
DIGEST

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HB 731 Reengrossed

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. Provides that the amount of the fee shall be in a duly adopted resolution of the board. Provides that the fee imposed on improved parcels shall not exceed \$250 per year. Provides that unimproved parcels shall have a fee not to exceed 50% of the fee imposed on improved parcels. Provides that parcels qualifying for the special assessment level of Art. VII, Section 18(G)(1) of the La. Constitution shall have a fee of 25% of what would otherwise be imposed on such parcel. Provides, however, that the initial fee for the first calendar year shall not exceed \$100 per parcel. Authorizes the board, subject to voter approval, to increase the fee one time during each calendar year not to exceed 20% 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 shall be transmitted to the city-parish to be used for law enforcement purposes in the area which comprised the district.

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

(Adds R.S. 33:9097.28)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Municipal, Parochial and Cultural Affairs to the original bill:

1. Provide that the fee on unimproved parcels is 50% of the improved parcel fee.
2. Reduce the amount of the fee imposed on parcels that qualify for a special assessment from 50% of the current fee to 25% of the improved parcel fee.
3. Relative to the board's authority to annually increase the fee, changes the maximum increase from 10% to 20%.
4. Provide that if the district ceases to exist, all district funds shall be transmitted to the city-parish to be used for law enforcement purposes in the area which comprised the district.

The House Floor Amendments to the engrossed bill:

1. Provide that parcels qualifying for the special assessment shall have a fee of 25% of what would otherwise be imposed on such parcel rather than 25% of what would be imposed on an improved parcel.