
DIGEST

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Richardson

HB No. 107

Abstract: Creates the Hampton Village Crime Prevention and Improvement District in East Baton Rouge Parish for the purpose of promoting and encouraging the beautification, security, and overall betterment of the district. Creates and provides for the district's board of commissioners. Provides for the imposition and use of a parcel fee.

Proposed law creates the Hampton Village Crime Prevention and Improvement District in East Baton Rouge 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.

Proposed law provides that the district is governed by a board of seven commissioners, all of whom shall be residents and qualified voters of the district. Provides that the board is composed as follows:

- (1) The president of the Hampton Village Estates Homeowners Association, Inc., or its successor (association).
- (2) One member appointed by the board of directors of the association.
- (3) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (4) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.
- (5) One member appointed by the governing authority of the city of Central.
- (6) One member appointed by the assessor for East Baton Rouge Parish.
- (7) One member appointed by the mayor of the city of Central.

Proposed law provides that members appointed pursuant to (3) through (7) above serve terms concurrent with the appointing authority. Provides that the member appointed pursuant to (2) above serves a two-year term. Provides that the president shall serve during his term of office. Requires members to serve without compensation but authorizes reimbursement of expenses.

Proposed law provides relative to the powers and duties of the district including the following:

- (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 contracts.
- (5) To acquire property.

Proposed law authorizes the governing authority of East Baton Rouge Parish, subject to voter approval, to impose and collect a parcel fee within the district. Provides that the amount of the fee shall be as requested by duly adopted resolution of the board. Further provides that the fee shall be a flat fee per parcel of land not to exceed \$125 per year. Defines "parcel" as a lot, subdivided portion of ground, or an individual tract on which a residential structure is situated.

Proposed law authorizes the board, not less than five years after the approval of the imposition of the fee, to increase the amount of the fee one time without election. Provides that the amount of the fee shall be as provided in a duly adopted resolution of the board and shall not exceed \$250 per parcel per year.

Proposed law provides that the fee shall expire 10 years from initial levy, but may be renewed. Proposed law provides that if the fee is renewed, the term of the imposition of the fee shall be as provided in the proposition authorizing such renewal, not to exceed 10 years.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes are collected. Provides that any fee shall be added to the tax rolls of the parish and shall be enforced with the same authority and subject to the same penalties and procedures as ad valorem taxes.

Proposed law requires the sheriff to remit to the district all amounts collected not later than 60 days after collection. Authorizes the board to enter into a contract with the sheriff to authorize the sheriff to retain a collection fee.

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 if the district ceases to exist, all funds of the district shall be transmitted to the city of Central and shall be used for law enforcement purposes in the area included within the district.

Proposed law requires the district to indemnify its officers and board members to the fullest extent permitted by present law (relative to indemnification of officers, directors, employees, and agents of nonprofit corporations) as fully as if the district were a nonprofit corporation governed thereby and as may be provided in district bylaws.

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

(Adds R.S. 33:9097.13)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill.

1. Makes changes to the district's board, providing for appointments by the mayor and governing authority of Central rather than the mayor and governing authority of Baton Rouge.
2. Relative to the collection of the parcel fee, removes provision that requires the sheriff to collect and maintain the proceeds of the fee in a separate account until disbursed to the district.
3. Relative to the collection of the parcel fee, requires that all fees, rather than unpaid fees, be added to the tax rolls of the parish.
4. Requires that the collection of the fee be enforced in the same manner and subject to the same penalties as all ad valorem taxes rather than as unpaid ad valorem taxes.

House Floor Amendments to the engrossed bill.

1. Relative to the collection of the parcel fee, authorizes the district's board to enter into a contract with the sheriff, rather than with East Baton Rouge Parish (EBR), to provide for a collection fee. Removes provision that specifies the amount of collection fee. Additionally, requires the sheriff, rather than EBR, to remit the tax proceeds to the district.
2. Requires that district funds be transmitted to the city of Central, rather than EBR, if the district is dissolved. Makes changes to provisions for the use of such funds.