
DIGEST

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Barrow

HB No. 480

Abstract: Creates the Glen Oaks Crime Prevention and Improvement District in East Baton Rouge Parish for the purposes of providing security for district residents and serving the needs of district residents by funding beautification and improvements for the 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 Glen Oaks Crime Prevention and Improvement District in East Baton Rouge Parish for the purposes of providing security for district residents and serving the needs of district residents by funding beautification and improvements for the overall betterment of the district. Provides for district boundaries.

Proposed law provides that the district is governed by a board of commissioners. Requires each board member to be a resident and qualified voter in the district. Provides that the board shall be composed as follows:

- (1) Two members appointed by the state representative for House District No. 29.
- (2) Two members appointed by the state senator for Senate District No. 15.
- (3) One member appointed by the member(s) of the governing authority of the parish of East Baton Rouge who represent the district.

Proposed law provides that members serve staggered four-year terms. Requires board members to serve without compensation and provides that they shall not receive reimbursement for expenses.

Proposed law provides that the district, acting through the board, shall have the following 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 in the district.
- (5) To purchase items and supplies which the board deems instrumental to achieving the purpose of the district.
- (6) To perform or have performed any other function or activity necessary for the achievement of the purpose of the district.

Proposed law authorizes the governing authority of East Baton Rouge Parish to impose and collect a parcel fee within the district. Provides that the amount of the fee shall be as requested by the board. Further provides that the fee shall be a flat fee per improved parcel not to exceed \$100 per parcel per year for lots zoned for residential use and \$500 per year for lots zoned for commercial use. Requires that the fee be imposed on each improved parcel located within the district.

Proposed law defines a parcel as a lot, a subdivided portion of ground, or an individual tract. Provides that a parcel does not mean a condominium parcel as defined in present law (R.S. 9:1121.103). Provides that with respect to condominiums, the fee collector shall impose the parcel fee on each lot on which condominiums are situated and not on individual condominium units.

Proposed law provides that the fee shall be imposed only after the question of its imposition has been approved by a majority of the registered voters of the district voting on the proposition at an election held for that purpose. Provides that no other election shall be required except as provided by proposed law.

Proposed law requires the board of commissioners, at least 30 days prior to any election held to approve imposition of a parcel fee, to mail notification of the upcoming election to each registered voter of the district, and the owner of a parcel if the owner is not a registered voter of the district.

Proposed law requires the initial election on the question of the imposition to be held at the same time as a regularly scheduled election in East Baton Rouge Parish. Provides that the fee shall expire eight years from its initial levy. Authorizes renewal of such fee.

Proposed law requires that the fee be collected at the same time and in the same manner as ad valorem taxes are collected in the parish. 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 collect and remit to the district all amounts collected not more than 60 days after collection. Authorizes the board to enter into an agreement 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 it is the purpose and intent of proposed law that the additional law enforcement personnel and services provided by the district shall be supplemental to and not in lieu of personnel and services provided in the district by the city of Baton Rouge and East Baton Rouge Parish. Further provides that if the district ceases to exist, any funds of the district shall be transmitted to the governing authority of the city of Baton Rouge and parish of East Baton Rouge and shall be used for law enforcement purposes in the area included within the district.

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 boundaries.
2. Relative to the collection of the parcel fee, clarifies that the fee shall be collected at the same time and in the same manner as ad valorem taxes are collected in East Baton Rouge Parish (EBR), rather than by EBR.
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. 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.
4. Relative to the collection of the parcel fee, removes proposed law that authorizes EBR to retain 1% of the amount collected as a collection fee. Adds a provision that authorizes the district's governing board to enter into an agreement with the sheriff to authorize the sheriff to retain a collection fee. Additionally requires the sheriff, rather than EBR, to remit tax proceeds to the district.
5. Removes proposed law that provides that the district's budget and all amendments shall be subject to the approval of the governing authority of EBR.