

Regular Session, 2011

HOUSE BILL NO. 456

BY REPRESENTATIVE MORENO

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ECONOMIC DEVELOPMENT ZONE: Extends the La. Enterprise Zone Act to include transit-oriented multifamily developments

1 AN ACT

2 To enact R.S. 51:1783(10), (11), and (12) and 1787(C), relative to the Louisiana Enterprise
3 Zone Act; to provide for definitions; to extend the Louisiana Enterprise Zone Act to
4 include transit-oriented multifamily developments which meet certain criteria; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 51:1783(10), (11), and (12) and 1787(C) are hereby enacted to read
8 as follows:

9 §1783. Definitions

10 For purposes of this Chapter, the following terms shall have the meaning
11 hereinafter ascribed to them, unless the context clearly indicates otherwise:

12 * * *

13 (10) "Multifamily residential housing" means a minimum of ninety and a
14 maximum of one hundred seventy-five attached dwelling units providing complete
15 independent living facilities for one or more persons, including permanent provisions
16 for living, sleeping, eating, cooking, and sanitation.

17 (11) "Multimodal transit center" means a public transit stop or exchange that
18 includes not less than three modes of public transportation including bus, streetcar,
19 rail, ferry, or water taxi.

20 (12) "Transit-oriented development" means a mixed-use development,
21 consisting of at least fifty percent multifamily residential housing and at least thirty
22 percent commercial or retail facilities, on a single contiguous site, all or part of

1 which is located within one-quarter mile of a multimodal transit center, with at least
2 ten million dollars in capital expenditures for new construction or conversion of
3 existing structures.

4 * * *

5 §1787. Incentives

6 * * *

7 C. A transit-oriented development shall be eligible for the contract provided
8 for in Subsection A of this Section only if all of the following conditions are met:

9 (1) Advance notification for the development is filed with the department
10 after June 30, 2011, and before January 1, 2012.

11 (2) Construction of the development begins no later than one hundred eighty
12 days after the project beginning date stated on the advance notification.

13 (3) The development and the business applying for enterprise zone
14 incentives meet all other requirements of the Enterprise Zone Program.

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

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)]

Moreno

HB No. 456

Abstract: Extends the La. Enterprise Zone Act to include transit-oriented multifamily developments that meet certain criteria.

Present law creates the La. Enterprise Zone Act.

Proposed law retains present law.

Proposed law defines "transit-oriented development" as a mixed-use development, consisting of at least 50% multifamily residential housing and at least 30% commercial or retail

facilities, on a single contiguous site, all or part of which is located within 1/4 mile of a multimodal transit center, with at least \$10,000,000 in capital expenditures for new construction or conversion of existing structures.

Proposed law defines "multimodal transit center" as a public transit stop or exchange that includes not less than three modes of public transportation including bus, streetcar, rail, ferry, or water taxi.

Proposed law defines "multifamily residential housing" as a minimum of 90 and a maximum of 175 attached dwelling units providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Proposed law provides that a transit-oriented development shall be eligible to enter into a contract for the rebate of sales and use tax imposed by the state and its political subdivisions or a refundable investment income tax credit only if all of the following conditions are met:

- (1) Advance notification for the development is filed with the Dept. of Economic Development after June 30, 2011, and before Jan. 1, 2012.
- (2) Construction of the development begins no later than 180 days after the project beginning date stated on the advance notification.
- (3) The development and the business applying for enterprise zone incentives meet all other requirements of the Enterprise Zone Program.

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

(Adds R.S. 51:1783(10)-(12) and 1787(C))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Made technical corrections.
2. Defined "multifamily residential housing" as a minimum of 90 and a maximum of 175 attached dwelling units providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.
3. Specified that a "transit-oriented development" is a mixed-use development, consisting of at least 50% multifamily residential housing and at least 30% commercial or retail facilities, on a single contiguous site, all or part of which is located within 1/4 mile of a multimodal transit center, with at least \$10,000,000 in capital expenditures for new construction or conversion of existing structures.
4. Deleted the proposed criteria for eligibility for enterprise zone benefits for a transit-oriented development.
5. Added a provision that a transit-oriented development shall be eligible to enter into a contract for the rebate of sales and use tax imposed by the state and its political subdivisions or a refundable investment income tax credit if advance notification for the development is filed with the Dept. of Economic Development after June 30, 2011, and before Jan. 1, 2012, construction of the development begins no later than 180 days after the project beginning date stated on the advance notification, and the development and the business applying for

enterprise zone incentives meet all other requirements of the Enterprise Zone Program.

6. Provided that the Act is effective upon signature of governor or lapse of time for gubernatorial action.