DIGEST

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Leger HB No. 619

Abstract: Creates the La. Sports and Entertainment District in New Orleans, with tax, bond, and tax increment financing authority, to provide for cooperative economic and community development and to enhance the development and improvement of property and expand entertainment and leisure activities within the district.

Proposed law enacts the La. Sports and Entertainment District Act, including the following provisions:

(1) Creates the La. Sports and Entertainment District in New Orleans as a political subdivision with the following boundaries: Poydras Street, Loyola Avenue, Girod Street, South Liberty Street, Julia Street, Le Rouge Street, Howard Avenue, and South Claiborne Avenue. Grants the district all the rights, powers, privileges, and immunities of a political subdivision, subject to the limitations of proposed law.

(2) Provides that the district's purpose is to provide for cooperative economic and community development among the district, the city, the state, and the owners of property in the district, to enhance the development of and improvement to the property within the area of the district, and to expand the entertainment and leisure activities within the district.

(3) Creates and provides for a board of commissioners to govern and administer the district. Provides that the board is composed of the members of the Board of Commissioners of the La. Stadium and Exposition District. Provides that members serve without salary or per diem but may be reimbursed expenses incurred in the performance of board duties.

(4) Provides for board officers, meetings, records, and domicile. Specifies that the district's official journal shall be the official journal of the La. Stadium and Exposition District.

(5) Grants the district, through the board, certain powers to carry out its purposes, including the power to:

(a) Sue and be sued.

(b) Adopt, use, and alter a corporate seal.

(c) Acquire property by gift, grant, purchase, or otherwise; to hold and use any franchise or property, or any interest therein.

(d) Enter into contracts for the purchase, lease, acquisition, construction, and improvement of works and facilities.

(e) Mortgage its properties and enter into leases and other agreements.

(f) Require and issue licenses with respect to its properties and facilities.

(g) Regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it.

(h) Appoint officers, agents, and employees, prescribe their duties, and fix their compensation.

(i) Enter into cooperative endeavor agreements.

(6) Grants the district the powers of an economic development district as if the district were an economic development district established pursuant to present law (Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950), including powers of tax increment financing as provided in present law (R.S. 33:9038.33 and 9038.34) and the power to levy taxes within the district as provided in present law (R.S. 33:9038.39 which authorizes ad valorem taxes, sales taxes, or hotel occupancy taxes within the district up to five mills of ad valorem taxes, up to 2% of sales taxes, or up to 2% of hotel occupancy taxes, or any combination of such taxes) all subject to present law (Part II of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950, which requires approval at an election unless there are no voters in the district).

(7) Relative to tax levies by the district (or a subdistrict of the district), provides that:

(a) Taxes may exceed the constitutional limitation (Const. Art. VI, §29(A)) and are subject to the terms of the resolution imposing the tax and the provisions of present law (Chapter 2 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, relative to sales taxes).

(b) Taxes or assessments may be levied only after the board has adopted an appropriate resolution giving notice of its intention and including a general description of the taxes or assessments to be levied, has published notice of this intention once a week for two weeks in the official journal of the district, the first publication at least 14 days before a public hearing of the board on the proposed taxes or assessments. Also requires voter approval of such taxes or assessments at a special election unless there are no qualified electors in the district or subdistrict.

(8) Authorizes the district to create subdistricts, after notice and public hearing. Provides that each subdistrict shall constitute a political subdivision of the state and be governed by the board.

(9) Authorizes the district or a subdistrict to issue bonds or other obligations or evidences of indebtedness to provide funds to achieve its purposes, including payment of all or a portion of the costs of a project or otherwise as necessary or convenient to carry out its purposes. Provides with respect to such debt issuance and procedures therefor. Requires approval of the State Bond Commission to issue bonds or other obligations, and authorizes the district to pay related expenses. Authorizes establishment of a fund(s) by the board for the creation of a debt service reserve, a renewal and replacement reserve, or other funds or reserves with respect to the financing and operation of any project funded with bond proceeds. Authorizes payment of related costs from proceeds of bonds or other obligations. Provides procedures for contesting legality of debt issuance. Provides for exemption from state and local taxes for obligations issued by the district or a subdistrict and authorizes investment in such obligations by public bodies and specified financial institutions, insurance related entities, specified fiduciaries, and retirement systems or pension funds.

(10) Provides for liberal construction of proposed law to effect its purposes.

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

(Adds R.S. 33:130.841-130.849)