DIGEST

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Austin Badon HB No. 162

Abstract: Creates the Pressburg East Neighborhood Improvement and Security District in Orleans Parish for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides for a board of commissioners and for the imposition and use of a parcel fee.

Proposed law creates the Pressburg East Neighborhood Improvement and Security District in Orleans Parish as a political subdivision of the state for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Provides for district boundaries and that the district shall be governed by a board of seven commissioners, all of whom shall be residents and qualified voters of the district, composed as follows:

(1) The president of Pressburg East Homeowners/Neighborhood Association (association).

(2) The association's governing board shall appoint three members, two of whom may be members of such board.

(3) The member of the New Orleans City Council whose district encompasses all or the greater portion of the district's area shall appoint one member.

(4) The member of the La. House of Representatives whose district encompasses all or the greater portion of the district's area shall appoint one member.

(5) The member of the La. Senate whose district encompasses all or the greater portion of the district's area shall appoint one member.

Proposed law provides that the president of the association board shall serve on the district board during his term of office as president of the association board, that members appointed by the association board shall serve three-year staggered terms, and that members appointed by members of the city council or legislators shall serve during the terms of their respective appointing authorities. Provides that vacancies shall be filled in the same manner as the original appointment and that members shall serve without compensation.

Proposed law authorizes the board to select from its members a president and other officers whose duties shall be fixed by the board bylaws. Provides that the district shall have these powers and duties:

(1) To sue and be sued.

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

(3) To receive and expend funds collected pursuant to proposed law and in accordance with a budget adopted as provided by proposed law.

(4) To enter into contracts with individuals or entities, private or public, for the provision of security patrols.

(5) To purchase items and supplies instrumental to achieving the district's purpose.

(6) To perform or have performed any other function or activity necessary for achieving the district's purpose.

Proposed law authorizes the New Orleans City Council to impose and collect a parcel fee within the district which amount shall be as requested by duly adopted board resolution. Provides that the fee shall be a flat fee per parcel of improved land not to exceed $200 per year. Defines a parcel as a lot, a subdivided portion of ground, an individual tract, or a condominium parcel as defined in present law (R.S. 9:1121.103).

Proposed law provides that the fee shall be imposed only after the question of its imposition has been approved by a majority of the district's registered voters voting on the proposition at an election held for that purpose. Provides that the amount of the fee may be changed by duly adopted board resolution, not to exceed the maximum amount authorized by proposed law. Provides that no other election shall be required except as provided by proposed law. Provides that the fee shall expire on Dec. 31, 2015, but may be renewed, and that if renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing renewal, not to exceed eight years.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the city tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Proposed law provides that fee proceeds shall be used solely and exclusively for the district's purpose and benefit. Authorizes the city to retain 1% of the amount collected as a collection fee and requires the city to remit to the district all amounts collected not more than 60 days after collection.

Proposed law requires the board of commissioners to adopt an annual budget in accordance with the Local Government Budget Act and provides that the district shall be subject to audit by the legislative auditor.

Proposed law provides that it is the purpose and intent of proposed law that the additional law enforcement personnel and their services provided for through the fees authorized by proposed law shall be supplemental to and not in lieu of personnel and services provided in the district by

the New Orleans Police Dept.

Proposed law provides that if the district ceases to exist, the board shall transmit all district funds to the city. Provides that such funds together with any other funds collected by the city pursuant to proposed law shall be maintained in a separate account by the city. Requires that such funds be used only to promote, encourage, and enhance the security, beautification, and overall betterment of the area included in the district.

(Adds R.S. 33:9091.18)