

Regular Session, 2009

SENATE BILL NO. 96

BY SENATOR BROOME (By Request)

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

SPECIAL DISTRICTS. Provides relative to special taxing districts created as capital improvement districts. (8/15/09)

1 AN ACT

2 To amend and reenact R.S. 33:2740.9.1, relative to special taxing districts; to provide for the

3 proportional sharing of direct benefits of capital improvements in municipalities

4 located in parishes with capital improvement districts; and to provide for related

5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 33:2740.9.1 is hereby enacted to read as follows:

8 **§27409.1. Capital improvement districts; sharing benefits and costs**

9 **A.(1) Any capital improvement district specifically authorized by law**

10 **and created by the governing authority of a parish shall ensure that the citizens**

11 **of each municipality within the parish shall share proportionally in the direct**

12 **benefits received from such capital improvements made. "Direct benefits"**

13 **when used in this Section are the tax revenues collected as a result of the capital**

14 **improvements after they are completed.**

15 **(2) The proportional contribution of each municipality shall be**

16 **determined by the percent of total tax revenues collected by the capital**

17 **improvement district that is collected from all of the tax payers of each**

1 municipality, or the proportional sharing may be determined by mutual
2 agreement between all municipalities within the parish.

3 B.(1) Excluding those capital improvements that benefit the entire
4 parish, the boundaries of a capital improvement district shall coincide with the
5 geographic boundaries of the municipality when all of the capital improvements
6 and financial benefits therefrom are contained completely within that
7 municipality.

8 (2) All of the capital improvements and all financial benefits therefrom
9 are contained within one municipality when all of the capital improvements to
10 be made and constructed, are all made within the municipality, and when all of
11 the tax revenues collected as a result of the capital improvements after
12 completion, are collected within that municipality.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by James Benton.

DIGEST

Proposed law provides that any capital improvement district specifically authorized by law and created by the governing authority of a parish shall ensure that the citizens of each municipality within the parish shall share proportionally in the direct benefits received from such capital improvements made.

Proposed law provides that "direct benefits" means the tax revenues collected as a result of the capital improvements after they are completed.

Proposed law provides that the proportional contribution of each municipality shall be determined by the percent of total tax revenues collected by the capital improvement district that is collected from all of the tax payers of each municipality, or the proportional sharing may be determined by mutual agreement between all municipalities within the parish.

Proposed law provides that, excluding those capital improvements that benefit the entire parish, the boundaries of a capital improvement district shall coincide with the geographic boundaries of the municipality when all of the capital improvements and financial benefits therefrom are contained completely within that municipality.

Proposed law provides that all of the capital improvements and all financial benefits therefrom are contained within one municipality when all of the capital improvements to be made and constructed, are all made within the municipality, and when all of the tax revenues collected as a result of the capital improvements after completion, are collected within that municipality.

Effective August 15, 2009.

(Adds 33:2740.9.1)