paragraph or any other law, but any exercise of such powers by the subdistrict  
4        shall be confined solely to the geographical limits of the subdistrict. Such a  
5        subdistrict may be established to exist at the pleasure of the authority, or for any  
6        period of time, or until the happening of any occurrence or occurrences that the  
7        authority may specify.

8                (2) The creation of a subdistrict shall in no instance result in the detachment,  
9        severance, or loss of any power or responsibility granted to the authority by this  
10       Chapter, and within the confines of any subdistrict, the authority shall have full  
11       jurisdiction, concurrent with that of the subdistrict, to exercise said powers and  
12       responsibilities. The fact that a certain power is expressed or implied as pertinent to  
13       a subdistrict's conduct, overseeing, or assistance in the implementation of the  
14       redevelopment plan shall not suggest or imply that such power is otherwise denied  
15       to the authority; however, the authority and its subdistricts shall not collectively have  
16       any greater power to tax than that granted to the authority alone.

17               (3) Unless otherwise specified in the resolution or other formal act creating  
18       the subdistrict, the board members of the authority shall constitute the governing  
19       authority of the subdistrict.

20               (4) Unless otherwise specified in the resolution or other formal act creating  
21       the subdistrict, the subdistrict shall be a distinct and separate juridical entity, and the  
22       rights, interests, and liabilities of the subdistrict shall not under any circumstances  
23       be considered those of the authority.

24               (5)(a) In addition to the other powers it may be granted, a subdistrict may,  
25       within its geographical boundaries, utilize tax increment financing, issue revenue  
26       bonds, and exercise powers that an economic development district created by a local  
27       governmental subdivision pursuant to R.S. 33:9038.32 is authorized to exercise;  
28       however, the subdistrict shall remain subject to all limitations and reservations  
29       applicable to the powers of the authority.

1           (b) Prior to the dedication of any state sales tax increments to be used for an  
2           authorized purpose of a subdistrict, the secretary of the Department of Economic  
3           Development shall submit the proposal to the Joint Legislative Committee on the  
4           Budget for approval. The submittal shall also include a written evaluation and  
5           determination by the department, with input from and certification by the  
6           Department of Revenue, of the anticipated increase in state sales tax revenues to be  
7           collected within the state over state sales tax revenues that were collected within the  
8           state in the year immediately prior to the year in which the proposal is submitted to  
9           the committee that would be a direct result of the proposal. In addition, any  
10           cooperative endeavor agreement or other agreement providing for the expenditure  
11           of funds collected by the state as state sales tax increments and dedicated to a project  
12           or for the payment of revenue bonds therefor shall be subject to approval by the State  
13           Bond Commission prior to execution by the state.

14           N. All banks, trust companies, bankers, savings banks and institutions,  
15           building and loan associations, savings and loan associations, investment companies,  
16           and other persons carrying on a banking or investment business; all insurance  
17           companies, insurance associations, and other persons carrying on an insurance  
18           business; and all executors, administrators, curators, trustees, and other fiduciaries  
19           may legally invest any sinking funds, monies, or other funds belonging to them or  
20           within their control in any bonds or other obligations issued by the authority pursuant  
21           to this Chapter. Bonds and other obligations shall be authorized security for all  
22           public deposits. It is the purpose of this Subsection to authorize public or private  
23           persons, political subdivisions, and officers, public or private, to use any funds  
24           owned or controlled by them for the purchase of any bonds or other obligations of  
25           the authority. Nothing contained in this Subsection with regard to legal investments  
26           shall be construed as relieving any person of any duty to exercise reasonable care in  
27           selecting securities.

28           O. For the purpose of aiding in the planning, undertaking, or carrying out of  
29           a redevelopment or development project and related activities authorized by this

Chapter, any public body may, upon such terms, with or without consideration as it may determine:

(1) Dedicate, sell, convey, or lease any of its interest in any property or grant easements, licenses, or other rights or privileges therein to the authority.

(2) Incur the entire expense of any public improvement made by such public body.

(3) Do any and all things necessary to aid or cooperate in the planning or carrying out of a redevelopment plan and related activities.

(4) Lend, grant, or contribute funds to the authority in accordance with an appropriate cooperative endeavor agreement and borrow money and apply for and accept advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, parish, or other public body, or from any other source.

(5) Enter into agreements which may extend over any period, notwithstanding any provision or rule of law to the contrary, with the federal government or other public body respecting action to be taken pursuant to any of the powers granted by this Chapter, including the furnishing of funds or other assistance in connection with a redevelopment project and related activities.

(6) Cause public buildings and public facilities, including parks, playgrounds, recreational, community, educational, water, sewer, or drainage facilities, or any other works which it is otherwise empowered to undertake to be furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone, or make exceptions from building regulations.

P. Any instrument executed, in proper form and with proper certification of authority, by the authority purporting to convey any right, title, or interest in any property under this Chapter shall be conclusively presumed to have been executed in compliance with provisions of this Chapter insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

1           Q. Insofar as the provisions of this Chapter are inconsistent with the  
2           provisions of any other law, the provisions of this Chapter shall be controlling;  
3           however, the authority shall be subject to the provisions of the Local Government  
4           Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Chapter  
5           shall be in addition and supplemental to the powers conferred by any other law.

6           R.(1) In addition to other powers granted to the authority by this Chapter, the  
7           authority may initiate an expedited quiet title and foreclosure action under this  
8           Subsection to quiet title to immovable property held by the authority, interests in  
9           property purchased by the authority at tax sales, or in formerly adjudicated properties  
10          acquired by the authority from a political subdivision by recording with the  
11          conveyance records of the clerk of court and ex officio recorder of mortgages a  
12          notice of pending expedited quiet title and foreclosure action. The notice shall  
13          include a legal description of the property; the street address of the property if  
14          available; the name, address, and telephone number of the authority; a statement that  
15          the property is subject to expedited quiet title proceedings and foreclosure under this  
16          Subsection; and a statement that any legal interest in the property may be  
17          extinguished by a district court order vesting title to the property in the authority.  
18          The right of redemption from tax sales in Article VII, Section 25(B) of the  
19          Constitution of Louisiana shall be terminated by these proceedings only if the time  
20          period for expiration of the right of redemption has expired. If a notice is recorded  
21          in error, the authority may correct the error by recording a certificate of correction  
22          with the register of conveyances. A notice or certificate under this Subsection need  
23          not be notarized and may be authenticated by a digital signature or other electronic  
24          means. If the authority has reason to believe that a property subject to an expedited  
25          quiet title and foreclosure action under this Subsection may be the site of  
26          environmental contamination, the authority shall provide the Department of  
27          Environmental Quality with any information in its possession that suggests the  
28          property may be the site of environmental contamination.

1           (2) After recording the notice under Paragraph (1) of this Subsection, the  
2           authority shall initiate a search of records identified in this Paragraph to identify the  
3           owners of a property interest in the property who are entitled to notice of the quiet  
4           title and foreclosure action under this Subsection. The authority may enter into a  
5           contract with or may request from one or more authorized representatives a title  
6           search or other title product to identify the owners of a property interest in the  
7           property as required under this Paragraph or to perform the other functions set forth  
8           in this Subsection required for quieting the title to property. The owner of a property  
9           interest is entitled to notice under this Subsection if that owner's interest is  
10           identifiable by reference to any of the following sources before the date that the  
11           authority records the notice under Paragraph (1) of this Subsection:

12           (a) Land title records in the office of the recorder of mortgages and the  
13           register of conveyances.

14           (b) Tax records in the office of the assessor.

15           (3) The authority may file a single petition with the district court to expedite  
16           foreclosure under this Subsection listing all property subject to expedited foreclosure  
17           by the authority and for which the authority seeks to quiet title. The list of properties  
18           shall include all of the following that are available to the authority: a legal  
19           description of, a tax parcel identification number for, and the street address of each  
20           parcel of property. The petition shall seek a judgment in favor of the authority  
21           against each property listed and shall include a date, within ninety days of filing, on  
22           which the authority requests a hearing on the petition. The petition shall request that  
23           a judgment be entered vesting absolute title in the authority, without right of  
24           redemption for each parcel of property listed, as provided in this Paragraph. Prior  
25           to the entry of judgment, the authority may request the court to remove property  
26           erroneously included in the petition and any tax delinquent property redeemed prior  
27           to the hearing.

28           (4) The district court in which a petition is filed under Paragraph (3) of this  
29           Subsection shall immediately set the date, time, and place for a hearing on the

1 petition for foreclosure. The date shall be set by the court and shall not be more than  
2 ten days after the date requested by the authority in the petition. In no event may the  
3 court schedule the hearing later than ninety days after the filing of a petition by the  
4 authority under Paragraph (3) of this Subsection.

5 (5) After completing the records search under Paragraph (2) of this  
6 Subsection, the authority shall determine the address or addresses reasonably  
7 calculated to inform those owners of a property interest in property subject to  
8 expedited foreclosure of the pendency of the quiet title and foreclosure hearing under  
9 Paragraph (11) of this Subsection. If, after conducting the title search, the authority  
10 is unable to determine an address reasonably calculated to inform persons with a  
11 property interest in property subject to expedited foreclosure, or if the authority  
12 discovers a deficiency in notice under this Subsection, the following shall be  
13 considered reasonable steps by the authority to ascertain the addresses of persons  
14 with a property interest in the property subject to expedited foreclosure or to  
15 ascertain an address necessary to correct a deficiency in notice under this Subsection:

16 (a) For an individual, a search of records of the recorder of mortgages and  
17 the register of conveyances.

18 (b) For a business entity, a search of business entity records filed with the  
19 commercial division of the Department of State.

20 (c) For a state or federal chartered depository financial institution, a search  
21 of entity records filed with the Louisiana Office of Financial Institutions or with the  
22 Federal Deposit Insurance Corporation (FDIC).

23 (6) Not less than thirty days before the quiet title and foreclosure hearing  
24 under Paragraph (11) of this Subsection, the authority shall send notice by certified  
25 mail, return receipt requested, of the hearing to the persons identified under  
26 Paragraph (2) of this Subsection who have a property interest in property subject to  
27 expedited foreclosure. The authority shall also send a notice via regular mail  
28 addressed to the "Occupant" for each property subject to expedited foreclosure if an  
29 address for the property is ascertainable.

1           (7) Not less than thirty days before the quiet title and foreclosure hearing, the  
2           authority or its authorized representative or authorized agent shall visit each parcel  
3           of property subject to expedited foreclosure and post on the property conspicuous  
4           notice of the hearing. In addition to the requirements of Paragraph (8) of this  
5           Subsection, the notice shall also include the following statement: "This Property has  
6           been transferred to the Lafayette Parish Redevelopment Authority and is subject to  
7           an expedited quiet title and foreclosure action. Persons with information regarding  
8           the prior owner of the property are requested to contact the Lafayette Parish  
9           Redevelopment Authority."

10           (8) The notices required under Paragraphs (6) and (7) of this Subsection shall  
11           include:

12           (a) The date on which the authority recorded, under Paragraph (1) of this  
13           Subsection, notice of the pending expedited quiet title and foreclosure action.

14           (b) A statement that a person with a property interest in the property may  
15           lose his interest as a result of the quiet title and foreclosure hearing under Paragraph  
16           (11) of this Subsection.

17           (c) A legal description, parcel number of the property, and the street address  
18           of the property, if available.

19           (d) The person to whom the notice is addressed.

20           (e) The date and time of the hearing on the petition for foreclosure and a  
21           statement that the judgment of the court may result in title to the property vesting in  
22           the authority.

23           (f) An explanation of any rights of redemption and notice that the judgment  
24           of the court may extinguish any ownership interest in or right to redeem the property.

25           (g) The name, address, and telephone number of the authority.

26           (h) A statement that persons with information regarding the owner or prior  
27           owner of any of the properties are requested to contact the authority.

28           (9) If the authority is unable to ascertain the address reasonably calculated  
29           to inform the owners of a property interest entitled to notice under this Section, or

1 is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the  
2 authority shall provide notice by publication. Prior to the hearing, a notice shall be  
3 published for three successive weeks, once each week, in a newspaper published and  
4 circulated in the parish. The published notice shall include all of the following:

5 (a) A legal description, parcel number of the property, and the street address  
6 of the property, if available.

7 (b) The name of any person not notified under Paragraphs (6) and (7) of this  
8 Subsection that the authority reasonably believes may be entitled to notice of the  
9 quiet title and foreclosure hearing.

10 (c) A statement that a person with a property interest in the property may  
11 lose his interest as a result of the foreclosure proceeding.

12 (d) The date and time of the hearing on the petition for foreclosure.

13 (e) A statement that the judgment of the court may result in title to the  
14 property vesting in the authority.

15 (f) An explanation of any rights of redemption and notice that judgment of  
16 the court may extinguish any ownership interest in or right to redeem the property.

17 (g) The name, address, and telephone number of the authority.

18 (h) A statement that persons with information regarding the owner or prior  
19 owner of any of the properties are requested to contact the authority.

20 (10) If prior to the quiet title and foreclosure hearing the authority discovers  
21 any deficiency in the provision of notice under this Subsection, the authority shall  
22 take reasonable steps in good faith to correct the deficiency before the hearing. The  
23 provisions of this Subsection relating to notice of the quiet title and foreclosure  
24 hearing are exclusive and exhaustive. Other requirements relating to notice and  
25 proof of service under other law, rule, or other legal requirement are not applicable  
26 to notice or proof of service under this Subsection.

27 (11) If a petition for expedited quiet title and foreclosure is filed under  
28 Paragraph (3) of this Subsection, before the hearing, the authority shall file with the  
29 clerk of the district court proof of notice by certified mail under Paragraph (6) of this

1        Subsection, proof of notice by posting on the property under Paragraph (7) of this  
2        Subsection, and proof of notice by publication, if applicable. A person claiming an  
3        interest in a parcel of property set forth in the petition for foreclosure, including a  
4        current holder of a conventional mortgage, who desires to contest that petition shall  
5        file written objections with the clerk of the district court and serve those objections  
6        on the authority before the date of the hearing. The district court may appoint and  
7        utilize as the court considers necessary a curator for assistance with the resolution  
8        of any objections to the foreclosure or questions regarding the title to property  
9        subject to foreclosure. If the court withholds property from foreclosure, the  
10       authority's ability to include the property in a subsequent petition for expedited quiet  
11       title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited  
12       quiet title and foreclosure action under this Subsection. The district court shall enter  
13       judgment on a petition to quiet title and foreclosure filed under this Subsection not  
14       more than ten days after the conclusion of the hearing or contested case, and the  
15       judgment shall become effective ten days after the conclusion of the hearing or  
16       contested case. The district court's judgment shall specify all of the following:

17                (a) The legal description and, if known, the street address of the property  
18        foreclosed.

19                (b) That title to property foreclosed by the judgment is vested absolutely in  
20        the authority, except as otherwise provided in this Subsection, without any further  
21        rights of redemption.

22                (c) That all liens against the property, including any lien for unpaid taxes or  
23        special assessments, are extinguished.

24                (d) That, except as otherwise provided in Subparagraph (e) of this Paragraph,  
25        the authority has good and marketable title to the property.

26                (e) That all existing recorded and unrecorded interests in that property are  
27        extinguished, except a visible or recorded easement or right-of-way or private deed  
28        restrictions.

1           (f) A finding that all persons entitled to notice and an opportunity to be heard  
2           have been provided that notice and opportunity. A person shall be deemed to have  
3           been provided notice and an opportunity to be heard if the authority followed the  
4           procedures for provision of notice by mail, by visits to property subject to expedited  
5           quiet title and foreclosure, and by publication under this Subsection, or if one or  
6           more of the following apply:

7                 (i) The person had constructive notice of the hearing by acquiring an interest  
8                 in the property after the date of the recording, under Paragraph (1) of this Subsection,  
9                 of the notice of pending expedited quiet title and foreclosure action.

10               (ii) The person appeared at the hearing or submitted written objections to the  
11               district court under this Subsection prior to the hearing.

12               (iii) Prior to the hearing, the person had actual notice of the hearing.

13               (12) Except as otherwise provided in Subparagraph (11)(e) of this  
14               Subsection, title to property set forth in a petition for foreclosure filed under  
15               Paragraph (3) of this Subsection shall vest absolutely in the authority upon the  
16               effective date of the judgment by the district court, and the authority shall have  
17               absolute title to the property. The authority's title shall not be subject to any  
18               recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection,  
19               and shall not be stayed or held invalid, except as provided in Paragraph (13) of this  
20               Subsection. A judgment entered under this Subsection is a final order with respect  
21               to the property affected by the judgment and shall not be modified, stayed, or held  
22               invalid after the effective date of the judgment, except as provided in Paragraph (13)  
23               of this Subsection.

24               (13) The authority or a person claiming to have a property interest in  
25               property foreclosed under this Subsection may, within twenty-one days of the  
26               effective date of the judgment under this Subsection, appeal the district court's order  
27               or the district court's judgment foreclosing property to the court of appeals. The  
28               appeal of the judgment shall be entitled to preference and priority and shall be  
29               handled on an expedited basis by the court of appeal and, if applicable, the Louisiana

1 Supreme Court. In such cases, the record shall be prepared and filed within fifteen  
2 days of the granting of the order of appeal. The court of appeal shall hear the case  
3 within thirty days after the filing of the appellee's brief. An appeal under this  
4 Paragraph is limited to the record of the proceedings in the district court under this  
5 Subsection. The district court's judgment foreclosing property shall be stayed until  
6 the court of appeals has reversed, modified, or affirmed that judgment. If an appeal  
7 under this Paragraph stays the district court's judgment foreclosing property, the  
8 district court's judgment is stayed only as to the property that is the subject of that  
9 appeal, and the district court's judgment foreclosing other property that is not the  
10 subject of that appeal is not stayed. To appeal the district court's judgment  
11 foreclosing property, a person appealing the judgment shall pay to the authority any  
12 taxes, interest, penalties, and fees due on the property and provide notice of the  
13 appeal to the authority within twenty-one days after the district court's judgment  
14 becomes effective. If the district court's judgment foreclosing the property is  
15 affirmed on appeal, the amount determined to be due shall be refunded to the person  
16 who appealed the judgment. If the district court's judgment foreclosing the property  
17 is reversed or modified on appeal, the authority shall refund the amount determined  
18 to be due to the person who appealed the judgment, if any, and forward the balance  
19 to the appropriate taxing jurisdictions in accordance with the order of the court of  
20 appeals.

21 (14) The authority shall record a notice of judgment for each parcel of  
22 foreclosed property in the office of the register of conveyances. If the authority  
23 records a notice of judgment in error, the authority shall subsequently record a  
24 certificate of correction. A notice or certificate under this Paragraph need not be  
25 notarized and may be authenticated by a digital signature or other electronic means.  
26 After the entry of a judgment foreclosing the property under this Subsection, if the  
27 property has not been transferred by the authority, the authority shall cancel the  
28 foreclosure by recording with the register of conveyances a certificate of error, if the  
29 authority discovers any of the following:

1           (a) The description of the property used in the expedited quiet title and  
2           foreclosure proceeding was so indefinite or erroneous that the foreclosure of the  
3           property was void.

4           (b) An owner of an interest in the property entitled to notice of the expedited  
5           quiet title and proceedings against the property under this Subsection was not  
6           provided notice sufficient to satisfy the minimum due process requirements of the  
7           Constitution of Louisiana and the Constitution of the United States.

8           (c) A judgment of foreclosure was entered under this Subsection in violation  
9           of a stay in a bankruptcy proceeding.

10           (15) If a judgment of foreclosure is entered under this Subsection and all  
11           existing recorded and unrecorded interests in a parcel of property are extinguished  
12           as provided in this Subsection, the owner of any extinguished recorded or unrecorded  
13           interest in that property who claims that he did not receive notice of the expedited  
14           quiet title and foreclosure action shall not bring an action for possession of the  
15           property against any subsequent owner but may bring an action only to recover  
16           monetary damages from the authority as provided in this Paragraph. The district  
17           court has original and exclusive jurisdiction in any action to recover monetary  
18           damages under this Paragraph. An action to recover monetary damages under this  
19           Paragraph shall not be brought more than two years after a judgment for foreclosure  
20           is entered under this Subsection. Any monetary damages recoverable under this  
21           Paragraph shall be determined as of the date a judgment for foreclosure is entered  
22           under this Subsection and shall not exceed the fair market value of the interest in the  
23           property held by the person bringing the action on that date, less any taxes, interest,  
24           penalties, and fees owed on the property as of that date. The right to sue for  
25           monetary damages under this Paragraph shall not be transferable except by testate  
26           or intestate succession.

27           (16) The owner of a property interest with notice of the quiet title and  
28           foreclosure hearing may not assert any of the following:

1           (a) That notice to the owner was insufficient or inadequate in any way  
2           because some other owner of a property interest in the property was not notified.

3           (b) That any right to redeem tax reverted property was extended in any way  
4           because some other person was not notified.

5           (17) A person holding or formerly holding an interest in tax reverted  
6           property subject to expedited foreclosure under this Subsection is barred from  
7           questioning the validity of the expedited foreclosure under this Subsection.

8           (18) The failure of the authority to comply with any provision of this  
9           Subsection shall not invalidate any proceeding under this Subsection if a person with  
10           a property interest in property subject to foreclosure was accorded the minimum due  
11           process required under the Constitution of Louisiana and the Constitution of the  
12           United States.

13           (19) It is the intent of the legislature that the provisions of this Subsection  
14           relating to the expedited quiet title and foreclosure of property by the authority  
15           satisfy the minimum requirements of due process required under the Constitution of  
16           Louisiana and the Constitution of the United States but that the provisions do not  
17           create new rights beyond those required under the Constitution of Louisiana or the  
18           Constitution of the United States. The failure of the authority to follow a  
19           requirement of this Section relating to the expedited quiet title and foreclosure of  
20           property held by the authority shall not be construed to create a claim or cause of  
21           action against the authority unless the minimum requirements of due process  
22           accorded under the Constitution of Louisiana or the Constitution of the United States  
23           are violated.

24           (20) As used in this Subsection, "authorized representative" includes one or  
25           more of the following:

26           (a) A title insurance company or agent licensed to conduct business in this  
27           state.

28           (b) An attorney licensed to practice law in this state.

1           (c) A person accredited in land title search procedures by a nationally  
2 recognized organization in the field of land title searching.

3           (d) A person with demonstrated experience in the field of searching land title  
4 records, as determined by the authority.

5           (21) As used in this Subsection, "district court" shall mean the Sixteenth  
6 Judicial District Court.

7           S. As used in this Chapter, the following terms shall have the meaning  
8 ascribed to them in this Subsection:

9           (1) "Bonds" means any bonds, notes, interim certificates, certificates of  
10 indebtedness, debenture, or other obligation.

11           (2) "Federal government" means any department, agency, or instrumentality,  
12 corporate or otherwise, of the United States of America.

13           (3) "Owners of a property interest" means anyone with an interest in  
14 immovable property filed for record in the conveyance records or mortgage records  
15 of the clerk of court and ex officio recorder of mortgages for the parish of Iberia  
16 where the property is located, including a naked owner, a usufructuary, a mortgagee,  
17 a judgment creditor, or a holder of a personal or predial servitude.

18           (4) "Public body" means the state and any parish and any board, authority,  
19 agency, district, subdivision, department, or instrumentality, corporate or otherwise,  
20 of the state or any parish.

21           (5) "Real property" or "immovable property" means any and all right, title,  
22 and interest in a tract of land, including its component parts and liens.

23       Section 2. R.S. 44:4.1(B)(18) is hereby amended and reenacted to read as follows:

24       §4.1. Exceptions

25                               \*       \*       \*

26           B. The legislature further recognizes that there exist exceptions, exemptions,  
27 and limitations to the laws pertaining to public records throughout the revised  
28 statutes and codes of this state. Therefore, the following exceptions, exemptions, and

1

limitations are hereby continued in effect by incorporation into this Chapter by

2

citation:

3

\* \* \*

4

(18) R.S. 33:1334, 2182, 2428, 4720.151, 4720.201, 4891, 9109, 9128, 9614

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\* \* \*

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Section 3. This Act shall become effective upon signature by the governor or, if not

7

signed by the governor, upon expiration of the time for bills to become law without signature

8

by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

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vetoed by the governor and subsequently approved by the legislature, this Act shall become

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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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Robideaux

HB No. 531

**Abstract:** Creates the Lafayette Parish Redevelopment Authority to provide for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of blighted and distressed areas. Defines the duties, liabilities, authority, and functions of such redevelopment authority, including the power to levy ad valorem taxes and sales and use taxes.

Proposed law creates and provides for the Lafayette Parish Redevelopment Authority to provide for the utilization of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas. Provides that the authority is a special district and political subdivision of the state. Provides that the authority shall be comprised of the territory in the Lafayette Parish, including the territory comprising the municipalities of Broussard, Carencro, Duson, Scott, and Youngsville. Authorizes the governing authority of each municipality to opt out of being included within the territorial boundaries of the district. Provides that the authority shall be activated and implemented by the parish governing authority recognizing and confirming the appointment of the initial five members of the board.

Proposed law provides that the Lafayette Parish Redevelopment Authority shall be governed by a five-member board of commissioners, referred to as the "board" in proposed law, appointed as follows:

- (1) One member appointed by the city-parish president of the Lafayette City-Parish Consolidated Government.
- (2) One member appointed by the governing authority of the Lafayette City-Parish Consolidated Government.

- (3) One member appointed by the member(s) who represent House District No. 44.
- (4) One member appointed by the member(s) who represent Senate District No. 24.
- (5) One member appointed by the governing board of the Community Foundation of Acadiana.

Proposed law requires that all appointments be confirmed by the governing authority of Lafayette Parish. Requires the appointing authority to present its initial appointees to the governing authority no later than Dec. 31, 2011. Provides that the governing authority shall have the right to confirm or reject the appointment. Provides that such confirmation or rejection shall be made in the manner and under the procedure prescribed by the governing authority. Provides that if the governing authority does not reject the appointment within 60 days after the presentation, then the appointment shall be deemed confirmed.

Proposed law requires that each board member be a citizen of the U.S., a domiciliary of and a qualified voter in Lafayette Parish for at least one year preceding the date of appointment, and shall remain a domiciliary of and a qualified voter of such jurisdiction during the entirety of the term of office. Additionally requires that each board member be of good character and possess some skill, knowledge, or experience that will prove useful in the accomplishment of the goals of the authority.

Proposed law provides that each board member shall serve for a term of four years, unless and until removed for cause by the board or removed for any reason by authorized action of the appointing authority.

Proposed law requires members of the board to serve without compensation, but authorizes the board to reimburse any member for expenses actually incurred in the performance of duties on behalf of the authority.

Proposed law provides that all actions of the board shall be approved by the affirmative vote of a majority of the members present and voting. Provides however, that no action of the board shall be authorized on the following matters unless approved by a majority of the total board membership:

- (1) Adoption of bylaws and other rules and regulations for conduct of the authority's business.
- (2) Hiring or firing of any employee or contractor of the authority. Provides that this function may by majority vote be delegated by the board to a specified officer or committee of the authority, under such terms and conditions, and to the extent, that the board may specify.
- (3) The incurring of debt.
- (4) Levy of taxes and call for any tax or other election.
- (5) Adoption or amendment of the annual budget.
- (6) Sale, lease, encumbrance, or alienation of real property, improvements, or personal property with an assessed value of more than \$20,000.

Proposed law provides that the authority, through the board, shall have all powers necessary or convenient to carry out its objectives and purposes, including but not limited to the following:

- (1) To sue and be sued and as such to stand in judgment.

- (2) To adopt, use, and alter at will a corporate seal.
- (3) To acquire, hold, and use any property. Provides that the authority shall not have any power to expropriate, except that power which is granted by the appropriate governing authority.
- (4) To convey to the U.S., the state, or to any political subdivision of the state any property or other thing of value for use by the governmental entity to accomplish the objectives and purposes of the authority, pursuant to the terms of any appropriate cooperative endeavor agreement.
- (5) To make and collect reasonable charges for the use of property of the authority and for services rendered by the authority and to regulate fees or rentals charged for use of privately owned facilities located on property owned or sold by the authority when such facilities are offered for use by the public or by a private industrial, commercial, research, or other economic development entity or activity.
- (6) To require and issue licenses.
- (7) To levy annually an ad valorem tax and sales and use tax subject to voter approval.
- (8) To borrow money and to pledge or grant a security device affecting all or part of its revenues, leases, rents, and other advantages as security for such loans.
- (9) To appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

Proposed law provides that the authority shall not be deemed to be an instrumentality of the state for purposes of the state civil service provisions of the state constitution.

Proposed law authorizes the authority to incur debt and issue general obligation bonds under the authority of and subject to the provisions of state law for the acquisition and operation of authority property. Additionally authorizes the authority to issue any other bonds permitted by law, borrow money, and issue certificates of indebtedness, notes, and other debt obligations as evidence thereof and provide for the manner and method of repayment in accordance with law.

Proposed law authorizes the authority to issue revenue bonds to finance the undertaking of a redevelopment project, or otherwise to acquire, purchase, lease, construct, or improve housing, residential development, subdivision development, commercial, research, industrial, or other plant sites and buildings, or other capital improvements. Authorizes the authority to enter into, amend, or terminate, as it determines to be necessary or appropriate, any ancillary contracts for certain purposes.

Proposed law provides that the authority shall not be required to pay any taxes. Provides that any bonds, certificates, or other evidences of indebtedness issued by the authority and the income therefrom shall be exempt from taxation by the state and by any parish, municipality, or other political subdivision of the state. Proposed law further requires the authority to annually submit a report to the House and Senate committees on municipal affairs regarding the properties purchased, the amount paid for the properties, and the authority's plans for the property.

Proposed law authorizes the authority to purchase adjudicated properties within its jurisdiction from any political subdivision of the state. Provides that no such purchase shall be construed to, or otherwise have the effect of, extending or suspending the period prescribed by law for the redemption of the property by the tax debtor or any other person.

Proposed law provides that the authority shall have the power to create and execute redevelopment or development plans for specified areas within its jurisdiction. Provides that the implementation of all such plans shall not proceed until, to the extent required by law, the authority has obtained the approval of the local planning commission or zoning board. Provides that a redevelopment plan shall include a definition of the redevelopment area. Provides that the area, or any part thereof, may be further designated as a subdistrict of the authority.

Proposed law authorizes the authority to sell, lease, or otherwise transfer immovable property or any interest therein acquired by it in redevelopment areas for residential, recreational, commercial, industrial, or other uses or for public use, in accordance with the redevelopment plan, subject to such covenants, conditions, and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of future slums or blighted areas or to provide for the elimination thereof or to otherwise carry out the purposes of proposed law.

Proposed law authorizes the authority to dispose of, sell, or lease immovable property in a redevelopment area to any private person for the fair market value of the property as determined by a certified and competent appraiser, or to any private person pursuant to reasonable competitive bidding procedures as it shall prescribe subject to the provisions of proposed law. Requires that such bidding procedures include public notice.

Proposed law authorizes the authority to temporarily operate, maintain, or lease real property acquired by it in a redevelopment area for or in connection with a redevelopment project pending disposition of the property for such uses and purposes as may be deemed desirable even though not in connection with the redevelopment plan.

Proposed law provides that any real property within a redevelopment area may be disposed of without regard to the provisions of proposed law. Provides that real property acquired in accordance with a redevelopment plan may be disposed of to a public body for public reuse without regard to the provisions of proposed law.

Proposed law provides that where an area in the parish is designated as a redevelopment area under the federal Area Redevelopment Act (P.L. 87-27), or any act supplementary thereto, land in a redevelopment project area designated under the redevelopment plan for industrial or commercial uses may be disposed of to any public body or nonprofit corporation for subsequent disposition as promptly as practical by the public body or corporation for redevelopment in accordance with the redevelopment plan.

Proposed law authorizes the authority to, in the implementation of a redevelopment plan, create a subdistrict(s) to conduct, oversee, or assist in the implementation of such redevelopment plan. Provides that the boundaries of such a subdistrict may include all or part of the redevelopment area and provides that such a subdistrict shall have and exercise such powers and responsibilities as the authority shall specify in the enabling resolution.

Proposed law provides that the creation of a subdistrict shall in no instance result in the detachment, severance, or loss of any power or responsibility granted to the authority; within the confines of any subdistrict the authority shall have full jurisdiction, concurrent with that of the subdistrict, to exercise said powers and responsibilities. Further provides the restriction that the authority and any subdistrict it creates shall not collectively have any greater power to tax than that granted to the authority alone. Provides that unless otherwise specified in the resolution or other formal act creating the subdistrict, the board members of the authority shall constitute the governing authority of the subdistrict.

Proposed law provides that in addition to the other powers it may be granted, a subdistrict may enjoy, within its geographical boundaries, the powers of tax increment financing, the issuance of revenue bonds, and those other powers that may be exercised by an economic

development district created by a local governmental subdivision pursuant to present law (R.S. 33:9038.2).

Proposed law provides that all banks, trust companies, bankers, savings banks and institutions, building and loan associations, savings and loan associations, investment companies, and other persons carrying on a banking or investment business; all insurance companies, insurance associations, and other persons carrying on an insurance business; and all executors, administrators, curators, trustees, and other fiduciaries may legally invest any sinking funds, monies, or other funds belonging to them or within their control in any bonds or other obligations issued by the authority.

Proposed law provides that bonds and other obligations shall be authorized security for all public deposits. Provides that it is the purpose of proposed law to authorize any public or private persons, political subdivisions, and officers, public or private, to use any funds owned or controlled by them for the purchase of any bonds or other obligations. Provides that nothing contained in proposed law with regard to legal investments shall be construed as relieving any person of any duty to exercise reasonable care in selecting securities.

Proposed law provides that any instrument executed, in proper form and with proper certification of authority, by an authority purporting to convey any right, title, or interest in any property pursuant to proposed law shall be conclusively presumed to have been executed in compliance with provisions of proposed law insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Proposed law provides that insofar as the provisions of proposed law are inconsistent with the provisions of any other law, the provisions of proposed law shall be controlling. Provides however, that the authority shall be subject to the provisions of the Local Government Fair Competition Act, R.S. 45:844.41 et seq. Additionally provides that the authority conferred by proposed law shall be in addition and supplemental to the powers conferred by any other law.

Proposed law further provides for an expedited procedure to enable the authority to more efficiently quiet title and initiate a foreclosure action regarding immovable property acquired by the authority.

Proposed law requires the authority to file a notice with the clerk of court regarding the property for which it is attempting to quiet title. Requires that the notice include the legal description of the property, the street address of the property (if any), the name, address, and telephone number of the authority, a statement that the property is subject to expedited quiet title proceeding and foreclosure, and a statement that any legal interests in the property may be extinguished by a district court order vesting title to the property in the authority. Provides for additional procedures if there is a deficiency in the notice.

Proposed law requires the authority, if it has reason to believe that a property subject to an expedited quiet title proceeding and foreclosure may be the site of environmental contamination, to provide the Dept. of Environmental Quality with any information in the possession of the authority that suggests such is the case.

Proposed law requires the authority, after recording the notice, to initiate a records search in order to determine the owners who have any interest in the property subject to the expedited procedure. Authorizes the authority to enter into a contract with or request from one or more authorized representatives a title search or other title product to identify the owners of a property interest. Provides that the owner of a property interest is entitled to notice under proposed law if that owner's interest is identifiable by reference to any of the following sources before the date that the authority records the notice:

- (1) Land title records in the office of the recorder of mortgages and the register of conveyances.

(2) Tax records in the office of the assessor.

Proposed law authorizes the authority to file a single petition with the district court which lists all of the property subject to expedited foreclosure. Requires the authority to request a hearing on the petition within 90 days seeking a judgment in favor of the authority against each property, without the right of redemption. Requires the clerk of the district court to immediately set the date, time, and place for the hearing not more than 10 days after the date requested by the authority in the petition.

Proposed law requires the authority to send notice of the hearing, not less than 30 days prior, by certified mail to any person identified as having an interest in the property subject to the expedited foreclosure proceeding. Requires the authority to also send notice via regular mail addressed to "Occupant" to each property subject to expedited foreclosure.

Proposed law further requires the authority, or its authorized representative, to post a written notice on each property at least 30 days prior to the expedited foreclosure hearing. Requires that each notice include specified information.

Proposed law requires the authority, if it is unable to provide the appropriate notice, to provide notice through publication for three consecutive weeks prior to the hearing on the matter in a newspaper published and circulated in the Lafayette Parish.

Proposed law requires the authority to file proof of the notice required by proposed law, proof of notice by posting on the property, if applicable, and proof of notice by publication, if applicable, with the clerk of the district court prior to the hearing. Requires any person who has an interest in the property subject to the expedited foreclosure to file written objections with the clerk and serve those objections on the authority prior to the hearing.

Proposed law requires the district court to enter judgment on the petition not more than 10 days following the conclusion of the hearing or contested case. Requires the judgment to specify certain information.

Proposed law provides that except as otherwise provided in proposed law, title to property set forth in a petition for foreclosure shall vest absolutely in the authority upon the effective date of the judgment by the district court. Provides that the authority shall have absolute title to the property, and the title is not subject to any recorded or unrecorded lien, except as otherwise provided in proposed law and shall not be stayed or held invalid except as otherwise provided in proposed law. Provides that a judgment is a final order with respect to the property affected by the judgment and shall not be modified, stayed, or held invalid after the effective date of the judgment, except as otherwise provided in proposed law.

Proposed law provides that any person with an interest in the foreclosed property may appeal the district court's order or district court's judgment within 21 days following the effective date of the judgment. Provides that the appeal of the judgment shall be entitled to preference and priority and handled on an expedited basis by the court of appeal and, if applicable, the La. Supreme Court. Provides that in such cases, the record shall be prepared and filed within 15 days of the granting of the order of appeal. Requires the court of appeal to hear the case within 30 days after the filing of the appellee's brief. Further provides that an appeal is limited to the record of the proceedings in the district court. Provides that the district court's judgment foreclosing property shall be stayed until the court of appeals has reversed, modified, or affirmed that judgment.

Proposed law provides that if an appeal stays the district court's judgment foreclosing property, the district court's judgment is stayed only as to the property that is the subject of that appeal. Provides that the district court's judgment foreclosing other property that is not the subject of that appeal is not stayed. Requires a person appealing the judgment to pay to the authority any taxes, interest, penalties, and fees due on the property and to provide notice of the appeal to the authority within 21 days after the district court's judgment is effective.

Provides that if the district court's judgment foreclosing the property is affirmed on appeal, the amount determined to be due shall be refunded to the person who appealed the judgment. Provides that if the district court's judgment foreclosing the property is reversed or modified on appeal, the authority shall refund the amount determined to be due to the person who appealed the judgment, if any, and forward the balance to the appropriate taxing jurisdictions in accordance with the order of the court of appeals.

Proposed law provides that it is the intent of the legislature that the provisions of proposed law relating to the expedited quiet title and foreclosure of property by the authority satisfy the minimum requirements of due process required under the state constitution and the U.S. Constitution. Provides that the provisions do not create new rights beyond those required under the state constitution or the U.S. Constitution. Provides that the failure of the authority to follow a requirement of proposed law shall not be construed to create a claim or cause of action against the authority unless the minimum requirements of due process accorded under the state constitution or the U.S. Constitution are violated.

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

(Amends R.S. 44:4.1(B)(18); Adds R.S. 33:4720.201)