

Regular Session, 2012

ACT No. 426

HOUSE BILL NO. 956

BY REPRESENTATIVE BADON

1 AN ACT

2 To amend and reenact R.S. 33:9100.12(A) and to enact R.S. 33:9100.10, relative to Orleans
3 Parish; to provide relative to the East New Orleans Neighborhood Advisory
4 Commission; to authorize the governing authority of the city of New Orleans to levy
5 and collect a parcel fee within the area of the commission; to provide relative to the
6 disposition of the proceeds of the fee; to require the executive board of the
7 commission to propose an annual budget to the commission; and to provide for
8 related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9100.12(A) is hereby amended and reenacted and R.S. 33:9100.10
14 is hereby enacted to read as follows:

15 §9100.10. Parcel fee

16 A. The governing authority may levy and collect a parcel fee upon each
17 parcel within the commission area in accordance with the provisions of this Section.
18 For purposes of this Section, "parcel" means a lot, a subdivided portion of ground,
19 or an individual tract which is zoned residential.

20 B. The fee shall be levied only as authorized by the commission as provided
21 in this Subsection.

22 (1) The amount of the fee shall be as requested by duly adopted resolution
23 of the commission. The amount of the fee, however, shall not be less than five
24 dollars nor more than ten dollars per parcel per year. The fee shall be levied on each

1 improved or unimproved parcel located within the district. The owner of the parcel
2 shall be responsible for payment of the fee.

3 (2) The fee shall be levied only upon request by the commission to the
4 governing authority and only after the question of its levy has been approved by a
5 majority of the registered voters of the area voting on the proposition at an election
6 held for that purpose in accordance with the Louisiana Election Code. The
7 commission may increase the amount of the fee, by duly adopted resolution, not to
8 exceed the maximum amount provided in Paragraph (1) of this Subsection. No other
9 election shall be required except as provided by this Paragraph.

10 (3) The fee shall expire four years after its initial levy but may be renewed
11 if approved by a majority of the registered voters of the area voting on the
12 proposition at an election as provided in Paragraph (2) of this Subsection. Any
13 election to authorize the renewal of the fee shall be held for that purpose in
14 accordance with the Louisiana Election Code. If the fee is renewed, the term of the
15 imposition of the fee shall be as provided in the proposition authorizing such
16 renewal, not to exceed eight years.

17 (4) The fee shall be levied and collected in the same manner and at the same
18 time as ad valorem taxes on property are levied and collected by the city.

19 (5) Any unpaid fee shall be added to the tax rolls of the city and shall be
20 enforced with the same authority and subject to the same penalties and procedures
21 as are unpaid ad valorem taxes.

22 (6)(a) The proceeds of the fee shall be used solely and exclusively for the
23 purpose and benefit of the commission; however, the city may retain one percent of
24 the amount collected as a collection fee.

25 (b) The city of New Orleans shall remit to the commission all amounts
26 collected not more than sixty days after collection.

27 * * *

28 §9100.12. Budget; audit; applicability of other laws

29 A. The executive board shall submit a proposed budget to the commission
30 annually for review. The commission may make any amendments to the budget it

