

ACT No. 85

2017 Regular Session

HOUSE BILL NO. 329

BY REPRESENTATIVE BAGNERIS

1 AN ACT

2 To amend and reenact R.S. 33:9077(D) and (F)(5)(b), relative to Orleans Parish; to provide
3 relative to the Lake Barrington Subdivision Improvement District; to provide relative
4 to the governing board of the district; to provide relative to the membership of the
5 board; to provide relative to the special taxes and fees levied within the district; to
6 provide relative to the renewal of such taxes and fees; and to provide for related
7 matters.

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

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 33:9077(D) and (F)(5)(b) are hereby amended and reenacted to read
13 as follows:

14 §9077. Lake Barrington Subdivision Improvement District

15 * * *

16 D. Governance. ~~(1) In order to provide for the orderly development of the~~
17 ~~district and effectuation of the services to be furnished by the district and to provide~~
18 ~~for the representation in the affairs of the district of those persons and interests~~
19 ~~immediately concerned with and affected by the purposes and development of the~~
20 ~~area, the district shall be managed by a seven-member board of commissioners,~~
21 ~~referred to in this Section as the "board". Each member of the board shall be a~~
22 ~~qualified voter and resident of the district and shall be appointed as follows:~~

23 (a) ~~Three members shall be appointed by the board of directors of the Lake~~
24 ~~Barrington Homeowners Association.~~

1 ~~(b) One member shall be appointed by the mayor of the city of New Orleans.~~

2 ~~(c) One member shall be appointed jointly by any members of the governing~~
3 ~~authority of the city of New Orleans who represent the area which comprises the~~
4 ~~district.~~

5 ~~(d) One member shall be appointed jointly by any members of the Louisiana~~
6 ~~House of Representatives who represent the area which comprises the district.~~

7 ~~(e) One member shall be appointed jointly by any members of the Louisiana~~
8 ~~Senate who represent the area which comprises the district.~~

9 ~~(2)(a) Members shall serve four-year terms after initial terms as provided in~~
10 ~~Subparagraph (b) of this Paragraph.~~

11 ~~(b) Two members shall serve an initial term of one year; two shall serve an~~
12 ~~initial term of two years; two shall serve an initial term of three years; and one shall~~
13 ~~serve an initial term of four years, as determined by lot at the first meeting of the~~
14 ~~board. Such members shall serve until their successors have been appointed and~~
15 ~~qualified.~~

16 ~~(c) Any vacancy which occurs prior to the expiration of the term for which~~
17 ~~a member of the board has been appointed shall be filled for the remainder of the~~
18 ~~unexpired term in the same manner as the original appointment.~~

19 ~~(3) The board shall elect from its members a chairman, a vice chairman, a~~
20 ~~secretary-treasurer, and such other officers as it may deem necessary. The duties of~~
21 ~~the officers shall be fixed by the bylaws adopted by the board.~~

22 ~~(4) The minute books and archives of the district shall be maintained by the~~
23 ~~secretary of the board. The monies, funds, and accounts of the district shall be in the~~
24 ~~official custody of the board.~~

25 ~~(5) The board shall adopt such rules and regulations as it deems necessary~~
26 ~~or advisable for conducting its business affairs. It shall hold regular meetings as~~
27 ~~shall be provided in the bylaws and may hold special meetings at such times and~~
28 ~~places within the district as may be prescribed in the bylaws.~~

1 ~~(6) A majority of the members of the board shall constitute a quorum for the~~
 2 ~~transaction of business. The board shall keep minutes of all meetings and shall make~~
 3 ~~them available through the secretary of the board to the residents of the district.~~

4 ~~(7) The members of the board shall serve without compensation.~~

5 (1) The district shall be governed by a seven-member board of
 6 commissioners, referred to in this Section as the "board". The board shall be
 7 composed as follows:

8 (a) Three officers of the governing board of the Lake Barrington
 9 Homeowners Association shall be members and shall be appointed by the governing
 10 board of the association.

11 (b) Four members shall be appointed by the members of the Lake Barrington
 12 Homeowners Association, all of whom shall be members of the association.

13 (c) Each member shall be a qualified voter and resident of the district.

14 (2)(a) The members appointed pursuant to Subparagraph(1)(b) of this
 15 Subsection shall serve four-year terms after initial terms as provided in this
 16 Subparagraph. One member shall serve an initial term of one year; one shall serve
 17 an initial term of two years; one shall serve an initial term of three years; and one
 18 shall serve an initial term of four years, as determined by lot at the first meeting of
 19 the board. Such members shall serve until their successors have been appointed and
 20 qualified.

21 (b) The members serving pursuant to Subparagraph(1)(a) of this Subsection
 22 shall serve during their terms of office.

23 (c) Any vacancy which occurs prior to the expiration of the term for which
 24 a member of the board has been appointed shall be filled for the remainder of the
 25 unexpired term in the same manner as the original appointment.

26 (3) The board shall elect from its members a chairman, a vice chairman, a
 27 secretary-treasurer, and such other officers as it may deem necessary. The duties of
 28 the officers shall be fixed by the bylaws adopted by the board.

29 (4) A majority of the members of the board shall constitute a quorum for the
 30 transaction of business.

1 (5) The members of the board shall serve without compensation.

2 (6) The board shall adopt such rules and regulations as it deems necessary
3 or advisable for conducting its business affairs. It shall hold regular meetings as shall
4 be provided in the bylaws and may hold special meetings at such times and places
5 within the district as may be prescribed in the bylaws.

6 (7) The board shall keep minutes of all meetings and shall make them
7 available through the secretary of the board to the residents of the district.

8 (8) The monies, funds, and accounts of the district shall be in the official
9 custody of the board.

10 * * *

11 F. Taxing authority.

12 * * *

13 (5)

14 * * *

15 (b) The tax or fee shall expire at the time provided in the proposition
16 authorizing the tax or fee, not to exceed eight years from its initial imposition, but
17 the tax or fee may be renewed as provided in Subparagraph (a) of this Paragraph.
18 Any election to authorize renewal of the tax or fee shall be held ~~only~~ at the same
19 time as ~~the mayoral primary election~~ a regularly scheduled election in the city of
20 New Orleans. If renewed, the term of the imposition of the tax or fee shall be as
21 provided in the proposition authorizing such renewal, not to exceed eight years.

22 * * *

23 Section 2. The terms of the members of the governing board of the Lake Barrington
24 Subdivision Improvement District in office on the effective date of this Act shall terminate
25 on the effective date of this Act; however, such members shall remain in office until the
26 board members are appointed as provided in this Act and take office.

27 Section 3. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

2017 Regular Session

Sequence: 110

HBS FINAL PASSAGE
HB 329 BY BAGNERIS
FINAL PASSAGE

Date: 5/01/2017
Time: 5:03:12 PM

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker
Abraham
Amedee
Anders
Armes
Bacala
Bagneris
Berthelot
Billiot
Bishop
Bouie
Broadwater
Brown, C.
Brown, T.
Carmody
Carter, G.
Carter, R.
Carter, S.
Chaney
Connick
Coussan
Cox
Danahay
DeVillier
Dwight
Edmonds
Emerson
Falconer
Foil
Franklin
Gaines

Garofalo
Gisclair
Glover
Guinn
Hall
Harris, J.
Harris, L.
Havard
Hazel
Henry
Hensgens
Hilferty
Hill
Hoffmann
Hollis
Horton
Howard
Hunter
Jackson
James
Jefferson
Jenkins
Johnson
Jones
Jordan
Landry, T.
LeBas
Leger
Leopold
Lyons
Mack

Magee
Marcelle
Marino
McFarland
Miguez
Miller, D.
Miller, G.
Moreno
Morris, Jay
Morris, Jim
Norton
Pearson
Pierre
Pope
Price
Pugh
Pylant
Reynolds
Richard
Schexnayder
Schroder
Shadoin
Simon
Smith
Stagni
Stefanski
Talbot
Thibaut
Thomas
White
Zeringue

Total -- 93

NAYS

Total -- 0

ABSENT

Abramson
Bagley
Carpenter
Cromer

Davis
Hodges
Huval
Ivey

Landry, N.
Seabaugh
Stokes

Total -- 11

2017 Regular Session

Sequence: 500

**HBS 3RD READING AND FINAL PASSAGE
HB 329 BY BAGNERIS
DISTRICTS/NEIGHBORHOOD
MOTION BY CARTER
FINAL PASSAGE**

Date: 5/25/2017
Time: 9:57:30 AM

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Gatti	Peacock
Allain	Hewitt	Perry
Appel	Johns	Peterson
Barrow	LaFleur	Smith, G.
Boudreaux	Lambert	Smith, J.
Carter	Long	Tarver
Chabert	Luneau	Thompson
Cortez	Mills	Walsworth
Donahue	Mizell	Ward
Erdey	Morrell	White
Fannin	Morrish	
Total -- 32		
	NAYS	
Claitor		
Total -- 1		
	ABSENT	
Bishop	Martiny	Riser
Colomb	Milkovich	
Total -- 5		