

Regular Session, 2012

HOUSE BILL NO. 414

BY REPRESENTATIVE BARROW

TOURISM/COMMISSION: Changes the name of the Baton Rouge Area Convention and Visitors Bureau

1 AN ACT

2 To amend and reenact R.S. 33:4574(B)(6) and (F)(1)(a) and (b)(v), 4574.1.1(A)(6) and (L),
3 and 4574.16(introductory paragraph) and to repeal R.S. 33:4574.1.1(H), relative to
4 East Baton Rouge Parish; to provide relative to the Baton Rouge Area Convention
5 and Visitors Bureau; to change the name of the bureau; to provide for legislative
6 intent; to direct the Louisiana State Law Institute to change the name of the bureau
7 in other provisions of law; and to provide for related matters.

8 Notice of intention to introduce this Act has been published
9 as provided by Article III, Section 13 of the Constitution of
10 Louisiana.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:4574(B)(6) and (F)(1)(a) and (b)(v), 4574.1.1(A)(6) and (L), and
13 4574.16(introductory paragraph) are hereby amended and reenacted to read as follows:

14 §4574. Tourist commissions; creation; purpose; directors; powers

15 * * *

16 B. Pursuant to Article VI, Sections 19 and 30 of the Constitution of
17 Louisiana, the following commissions and bureaus, hereafter collectively referred
18 to in this Chapter as "tourist commissions" or "commissions", are hereby specifically
19 created as special districts or commissions. Each such commission shall be a body

1 politic and corporate and a political subdivision of the state of Louisiana, composed
2 of the following territory:

3 * * *

4 (6) ~~Baton Rouge Area Convention and Visitors Bureau~~ Visit Baton Rouge
5 composed of all the territory in East Baton Rouge Parish.

6 * * *

7 F.(1)(a) Unless provided otherwise in any local, special, or general law for
8 a particular commission, the commission shall be governed by a board of seven
9 directors, ~~hereinafter~~ hereafter also referred to as the governing authority of the
10 commission in this Chapter, to be appointed by the governing authority or authorities
11 of the parish or parishes creating the commission or, in the case of the commissions
12 provided for in Subsection B of this Section, ~~those~~ the parish or parishes which are
13 within the territory of the commission. However, the St. Mary Parish Tourist
14 Commission, the Houma Area Convention and Visitors Bureau, and the Vermilion
15 Parish Tourist Commission shall be governed by a board of nine directors; ~~the Baton~~
16 ~~Rouge Area Convention and Visitors Bureau~~ Visit Baton Rouge shall be governed
17 by a board of ten directors; and the Monroe-West Monroe Convention and Visitor's
18 Bureau of Ouachita Parish shall be governed by a board of eleven directors
19 appointed by the Ouachita Parish Police Jury.

20 (b)

21 * * *

22 (v) The term of each member of the board of commissioners of ~~the Baton~~
23 ~~Rouge Area Convention and Visitors Bureau~~ Visit Baton Rouge shall expire on
24 December thirty-first of the respective year. The term of each member of the board
25 of commissioners of ~~the Baton Rouge Area Convention and Visitors Bureau~~ Visit
26 Baton Rouge in office on June 26, 2001, shall be extended until December thirty-first
27 of the year the term would otherwise expire.

28 * * *

1 §4574.1.1. Occupancy taxes levied by the commissions

2 A. For the purposes set forth in Paragraph (F)(3) of this Section, a
3 commission created pursuant to R.S. 33:4574(B) is authorized to levy and collect a
4 tax upon the occupancy of hotel rooms, motel rooms, and overnight camping
5 facilities within the jurisdiction of the commission. Such tax shall not exceed the
6 following percentages of the rent or fee charged for such occupancy:

7 * * *

8 (6) ~~Baton Rouge Area Convention and Visitors Bureau~~ Visit Baton Rouge,
9 four percent subject to the provisions of Subsection ~~GL~~ of this Section.
10 Notwithstanding any provision of law to the contrary, the aggregate rate of
11 occupancy taxes levied by all commissions in East Baton Rouge Parish shall not
12 exceed the rate authorized by this ~~Subparagraph~~ Paragraph.

13 * * *

14 L. ~~The Baton Rouge Area Convention and Visitors Bureau~~ Visit Baton
15 Rouge shall distribute and use the proceeds derived from one percent of the tax
16 levied pursuant to this Section for capital improvements and expansion of the
17 Riverside Centroplex Arena and Exhibition Center and the proceeds derived from
18 the remaining three percent of the tax for such purposes as determined by ~~the bureau~~
19 Visit Baton Rouge. If the governing authority of the city-parish of Baton Rouge and
20 East Baton Rouge Parish abandons the planned capital improvements and expansion
21 of the Riverside Centroplex Arena and Exhibition Center, the tax rate shall not
22 exceed three percent. At such time as all costs for the capital improvements and
23 expansion of the Riverside Centroplex Arena and Exhibition Center are paid in full,
24 the tax rate shall not exceed three percent.

25 * * *

26 §4574.16. ~~Baton Rouge Area Convention and Visitors Bureau~~ Visit Baton Rouge;
27 additional powers

28 Notwithstanding any provision of law to the contrary, ~~the Baton Rouge Area~~
29 ~~Convention and Visitors Bureau~~ Visit Baton Rouge shall have all powers necessary

1 or convenient to effectuate its purposes, including but not limited to the following
2 rights and powers:

3 * * *

4 Section 2. R.S. 33:4574.1.1(H) is hereby repealed in its entirety.

5 Section 3. The Baton Rouge Area Convention and Visitors Bureau shall be known
6 hereafter as Visit Baton Rouge and shall continue in existence and shall continue to be
7 composed and continue to exercise powers and duties as provided by law. The change of
8 name shall not affect any unfinished business of the bureau, nor shall it affect the status of
9 any law, document, or legal proceeding which refers to the bureau, nor shall it affect terms
10 of members of the governing board. In addition, the amendment and reenactment of R.S.
11 33:4574(F)(1)(a) and (b)(v) is only intended to change the name of the bureau and shall not
12 affect the terms of the governing board members.

13 Section 4. The Louisiana State Law Institute is hereby authorized and directed to
14 change "Baton Rouge Area Convention and Visitors Bureau" to "Visit Baton Rouge" in the
15 following provisions: R.S. 33:4574(F)(1)(b)(iv) and 9038.61(H) and R.S. 42:1123(33).

16 Section 5. 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)]

Barrow

HB No. 414

Abstract: Changes the name of the Baton Rouge Area Convention and Visitors Bureau.

Present law provides that certain named tourist commissions and convention and visitors bureaus are created as special districts or commissions. Each such commission or bureau is a body politic and corporate and a political subdivision. Present law (R.S. 33:4574(B)(6)) creates the Baton Rouge Area Convention and Visitors Bureau as a special district composed of all of the territory in East Baton Rouge Parish.

Proposed law retains present law and changes the name of the bureau to Visit Baton Rouge.

Proposed law further provides that the bureau continues in existence and continues to be composed and exercise powers and duties as provided by law. Provides that the change of name does not affect any unfinished business of the bureau, nor does it affect the status of any law, document, or legal proceeding which refers to the bureau. Proposed law additionally provides that the terms of the bureau's governing board members shall not be affected.

Proposed law directs the La. Law State Institute to change the name of the bureau in other provisions of present law.

Present law authorizes the governing authority of the commission in East Baton Rouge Parish to levy and collect a tax upon the occupancy of hotel rooms as defined in present law (Act No. 62 of the 1972 R.S.) within the city of Baton Rouge and the parish of East Baton Rouge not to exceed the percentage set in present law (R.S. 33:4574.1.1(A)(6))

Proposed law repeals present law as Act No. 62 of the 1972 R.S. was repealed by Act No.1090 of the 1997 R.S.

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

(Amends R.S. 33:4574(B)(6) and (F)(1)(a) and (b)(v), 4574.1.1(A)(6) and (L), and 4574.16 (intro. para.); Repeals R.S. 33:4574.1.1(H))