

Regular Session, 2013

HOUSE BILL NO. 539

BY REPRESENTATIVE HARRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

PUBLIC LANDS/SCHOOLS: Authorizes the Avoyelles Parish School Board to exchange certain sixteenth section lands

1 AN ACT

2 To enact R.S. 41:906, relative to the exchange of school lands; to authorize Avoyelles Parish  
3 School Board to exchange certain school lands; to provide procedures for such  
4 exchange; to provide for the land description and the reservation of mineral rights;  
5 and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 41:906 is hereby enacted to read as follows:

8 §906. Avoyelles Parish School Board; exchange of school lands; procedures;  
9 description

10 A. Notwithstanding any other law to the contrary, if the Avoyelles Parish  
11 School Board, on behalf of the state of Louisiana, determines that any school lands,  
12 including but not limited to sixteenth section lands, school indemnity lands, or other  
13 immovable property located in Avoyelles Parish and as more specifically described  
14 in any agreements entered into and documents executed by the Avoyelles Parish  
15 School Board, are no longer needed for school purposes and that the best interest of  
16 the Avoyelles Parish school system would be served by the exchange of such land  
17 for other land of at least comparable value, the school board may exchange such land  
18 for other land in Avoyelles Parish in accordance with the procedures set forth in this  
19 Section.

1           B. The Avoyelles Parish School Board shall obtain an appraisal of the lands  
2           to be exchanged from a certified, licensed appraiser and such appraisal shall be  
3           available for public inspection.

4           C. The land to be received by the Avoyelles Parish School Board shall be of  
5           equal or greater value than the land that the Avoyelles Parish School Board is to  
6           relinquish or exchange.

7           D. The Avoyelles Parish School Board shall reserve to the state all of the  
8           mineral rights and minerals in accordance with law. The other party in an exchange  
9           may reserve its mineral rights and minerals subject to the terms of any agreement  
10          entered into with the school board.

11          E. The provisions of this Section shall be applicable but shall not be limited  
12          to exchanges of part or all of Section 16, Township 2 North, Range 6 East of  
13          Avoyelles Parish, as well as any other Section 16 lands situated within Avoyelles  
14          Parish.

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

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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Harris

HB No. 539

**Abstract:** Authorizes the exchange of 16th section and other land by the Avoyelles Parish School Board and provides for the reservation of mineral rights by the state.

Proposed law authorizes the Avoyelles Parish School Board, when it determines on behalf of the state, that any school lands, including 16th section lands, indemnity lands, or other immovable property, are no longer needed and that the best interest of the school system would be served by the exchange of such land, to exchange such land for other land in Avoyelles Parish.

Requires the school board to obtain an appraisal of the lands from a certified, licensed appraiser and requires that such appraisal be available for public inspection. Requires that

the land to be received by the school board be of equal or greater value. Provides that the school board shall reserve to the state all of the mineral rights in accordance with law. Authorizes the other party to reserve mineral rights subject to the agreement entered into with the school board.

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

(Adds R.S. 41:906)