

Regular Session, 2012

SENATE BILL NO. 573

BY SENATORS MURRAY, ALARIO AND MORRELL AND REPRESENTATIVE
LEGER

SPECIAL DISTRICTS. Creates the New Orleans Hospitality and Entertainment District.
(gov sig)

1 AN ACT
2 To enact Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes
3 of 1950, to be comprised of R.S. 33:130.551 through 130.560.2, relative to economic
4 and community development in Orleans Parish; to create the New Orleans
5 Hospitality and Entertainment District, a political subdivision of the State of
6 Louisiana; to provide for the boundaries of the district; to provide for the governance
7 of the district; to provide for the authority, powers, duties, and functions of the
8 governing body of the district; to allow for the levy and collection of taxes and
9 special assessments within the district; to provide for the authority to create
10 subdistricts within the district; to authorize the district to issue and sell bonds; to
11 provide for the duration of the district; to allow the governing body of the district to
12 enter into cooperative endeavor agreements; and to provide for related matters.

13 Notice of intention to introduce this Act has been published.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1. Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised
16 Statutes of 1950, comprised of R.S. 33:130.551 through 130.560.2, is hereby enacted to read
17 as follows:

1 **SUBPART B. NEW ORLEANS HOSPITALITY AND**
2 **ENTERTAINMENT DISTRICT**

3 **§130.551. Title**

4 **The provisions of this Subpart shall hereafter be known as the "New**
5 **Orleans Hospitality and Entertainment District Act"**.

6 **§130.552. New Orleans Hospitality and Entertainment District; creation;**
7 **territorial jurisdiction**

8 **A. There is hereby created in the city of New Orleans, referred to in this**
9 **Subpart as the "city," the New Orleans Hospitality and Entertainment District,**
10 **a body politic and corporate of the State, referred to in this Subpart as the**
11 **"district," which shall be comprised of all the property within the Parish of**
12 **Orleans.**

13 **B. The district shall be a political subdivision of the state as defined in**
14 **Article VI, Section 44 of the Constitution of Louisiana. Pursuant to Article VI,**
15 **Sections 19 and 21 of the Constitution of Louisiana, the district is hereby**
16 **granted all of the rights, powers, privileges and immunities accorded by law and**
17 **the Constitution of Louisiana to political subdivisions of the state, subject to the**
18 **limitations provided in this Subpart.**

19 **§130.553. Definitions**

20 **As used in this Subpart:**

21 **(1) "Board" means the board of commissioners of the New Orleans**
22 **Hospitality and Entertainment District.**

23 **(2) "City" means the City of New Orleans.**

24 **(3) "District" means the New Orleans Hospitality and Entertainment**
25 **District, created as a body politic and corporate and political subdivision of the**
26 **State of Louisiana comprised of all of the territory in the parish of Orleans.**

27 **(4) "Hospitality zone" means all territories within the boundaries of**
28 **Faubourg Marigny, French Quarter, the Central Business District, the**
29 **Warehouse District, Convention Center District, Louisiana Sports and**

1 Entertainment District, any contiguous area between the boundaries of any of
2 the foregoing and the Mississippi River and any other contiguous area formally
3 designated by the mayor of New Orleans as part of the hospitality zone.

4 (5) "Hotel" means any establishment engaged in the business of
5 furnishing or providing rooms intended or designed for dwelling, lodging, or
6 sleeping purposes to transient guests where such establishment consists of ten
7 or more guest rooms but does not include any hospital, convalescent or nursing
8 home or sanitarium, or any hotel-like facility operated by or in connection with
9 a hospital or medical clinic providing rooms exclusively for patients and their
10 families.

11 (6) "Mayor" means the mayor of the City of New Orleans.

12 §130.554. Purpose

13 The district is created to provide for cooperative economic and
14 community development among the district, the city, the state, the organizations
15 listed in Section 130.555(A) of this Subpart and the owners of property in the
16 hospitality zone, to enhance the development of and improvement to the
17 properties within the hospitality zone, to promote tourism within the hospitality
18 zone, to provide enhanced public safety and sanitation within the zone, to
19 provide for signage and lighting within the hospitality zone, to provide for
20 property renewal and repair within the zone and to expand the entertainment
21 and leisure activities and facilities within the hospitality zone.

22 §130.555. Governance

23 A. In order to effect the purposes of the district, the district shall be
24 administered and governed by a board of commissioners, referred to in this
25 Subpart as the "board," composed of ten members appointed and qualified as
26 follows:

27 (1) The chair or holder of equivalent office of each of the Greater New
28 Orleans Hotel and Lodging Association, Inc.; the New Orleans Chapter of the
29 Louisiana Restaurant Association, Inc.; the New Orleans Convention and

1 Visitors Bureau; the Louisiana Stadium and Exposition District; the New
2 Orleans Tourism Marketing Corporation; and the Ernest N. Morial-New
3 Orleans Exhibition Hall Authority, or the successor in function of each, as
4 applicable, who shall serve ex officio and shall have full voting rights on all
5 matters coming before the board.

6 (2) Four residents of Orleans Parish appointed by the mayor, all of
7 whom shall be of the full age of majority and registered voters of Orleans Parish
8 and none of whom may hold local, municipal, parish, state or federal elective
9 office or any local, municipal, parish, state, or federal non-elective office or
10 employment, and all of whom shall have substantial business interests related
11 directly to tourism in the hospitality zone, either as owners or operators of
12 hotels or other tourism or hospitality businesses. The members so appointed by
13 the mayor shall serve at the pleasure of the mayor and shall have full voting
14 rights on all matters coming before the board.

15 B. The members of the board shall serve without salary or per diem.
16 The board may reimburse any member for reasonable, actual and necessary
17 expenses incurred in the performance of his or her duties pursuant to this
18 Subpart.

19 C. The mayor shall appoint from among the ex officio members of the
20 board a chair of the board to serve for a term of six years and until a successor
21 is designated. Any vacancy in the office of chair during the original six-year
22 term shall be filled by the mayor from among the ex officio members of the
23 board. After the expiration of the original six-year term, the board shall elect
24 a chair from among its members. The board may elect from among its
25 members a secretary, treasurer and such other board officers as it deems
26 appropriate.

27 D. The board shall meet in regular session once each quarter and shall
28 also meet in special session as often as the chairman of the board convenes the
29 board or upon the written request of three members. A majority of the

1 members of the board shall constitute a quorum for the transaction of business.
2 All such meetings shall be public meetings subject to the provisions of R.S.
3 42:14. The board shall keep minutes of all meetings and shall make them
4 available for inspection through the board's secretary or secretary-treasurer,
5 who shall also maintain the minute books and archives of the district. The
6 monies, funds, and accounts of the district shall be in the official custody of the
7 board.

8 E. The domicile of the board shall be established by the board at a
9 location within the district. The official journal of the district shall be the
10 official journal of the City.

11 F. All administrative duties requiring staff assistance to the board shall
12 be furnished from the personnel of the New Orleans Convention and Visitors
13 Bureau and New Orleans Tourism Marketing Corporation.

14 §130.556. Rights and Powers

15 The district, acting by and through its board, shall have and exercise all
16 powers of a political subdivision necessary or convenient for the carrying out
17 of its objects and purposes, including but not limited to the following in addition
18 to the other rights and powers set out in this Subpart:

19 (1) To sue and be sued.

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

21 (3) To acquire by gift, grant, purchase, or otherwise all property,
22 including rights of way; to hold and use any franchise or property, real,
23 personal, or mixed, tangible or intangible, or any interest therein, necessary or
24 desirable for carrying out the objects and purposes of the district.

25 (4) To enter into contracts for the purchase, lease, acquisition, finance,
26 construction, and improvement of works and facilities necessary in connection
27 with the purposes of the district, and to mortgage and otherwise encumber its
28 properties and enter into leases and other agreements on terms the board
29 approves.

1 **(5) To require and issue licenses with respect to its properties and**
2 **facilities.**

3 **(6) To regulate the imposition of fees and rentals charged by the district**
4 **for its facilities and services rendered by it.**

5 **(7) To appoint agents and independent contractors, prescribe their**
6 **duties, and fix their compensation.**

7 **(8) To enter into cooperative endeavor agreements to accomplish the**
8 **purposes of the district with any other party, public or private, including but**
9 **not limited to the State of Louisiana and its agencies, the City, the Louisiana**
10 **Stadium and Exposition District, the Ernest N. Morial-New Orleans Exhibition**
11 **Hall Authority, the New Orleans Convention and Visitors Bureau, the New**
12 **Orleans Tourism Marketing Corporation, and any other recipient of the avails**
13 **of a tax imposed on the sale of services as defined in R.S. 47:301(14)(a) or**
14 **otherwise on the occupancy of hotel rooms within the district.**

15 **(9) Except for the tax authority provided in R.S. 33:9038.39, to exercise**
16 **any and all of the other powers granted to an economic development district as**
17 **if the district were an economic development district established pursuant to**
18 **Part 2 of Chapter 27 of Title 33 of the Louisiana Revised Statutes of 1950,**
19 **including but not limited to the powers of tax increment financing pursuant to**
20 **R.S. 33:9038.33 and 9038.34, provided that any such powers exercised by the**
21 **district shall be subject to the provisions of Part 2 of Chapter 27 of Title 33 of**
22 **the Louisiana Revised Statutes of 1950.**

23 **§130.557. Applicability of Public Bid Laws**

24 **Any purchases or contracts made or entered into by the district shall be**
25 **in accordance with the public bid laws of this State; provided, however, that**
26 **until the date of the 2013 Super Bowl XLVII, such public bid laws shall not be**
27 **applicable to contracts entered into or purchases made by the district and the**
28 **district shall endeavor to solicit at least two proposals for all such contracts and**
29 **purchases and, whenever possible, to obtain the best price available as known**

1 to the district, considering the quantities required and the quality desired at the
2 time available for the delivery, the sources of supply and other commercially
3 reasonable considerations.

4 §130.558. Levy of Taxes

5 A. It is expressly provided that any taxes levied by the district, or any
6 subdistrict created by the district, may exceed the limitation set forth by Article
7 VI, Section 29(A) of the Constitution of Louisiana and shall be imposed,
8 collected and enforced subject to the terms of the resolution imposing the tax
9 and the provisions of Chapter 2 of Subtitle II of Chapter 47 of the Louisiana
10 Revised Statutes of 1950.

11 B. The district is hereby authorized and empowered to levy a tax on the
12 occupancy of hotel rooms in the district in an aggregate amount not to exceed
13 one and three-quarters percent (1.75%) at any time. The avails any tax so levied
14 up to one and one half percent (1.50%) shall be dedicated 50 percent to the New
15 Orleans Tourism Marketing Corporation for the advertising, marketing and
16 promotion of the hospitality industry in the district and 50 percent to the New
17 Orleans Convention and Visitors Bureau for sales, marketing, public relations
18 and promotion of the hospitality industry in the district. The remaining avails
19 of any tax levied under this Subsection shall be dedicated to the district for use
20 in furtherance of its purposes.

21 C. The district is hereby further authorized and empowered to levy a tax
22 on the sale at retail of food and beverages in the hospitality zone for
23 consumption on or off the premises in an aggregate amount not to exceed one
24 fourth of one percent (0.25%) at any time. The avails of any tax so levied shall
25 be dedicated to the district for use in the furtherance of its purposes.

26 D. The district is hereby further authorized to levy a tax with respect to
27 in-premises hotel parking and other fees and assessments on activities within
28 the hospitality zone that, as a class, benefit directly from tourism or
29 tourist-related activities; provided that any such tax, fee or assessment shall not

1 take effect until forty-five days after its enactment and further provided that the
2 New Orleans City Council may by the affirmative vote of a majority of its
3 members taken at any time within 30 days of its enactment, rescind any such
4 tax, fee or assessment. The avails of any tax, fee or assessment so levied shall
5 be dedicated to the district for use in the furtherance of its purposes.

6 E. Any taxes of any type to be levied by the district, district-wide or in
7 any subdistrict created by the district, with respect to the occupancy of hotel
8 rooms under authority of Subsection B of this Section or the sale of food and
9 beverages under authority of Subsection C of this Section shall be levied only
10 after the board has adopted an appropriate resolution giving notice of its
11 intention to levy such taxes, which resolution shall include a general description
12 of the taxes to be levied, and notice of this intention shall be published once a
13 week for two weeks in the official journal of the district, the first publication to
14 appear at least fourteen days before the public meeting of the board at which
15 the board will meet in open and public session to hear any objections to the
16 proposed taxes. The notice of intent so published shall state the date, time, and
17 place of the public hearing. Such taxes may be levied only after the board has
18 called a special election submitting the proposition for the levy of such taxes to
19 the qualified electors of the district or subdistrict, as applicable, and the
20 proposition has received the favorable vote of a majority of the electors voting
21 in the election; however, in the event there are no qualified electors in the
22 district or subdistrict, as applicable, as certified by the registrar of voters, no
23 such election shall be required. The powers and rights conferred by this Section
24 shall be in addition to the powers and rights conferred by any other general or
25 special law. This Section does and shall be construed to provide a complete and
26 additional method for the levy of any taxes, subject to the limitations of
27 Subsection (F). No election, proceeding, notice, or approval shall be required for
28 the levy of such taxes except as provided herein.

29 F. Any tax levied under this section shall be in addition to all other taxes

1 and shall be collected at the same time and in the same manner and pursuant
2 to the practices and procedures set forth in the Uniform Local Sales Tax Code
3 in Chapter 2-D of Subtitle II of Title 47 of the Louisiana Revised Statutes of
4 1950.

5 §130.559. Creation of Subdistricts

6 The district may create subdistricts as provided in this Section. The
7 district shall publish notice of its intent to create a subdistrict in the official
8 journal of the district. At least ten days after publication of such notice in the
9 official journal of the district, the board shall conduct a public hearing on the
10 question of creating such subdistrict. Thereafter, the board may designate one
11 or more areas within the boundaries of the district as a subdistrict of the
12 district. Each subdistrict shall constitute a political subdivision of the state and
13 shall be governed by the board. Each subdistrict shall have the same powers
14 and purposes as the district and shall be given a name and designated as "New
15 Orleans Hospitality and Entertainment District Subdistrict No. _____" or such
16 other suitable name as the board may designate.

17 §130.560. Bonds of the District

18 A. The district, or any subdistrict created by the district, is hereby
19 authorized and empowered to issue and sell from time to time bonds, notes,
20 renewal notes, refunding bonds, interim certificates, certificates of indebtedness,
21 certificates of participation, debentures, warrants, commercial paper, or other
22 obligations or evidences of indebtedness to provide funds for and to fulfill and
23 achieve its public purpose or corporate purposes, as set forth in this Subpart,
24 including but not limited to the payment of all or a portion of the costs of a
25 project, to provide amounts necessary for any corporate purposes, including
26 necessary and incidental expenses in connection with the issuance of the
27 obligations, the payment of principal and interest on the obligations of the
28 district, the establishment of reserves to secure such obligations, and all other
29 purposes and expenditures of the district incident to and necessary or

1 convenient to carry out its public functions or corporate purposes, and any
2 credit enhancement for said obligations.

3 B. Except as may otherwise be provided by the board, all obligations
4 issued by the district, or any subdistrict created by the district, shall be
5 negotiable instruments and payable solely from the revenues of the district or
6 subdistrict, as applicable, as determined by the board, or from any other
7 sources whatsoever, that may be available to the district or subdistrict, as
8 applicable, but shall not be secured by the full faith and credit of the state or the
9 city.

10 C. Obligations shall be authorized, issued, and sold by a resolution or
11 resolutions of the board. Such bonds or obligations may be of such series, bear
12 such date or dates, mature at such time or times, bear interest at such rate or
13 rates, including variable, adjustable, or zero interest rates, be payable at such
14 time or times, be in such denominations and in such form, carry such
15 registration and exchangeability privileges, be payable at such place or places,
16 be subject to such terms of redemption, and be entitled to such priorities on the
17 income, revenue, and receipts of, or available to, the district or subdistrict, as
18 applicable, as may be provided by the board in the resolution or resolutions
19 providing for the issuance and sale of the bonds or obligations of the district.

20 D. The obligations of the district, or any subdistrict created by the
21 district, shall be signed by such officers of the board by either manual or
22 facsimile signatures as shall be determined by resolution or resolutions of the
23 board, and shall have impressed or imprinted thereon the seal of the district, or
24 a facsimile thereof.

25 E. Any obligations of the district, or any subdistrict created by the
26 district, may be validly issued, sold, and delivered, notwithstanding that one or
27 more of the officers of the board signing such obligations, or whose facsimile
28 signature or signatures may be on the obligations, shall have ceased to be such
29 officer of the board at the time such obligations shall actually have been

1 delivered.

2 F. Obligations of the district, or any subdistrict created by the district,
3 may be sold at such price or prices, at public or private negotiated sale, in such
4 manner and from time to time as may be determined by the district to be most
5 beneficial, subject to approval of the State Bond Commission, and the district
6 may pay all expenses, premiums, fees, or commissions, which it may deem
7 necessary or advantageous in connection with the issuance and sale thereof.

8 G. The board may authorize the establishment of a fund or funds for the
9 creation of a debt service reserve, a renewal and replacement reserve, or such
10 other funds or reserves as the board may approve with respect to the financing
11 and operation of any project funded with the proceeds of such bonds and as
12 may be authorized by any bond resolution, trust agreement, indenture of trust
13 or similar instrument or agreement pursuant to the provisions of which the
14 issuance of bonds or other obligations of the district or subdistrict may be
15 authorized.

16 H. Any cost, obligation, or expense incurred for any of the purposes or
17 powers of the district specified in this Subpart shall be a part of the project
18 costs and may be paid or reimbursed as such out of the proceeds of bonds or
19 other obligations issued by the district or subdistrict.

20 I. For a period of thirty days from the date of publication of the
21 resolution authorizing the issuance of bonds hereunder, any persons in interest
22 shall have the right to contest the legality of the resolution and the legality of the
23 bond issue for any cause, after which time no one shall have any cause or right
24 of action to contest the legality of said resolution or of the bonds authorized
25 thereby for any cause whatsoever. If no suit, action, or proceeding is begun
26 contesting the validity of the bond issue within the thirty days herein
27 prescribed, the authority to issue the bonds and to provide for the payment
28 thereof, and the legality thereof and all of the provisions of the resolution
29 authorizing the issuance of the bonds shall be conclusively presumed, and no

1 court shall have authority to inquire into such matters.

2 J. Neither the members of the board nor any person executing the bonds
3 shall be personally liable for the bonds or be subject to any personal liability by
4 reason of the issuance thereof. However, the limitation of liability provided for
5 in this Subsection shall not apply to any gross negligence or criminal negligence
6 on the part of any member of the board or person executing the bonds.

7 K. All obligations authorized to be issued by the district, or any
8 subdistrict created by the district, pursuant to the provisions of this Subpart,
9 together with interest thereof, income therefrom, and gain upon the sale thereof
10 shall be exempt from all state and local taxes.

11 L. The state and all public officers, any parish, municipality, or other
12 subdivision or instrumentality of the state, any political subdivision, any bank,
13 banker, trust company, savings bank and institution, building and loan
14 association, savings and loan association, investment company or any person
15 carrying on a banking or investment business, any insurance company or
16 business, insurance association, and any person carrying on an insurance
17 business, and any executor, administrator, curator, trustee, and other fiduciary,
18 and any retirement system or pension fund may legally invest any funds
19 belonging to them or within their control in any bonds or other obligations
20 issued by the district, or any subdistrict created by the district, pursuant to the
21 provisions of this Chapter, and such bonds or other obligations shall be
22 authorized security for all public deposits. It is the purpose of this Subsection
23 to authorize such persons, firms, corporations, associations, political
24 subdivisions and officers, or other entities, public or private, to use any funds
25 owned or controlled by them, including but not limited to sinking, insurance,
26 investment, retirement, compensation, pension and trust funds, and funds held
27 on deposit, for the purchase of any such bonds or other obligations of the
28 district or subdistrict, and that any such bonds shall be authorized security for
29 all public deposits. However, nothing contained in this Subsection with regard

1 to legal investments or security for public deposits shall be construed as
 2 relieving any such person, firm, corporation, or other entity from any duty of
 3 exercising reasonable care in selecting securities.

4 §130.560.1. Liberal Construction

5 This Subpart, being necessary for the welfare of the state, the city-parish
 6 and its residents, shall be liberally construed to effect the purposes thereof.

7 §130.560.2. Severability

8 The provisions of this Subpart are severable. It is intended that if any
 9 provision of this Subpart should be adjudged invalid or unenforceable, then
 10 such provision shall be ineffective to the extent of such invalidity or
 11 unenforceability without invalidating the remaining provisions of this Subpart.

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

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Riley Boudreaux.

DIGEST

Proposed law creates the New Orleans Hospitality and Entertainment District in the city of New Orleans comprised of all the property within the Parish of Orleans as a political subdivision of the state granted all of the rights, powers, privileges and immunities accorded by law and the Constitution to such political subdivisions of the state, subject to the limitations provided in the proposed law. The district is created to provide for cooperative economic and community development among the district, the city, the state, the organizations which have ex officio commissioners on the board of commissioners (see below) and the owners of property in the "hospitality zone", to do the following within the "hospitality zone": enhance the development of and improvement to the properties; promote tourism; provide enhanced public safety and sanitation; provide for signage and lighting; provide for property renewal and repair; and to expand entertainment and leisure activities and facilities.

"Hospitality zone" is defined as all territories within the boundaries of Faubourg Marigny, French Quarter, the Central Business District, the Warehouse District, Convention Center District, Louisiana Sports and Entertainment District, any contiguous area between the boundaries of any of those territories and the Mississippi River and any other contiguous area formally designated by the mayor of New Orleans as part of the hospitality zone.

The district is authorized to create subdistricts in one or more areas within the boundaries

of the district which are also political subdivisions and are governed by the same board of commissioners that govern the district (see below). The district is required to publish notice of its intent to create a subdistrict in the official journal of the district and conduct a public hearing on the question of creating such subdistrict at least 10 days after publication. of such notice in the official journal of the district. Thereafter, the board may designate one or more areas within the boundaries of the district as a subdistrict of the district.

Proposed law specifically authorizes the district to levy the following taxes, fees, or assessments district-wide or in subdistricts:

1. A tax on the occupancy of hotel rooms in the district in an aggregate amount not to exceed 1.75% at any time.

"Hotel" is defined as any establishment engaged in the business of furnishing or providing rooms intended or designed for dwelling, lodging, or sleeping purposes to transient guests where such establishment consists of 10 or more guest rooms but does not include any hospital, convalescent or nursing home or sanitarium, or any hotel-like facility operated by or in connection with a hospital or medical clinic providing rooms exclusively for patients and their families.

The proceeds from up to 1.5% of the 1.75% tax rate may be dedicated as follows:

- a. 50% to the New Orleans Tourism Marketing Corporation for the advertising, marketing and promotion of the hospitality industry in the district.
- b. 50% to the New Orleans Convention and Visitors Bureau for sales, marketing, public relations and promotion of the hospitality industry in the district.

The remaining proceeds (from 0.25% of the tax rate) are dedicated to the district for use in furtherance of its purposes.

2. A tax on sale at retail of food and beverages in the "hospitality zone" for consumption on or off the premises in an aggregate amount not to exceed 0.25% at any time. The proceeds are dedicated to the district for use in the furtherance of its purposes.

The hotel room occupancy tax and the tax on the sale of food and beverages may be levied only after the board has adopted an appropriate resolution giving notice of its intention to levy the taxes and notice of this intention is published once a week for two weeks in the official journal of the district, the first publication to appear at least 14 days before the public meeting of the board at which the board will meet in open and public session to hear any objections to the proposed taxes. The taxes may be levied only after the board has called a special election submitting the proposition for the levy of such taxes to the qualified electors of the district or subdistrict, as applicable, and the proposition has received the favorable vote of a majority of the electors voting in the election, unless there are no qualified electors in the district or subdistrict as certified by the registrar of voters, then no election is required.

3. A tax with respect to in-premises hotel parking and other fees and assessments on activities within the "hospitality zone" that, as a class, benefit directly from tourism or tourist-related activities. However, any such tax, fee or assessment does not take effect until 45 days after its enactment and the New Orleans City Council may by the affirmative vote of a majority of its members taken at any time within 30 days of its enactment, rescind any such tax, fee or assessment. The proceeds of any tax, fee or assessment are dedicated to the district for use in the furtherance of its purposes.

Any tax levied must be collected at the same time and in the same manner and pursuant to the practices and procedures set forth in R.S. 47:301 through R.S. 47:318.

Proposed law requires the district to be governed by a board of commissioners of 10 members who serve ex officio and shall have full voting rights as follows:

1. The chair or holder of equivalent office of:
 - The Greater New Orleans Hotel and Lodging Association, Inc.
 - The New Orleans Chapter of the Louisiana Restaurant Association, Inc.
 - The New Orleans Convention and Visitors Bureau.
 - The Louisiana Stadium and Exposition District.
 - The New Orleans Tourism Marketing Corporation.
 - The Ernest N. Morial-New Orleans Exhibition Hall Authority.
2. Four residents of Orleans Parish appointed by the mayor, all of whom must be of the full age of majority and registered voters of Orleans Parish and none of whom may hold local, municipal, parish, state, or federal elective office or any local, municipal, parish, state or federal non-elective office or employment, and all of whom shall have substantial business interests related directly to tourism in the hospitality zone, either as owners or operators of hotels or other tourism or hospitality businesses. The members so appointed by the mayor serve at his pleasure and have full voting rights.

The members serve without salary or per diem, but the board is authorized to reimburse any member for reasonable, actual and necessary expenses incurred in the performance of his or her duties.

The mayor must appoint from among the ex officio members a chair of the board to serve for a term of 6 years and until a successor is designated. Any vacancy is filled by the mayor from among the ex officio members of the board. After the expiration of the original 6-year term, the board elects a chair from among its members. The board may elect from among its members a secretary, treasurer and such other board officers as it deems appropriate.

A majority of the board constitutes a quorum for the transaction of business. All meetings are public meetings subject to the provisions of R.S. 42:14. The domicile of the board is to be established by the board at a location within the district. The official journal of the district is the official journal of the City.

Proposed law provides that all administrative duties requiring staff assistance to the board must be furnished from the personnel of the New Orleans Convention and Visitors Bureau and New Orleans Tourism Marketing Corporation.

Proposed law provides that the district (or subdistricts), acting by and through its board may exercise all powers of a political subdivision necessary or convenient for the carrying out of its objects and purposes, including but not limited to the following:

1. All the usual powers given to political subdivisions in legislation, such as to: sue and be sued; acquire property; enter into contracts, mortgages, and encumbrances; require and issue licenses ; regulate the imposition of fees and rentals charged by the district for its facilities and services rendered by it; appoint agents and independent contractors, prescribe their duties, and fix their compensation.
2. To enter into cooperative endeavor agreements to accomplish the purposes of the district with any other party, public or private, including but not limited to the State of Louisiana and its agencies, the City, the Louisiana Stadium and Exposition

- District, the Ernest N. Morial-New Orleans Exhibition Hall Authority, the New Orleans Convention and Visitors Bureau, the New Orleans Tourism Marketing Corporation, and any other recipient of the avails of a tax imposed on the sale of services as defined in R.S. 47:301(14)(a) or otherwise on the occupancy of hotel rooms within the district.
3. To exercise the powers granted to an economic development district as if the district were an economic development district established pursuant to Part 2 of Chapter 27 of Title 33, including but not limited to the powers of TIF financing but excluding the power to levy taxes pursuant to R.S. 33:9038.39.
 4. To issue and sell from time to time bonds, notes, and various other obligations or evidences of indebtedness with the usual procedures of, manner of, and limitations provided to entities on such issuance and sale set forth in detail in proposed law including requiring anyone contesting the legality of a resolution authorizing the issuance of bonds or of the bonds authorized to do so within 30 days from the date of publication of the resolution.
 5. Any purchases or contracts made or entered into by the district are to be done in accordance with the public bid laws of the state. However, until the date of the 2013 Super Bowl XLVII, the public bid laws are not applicable to contracts entered into or purchases made by the district, but the district must endeavor to solicit at least two proposals for all such contracts and purchases and, whenever possible, to obtain the best price available as known to the district, considering the quantities required and the quality desired at the time available for the delivery, the sources of supply and other commercially reasonable considerations.

Proposed law is to be liberally construed to effect its purposes and the provisions are severable.

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

(Adds R.S. 33:130.551 - 130.560.2)