
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)]

HB 731 Original

2016 Regular Session

Marcelle

Abstract: Creates the Capital Heights Crime Prevention and Improvement District in East Baton Rouge Parish. Provides for the district's boundaries, purpose, governance, and funding, including the authority to impose a parcel fee.

Proposed law creates the Capital Heights Crime Prevention and Improvement District in East Baton Rouge Parish as a political subdivision of the state for the purpose of aiding in crime prevention and providing for overall betterment of the district. Provides for district boundaries. Provides that the district shall be governed by a board of commissioners composed as follows:

- (1) One member appointed by the Capital Heights Neighborhood Assoc.
- (2) One member appointed by the member of the La. House of Representatives whose district encompasses all or the greater portion of the area of the district.
- (3) One member appointed by the member of the La. Senate whose district encompasses all or the greater portion of the area of the district.
- (4) One member appointed by the member of the East Baton Rouge Parish Metro Council whose district encompasses all or the greater portion of the area of the district.
- (5) One member appointed by the parish assessor of East Baton Rouge.

Requires board members to own property and reside in the district and to be qualified voters of the district.

Proposed law provides for the district's powers and duties including the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter at will a corporate seal.
- (3) To receive and expend funds from an authorized parcel fee and in accordance with an adopted budget.
- (4) To enter into contracts with individuals or entities, private or public.

- (5) To provide or enhance security patrols in the district, to provide for improved lighting, signage, or matters relating to the security of the district, to provide for the beautification of or improvement to the district, and to provide generally for the overall betterment of the district.
- (6) To enter into contracts and agreements with one or more other districts for the joint security, improvement, or betterment of the district.

Proposed law authorizes the governing authority of the district, subject to voter approval, to impose and collect a parcel fee on each improved and unimproved parcel within the district not to exceed \$250 per parcel, which amount shall be as provided in a duly adopted board resolution. Provides, however, that the initial fee for the first calendar year shall not exceed \$100 per parcel. Provides that lots qualifying as having a special assessment by the assessor's office shall have a fee of 50% of the current fee, not to exceed \$100. Authorizes the board, subject to voter approval, to increase the fee one time during each calendar year not to exceed 10% of the amount of the fee imposed during the previous calendar year. Provides that the fee and the board's authority to increase the fee expires in 10 years, but authorizes renewal of the fee for a term not to exceed 10 years. Defines "parcel" as a lot, a subdivided portion of ground within Capital Heights, and which is listed on the tax rolls for assessment of property taxes.

Proposed law provides that the fee shall be collected in the same manner and at the same time as ad valorem taxes and that any unpaid fee shall be added to the parish tax rolls and enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes. Requires the tax collector to remit to the district all amounts collected not more than 60 days after collection and authorizes the district to enter into an agreement with the tax collector to authorize the retention of a collection fee, not to exceed 1% of the amount collected.

Proposed law requires the district's board to adopt an annual budget in accordance with the La. 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 their services provided for through the fees authorized by proposed law shall be supplemental to, and not in lieu of, personnel and services provided in the district by publicly funded law enforcement agencies.

Proposed law provides that if the district ceases to exist, all district funds and property shall be transmitted to the governing authority of the municipality in which the district is located, if the district was in an incorporated area, or to the governing authority of East Baton Rouge Parish, if the district was not in an incorporated area, and such funds and property shall be used to promote and enhance the security and overall betterment of the area included within the district.

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

(Adds R.S. 33:9097.28)