

2016 Regular Session

SENATE BILL NO. 235

BY SENATOR CARTER

SPECIAL DISTRICTS. Provides relative to the status of private entities that contract with the Algiers Development District. (8/1/16)

AN ACT

To amend and reenact R.S. 33:2740.27(K), relative to the Algiers Development District in Orleans Parish; to provide relative to the powers and duties of the district; to provide relative to the status of private entities that contract with the district; to provide relative to the audit of private entities that contract with the district; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2740.27(K) is hereby amended and reenacted to read as follows:

§2740.27. The Algiers Development District; creation, composition, and powers; levy of ad valorem taxes and issuance of bonds

* * *

K.(1) The district may enter into contracts with any private entity for the purpose of development within the boundaries of the district. ~~No such private entity shall be considered a public or quasi public entity or a public body as a result of entering into a contract with the district. No such private entity shall be considered a public or quasi public entity or a public body as a result of receiving or expending~~

1 funds of or on behalf of the district.

2 **(2) Such contracts shall be subject to audit by the legislative auditor who**
 3 **shall have all power and authority granted to him pursuant to R.S. 24:513 with**
 4 **respect to such contracts.**

5 **(3) The provisions of Paragraph (2) of this Subsection shall not apply to**
 6 **investor owned utilities that are regulated by the Louisiana Public Service**
 7 **Commission or the council of the city of New Orleans.**

The original instrument was prepared by Ann S. Brown. The following digest, which does not constitute a part of the legislative instrument, was prepared by Michael Bell.

DIGEST

SB 235 Engrossed

2016 Regular Session

Carter

Present law provides for the creation, composition and powers of the Algiers Development District in Orleans Parish.

Present law provides that the district may enter into contracts with private entities for the purpose of development within the district.

Proposed law retains present law.

Present law provides that no such private entity may be considered a public or quasi public entity or a public body as a result of: (a) entering into a contract with the district; or (b) receiving or expending funds of or on behalf of the district.

Proposed law removes present law provision relative to the status of a private entity based upon certain interactions with the district.

Proposed law provides that contracts with private entities shall be subject to audit by the legislative auditor.

Proposed law provides for an exception to proposed law for investor owned utilities regulated by the Public Service Commission or the city of New Orleans.

Effective August 1, 2016.

(Amends R.S. 33:2740.27(K))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Local and Municipal Affairs to the original bill

1. Changes from the private entity with whom the district has a contract being subject to audit by the legislative auditor to the contract with the private entity being subject to audit by the legislative auditor.
2. Provides for an exception relative to investor owned utilities regulated by the Public Service Commission or the city of New Orleans.