

Regular Session, 2012

ACT No. 584

HOUSE BILL NO. 480

BY REPRESENTATIVE BARROW

AN ACT

To enact R.S. 33:9097.13, relative to East Baton Rouge Parish; to create the Glen Oaks Crime Prevention and Improvement District within the parish; to provide relative to the purpose, boundaries, governance, and powers and duties of the district; to provide for the imposition of a parcel fee and for the use thereof; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:9097.13 is hereby enacted to read as follows:

§9097.13. Glen Oaks Crime Prevention and Improvement District

A. Creation. There is hereby created within the parish of East Baton Rouge, as more specifically provided in Subsection B of this Section, a body politic and corporate which shall be known as the Glen Oaks Crime Prevention and Improvement District, referred to in this Section as the "district". The district shall be a political subdivision of the state as defined in the Constitution of Louisiana.

B. Boundaries. The district shall include the area within the following boundaries: beginning at the intersection of Greenwell Street and Silverleaf Avenue, north along Silverleaf Avenue (both sides) then east along Silverleaf Avenue (both sides) to its intersection with Mickens Road, then southeast along the west side of Mickens Road to its intersection with Lanier Drive, then south along the west side of Lanier Drive to its intersection with Greenwell Street, then west along the north side of Greenwell Street to the point of beginning.

1 C. Purpose. The purposes of the district shall be to aid in crime prevention
2 by providing security for district residents and to serve the needs of the residents of
3 the district by funding beautification and improvements for the overall betterment
4 of the district.

5 D. Governance. (1) The district shall be governed by a board of
6 commissioners, referred to in this Section as the "board", consisting of members as
7 follows:

8 (a) Two members shall be appointed by the state representative for House
9 District Number 29.

10 (b) Two members shall be appointed by the state senator for Senate District
11 Number 15.

12 (c) One member shall be appointed by the member or members of the
13 governing authority of the parish of East Baton Rouge who represent the district.

14 (2) All members of the board shall be residents and qualified voters within
15 the district.

16 (3) Members of the board shall serve four-year terms after initial terms as
17 follows: two members shall serve an initial term of one year; one member shall
18 serve two years; one member shall serve three years; and one member shall serve
19 four years, as determined by lot at the first meeting of the board.

20 (4) Vacancies resulting from the expiration of a term or any other reason
21 shall be filled for the remainder of the unexpired term in the manner of the original
22 appointment. Members are eligible for reappointment.

23 (5) The members of the board shall select from among themselves a
24 president and such other officers as they deem appropriate. The responsibilities of
25 the officers shall be as provided by the bylaws of the board.

26 (6) The members of the board shall serve without compensation and shall not
27 receive reimbursement for expenses.

28 E. Powers and duties. The district, acting through its board of
29 commissioners, shall have the following powers and duties:

30 (1) To sue and be sued.

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

2 (3) To receive and expend funds collected pursuant to Subsection F of this
3 Section and in accordance with a budget adopted as provided by Subsection G of this
4 Section.

5 (4) To enter into contracts with individuals or entities, private or public, for
6 the provision of security patrols in the district.

7 (5) To purchase items and supplies which the board deems instrumental to
8 achieving the purpose of the district.

9 (6) To perform or have performed any other function or activity necessary
10 for the achievement of the purpose of the district.

11 F. Parcel fee. The governing authority of East Baton Rouge Parish may
12 impose and collect a parcel fee within the district subject to and in accordance with
13 the provisions of this Subsection:

14 (1) The amount of the fee shall be as requested by duly adopted resolution
15 of the board. The fee, however, shall not exceed one hundred dollars per parcel per
16 year for lots zoned for residential use and five hundred dollars per year for lots zoned
17 for commercial use.

18 (2)(a) The fee shall be imposed on each improved parcel located within the
19 district.

20 (b) For purposes of this Section, "parcel" means a lot, a subdivided portion
21 of ground, or an individual tract and does not mean a "condominium parcel" as
22 defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector
23 shall impose the parcel fee on each lot on which condominiums are situated and not
24 on individual condominium units.

25 (c) The owner of the parcel shall be responsible for payment of the fee.

26 (3)(a) The fee shall be imposed only after the question of its imposition has
27 been approved by a majority of the registered voters of the district voting at an
28 election held for that purpose in accordance with the Louisiana Election Code. At
29 least thirty days prior to any election held to approve imposition of a parcel fee, the
30 board shall mail notification of the upcoming election to each registered voter of the

1 district and to the owner of each parcel if the owner is not a registered voter of the
2 district. No other election shall be required except as provided by this Paragraph.

3 (b) The initial election on the question of the imposition of the fee shall be
4 held at the same time as a regularly scheduled election in the parish of East Baton
5 Rouge.

6 (c) The fee shall expire eight years from its initial levy but may be renewed
7 as provided in Subparagraph (a) of this Paragraph. If the fee is renewed, the term of
8 the imposition of the fee shall be as provided in the proposition authorizing such
9 renewal, not to exceed eight years.

10 (4) The fee shall be collected at the same time and in the same manner as ad
11 valorem taxes are collected within the parish.

12 (5) Any parcel fee shall be added to the tax rolls of the parish and shall be
13 enforced with the same authority and subject to the same penalties and procedures
14 as ad valorem taxes.

15 (6) The sheriff of the parish of East Baton Rouge shall remit to the district
16 all amounts collected not more than sixty days after collection; however, the board
17 may enter into an agreement with the sheriff to authorize the sheriff to retain a
18 collection fee.

19 G. Budget. (1) The board of commissioners shall adopt an annual budget
20 in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et
21 seq.

22 (2) The district shall be subject to audit by the legislative auditor pursuant
23 to R.S. 24:513.

24 H. Miscellaneous provisions. (1) It is the purpose and intent of this Section
25 that the additional law enforcement personnel and services provided by the district
26 shall be supplemental to and not in lieu of personnel and services provided in the
27 district by the city of Baton Rouge and parish of East Baton Rouge.

28 (2) If the district ceases to exist, any funds of the district shall be transmitted
29 to the governing authority of the city of Baton Rouge and parish of East Baton

1 Rouge and shall be used for law enforcement purposes in the area included within
2 the district.

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

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____