

Regular Session, 2013

HOUSE BILL NO. 603

BY REPRESENTATIVE ABRAMSON

DISTRICTS/NEIGHBORHOOD: Provides relative to the parcel fee imposed within the Hurstville Security and Neighborhood Improvement District

1 AN ACT

2 To amend and reenact R.S. 33:9091.11(E)(introductory paragraph) and (F)(introductory  
3 paragraph), (3)(c), and (4) and to repeal R.S. 33:9091.11(F)(3)(b), relative to Orleans  
4 Parish; to provide relative to the Hurstville Security and Neighborhood Improvement  
5 District; to provide relative to the parcel fee imposed within the district; to change  
6 the expiration date of the parcel fee; to provide relative to the renewal of the parcel  
7 fee; to prohibit the imposition of the fee on certain parcels; to provide relative to the  
8 parcel fee being imposed on the effective date of this Act; and to provide for related  
9 matters.

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

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 33:9091.11(E)(introductory paragraph) and (F)(introductory  
15 paragraph), (3)(c), and (4) are hereby amended and reenacted to read as follows:

16 §9091.11. Hurstville Security and Neighborhood Improvement District

17 \* \* \*

18 E. Powers and ~~Duties~~ duties. The district, acting through its board, shall  
19 have the following powers and duties:

20 \* \* \*

1 F. Parcel ~~Fee~~ fee. The governing authority of the city of New Orleans is  
2 hereby authorized to impose and collect a parcel fee within the district subject to and  
3 in accordance with the provisions of this Subsection.

4 \* \* \*

5 (3)

6 \* \* \*

7 (c) If approved, the fee shall expire on December 31, ~~2014~~ 2022, but the fee  
8 may be renewed if approved by a majority of the registered voters of the district  
9 voting on the proposition at an election as provided in Subparagraph (a) of this  
10 Paragraph. Any election to authorize the renewal of the fee shall be held ~~only at the~~  
11 ~~same time as the mayoral primary election for the city of New Orleans~~ at the same  
12 time as a regularly scheduled election in the city of New Orleans. If the fee is  
13 renewed, the term of the imposition of the fee shall be as provided in the proposition  
14 authorizing such renewal, not to exceed eight years.

15 (4)(a) No fee shall be imposed upon any parcel whose owner qualified for  
16 the special assessment level provided by Article VII, Section 18(G)(1) of the  
17 Constitution of Louisiana.

18 (b) No fee shall be imposed on any parcel on which sits only an  
19 uninhabitable accessory building that provides storage and parking to a detached  
20 residential building located on another parcel in the district and that cannot be  
21 converted for commercial use because any such conversion is prohibited by the local  
22 zoning ordinances in the parish of Orleans. Both the parcel on which the accessory  
23 building sits and the parcel on which the residential building sits shall be owned by  
24 the same person for this Subparagraph to apply.

25 \* \* \*

26 Section 2. R.S. 33:9091.11(F)(3)(b) is hereby repealed in its entirety.

27 Section 3. The provisions of this Act shall not affect the parcel fee being imposed  
28 within the Hurstville Security and Neighborhood Improvement District on the effective date  
29 of this Act. The governing authority of the city of New Orleans shall continue to impose the

1 parcel fee until such time as it expires, as provided in the proposition approved by a majority  
2 of the district's registered voters voting on the proposition at an election held on November  
3 17, 2007. The governing authority of the city shall then begin to impose a parcel fee as  
4 provided in this Act if the parcel fee has been approved by a majority of district's registered  
5 voters as provided in this Act.

6 Section 4. This Act shall become effective upon signature by the governor or, if not  
7 signed by the governor, upon expiration of the time for bills to become law without signature  
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
10 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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Abramson

HB No. 603

**Abstract:** Relative to the Hurstville Security and Neighborhood Improvement District, changes the amount and the expiration date of the parcel fee levied within the district and provides for the renewal of the fee. Prohibits the imposition of the fee upon certain parcels.

Present law creates the Hurstville Security and Neighborhood Improvement District in Orleans Parish as a political subdivision of the state for the purpose of promoting and encouraging security in the area included within the district and promoting and encouraging the beautification and overall betterment of the district. Provides for the district's boundaries, governance, and powers and duties. Authorizes the governing authority of the city of New Orleans, subject to voter approval, to levy a parcel fee on behalf of the district.

Proposed law retains present law.

Present law provides that the initial election on the question of the imposition of the fee shall be held at the same time as a regularly scheduled election in the city of New Orleans.

Proposed law repeals present law.

Present law provides that the fee shall expire on Dec. 31, 2014.

Proposed law instead provides that the fee shall expire on Dec. 31, 2022.

Present law authorizes renewal of the fee but requires that the election for the renewal be held at the same time as the mayoral primary election for the city of New Orleans.

Proposed law instead requires that the election for renewal be held at the same time as a regularly scheduled election in the city of New Orleans.

Present law prohibits the imposition of a fee on any parcel whose owner qualifies for property tax special assessment level as provided by the state constitution (Const. Art. VII, §18(G)(1)).

Proposed law retains present law and additionally prohibits the imposition of a fee on any parcel on which sits a certain type of uninhabitable accessory building which cannot be converted for commercial use. Provides additional requirements.

Proposed law provides that the provisions of proposed law shall not affect the parcel fee being imposed within the district on the effective date of proposed law. Requires the governing authority of the city of New Orleans to continue to impose the parcel fee until it expires, as provided in the proposition approved by a majority of the district's registered voters voting on the proposition at an election held on Nov. 17, 2007. Further requires the governing authority of the city to begin to impose a parcel fee as provided in proposed law, if approved by a majority of the district's registered voters as provided in proposed law.

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

(Amends R.S. 33:9091.11(E)(intro para.) and (F)(intro para.), (3)(c), and (4); Repeals R.S. 33:9091.11(F)(3)(b))