ENROLLED

2026 Regular Session

ACT No. 789

HOUSE BILL NO. 213

BY REPRESENTATIVE TERRY LANDRY

AN ACT

To amend and reenact R.S. 33:2740.8(D), (E)(2) and (5), (F) through (I), and (N), relative to the Downtown Development District of the city of Baton Rouge; to provide relative to the governing board of the district; to provide relative to the membership of the board; to provide relative to the appointment of board members; to provide relative to the terms and compensation of the members; to provide relative to the powers and duties of the district; to provide relative to the powers and duties of the city of Baton Rouge, parish of East Baton Rouge with respect to the district; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 33:2740.8(D), (E)(2) and (5), (F) through (I), and (N) are hereby amended and reenacted to read as follows:

§2740.8. The downtown development district of the city of Baton Rouge; creation, composition and powers; preparation of plans, levy of special ad valorem taxes, and issuance of bonds and other instruments of indebtedness

* * *

D.(1) The board shall be composed of seven members, all of whom shall be qualified voters of the parish of East Baton Rouge, and shall have their principal place of business or profession in, or own property in, the ~~Downtown Development District~~ district. The seven members shall be appointed as follows:

(a) One member ~~of the board~~ shall be appointed at-large by the mayor-president, with the approval of the metro council.

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(b) One member ~~of the board~~ shall be appointed by the mayor-president, with the approval of the metro council, from a list of four nominees submitted by the ~~Greater Baton Rouge Area Chamber of Commerce~~ governing board of the Greater Baton Rouge Economic Partnership.

~~(c) One member of the board shall be appointed by the mayor-president, with the approval of the metro council, from a list of four nominees submitted by the Riverside Association.~~

~~(d) Two members of the board shall be appointed by the mayor-president, with the approval of the metro council, from a list of six nominees submitted by property owners and lessees of property located within the jurisdictional boundaries of the district.~~

~~(e)~~ (c) One member shall be appointed by the mayor-president, with the approval of the metro council, ~~and~~ who shall be a resident of Spanish Town.

~~(f)~~ (d) One member shall be appointed by the mayor-president, with the approval of the metro council, ~~and~~ who shall be a resident of Beauregard Town.

(e) Three members shall be appointed by the mayor-president, with the approval of the metro council, who shall be property owners or lessees of property located within the boundaries of the district. At least one member shall be a property owner and at least one member shall be a lessee.

(2)(a) ~~The members of the board initially appointed shall have terms of office as follows:~~

~~(i) Two members for one year each;~~

~~(ii) Two members for two years each; and~~

~~(iii) Three members for three years each.~~

~~(b) The length of the term for each individual appointed shall be determined by lot at the first meeting of the board.~~ The members of the board shall serve three-year terms.

~~(c)~~ (b) The members of the board shall serve until their successors have been appointed and qualified.

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~~(d)~~ (c) ~~The terms of members of the board appointed upon the expiration of the initial terms shall be three years, and upon expiration of a term of office, the successor shall be appointed in accordance with the procedures herein prescribed for the appointment of the original members~~ Members shall not serve more than two consecutive terms; provided however, if a member is appointed to fill an unexpired term, his term shall not be considered in calculating the limitation on consecutive terms of office.

~~(e)~~ (d) Any vacancy which occurs prior to the expiration of the term for which a member of the board has been appointed shall be filled by appointment in the same manner as the original appointment for the unexpired term.

E.

* * *

(2) The minute books and archives of the board shall be maintained by the board's secretary with the help and assistance of and through the office of council administrator. The monies, funds, and accounts of the district in the official custody and control of the board's treasurer shall be deposited, expended, and accounted for, records maintained, and idle funds invested through the department of finance, under the director of finance, and checks issued through the office of the parish treasurer as in the case of city-parish monies under the plan of government. The office of parish attorney shall serve as the board's regular attorney, and the services of the district or of other offices and departments of the city-parish shall be furnished in accordance with Subsection I of this Section.

* * *

(5) The members of the board shall serve without compensation; however, they ~~shall receive a travel allowance as reimbursement for expenses incurred while attending to the business of the board or the district~~ may receive a travel allowance as reimbursement for expenses incurred while attending a conference, educational event, or meeting on behalf of the district if the conference, event, or meeting is held outside the boundaries of East Baton Rouge Parish and is approved in advance by the board and the executive director of the district.

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F.(1) The metro council shall appoint an executive director for the district who has been recommended by the board.

(2) The executive director shall appoint an assistant executive director and shall hire or contract other professional, clerical, and support staff as deemed necessary by the board.

G. The district, acting through its board, shall have the following powers and duties:

(1) To sue and be sued.

(2) To adopt and use a seal and authorize the use of a facsimile thereof.

(3) To acquire by gift, grant, purchase, or lease movable or immovable property and to dispose of such property.

(4) To make and execute contracts and other instruments necessary to the business of the district or convenient to the exercise of its powers.

(5) To contract for the services of consultants to perform planning, engineering, financial, legal, or other appropriate services of a professional nature.

(6) To receive by gift, grant, loan, or donation any sum of money or property, aid, or assistance from the United States, the state of Louisiana, or any political subdivision thereof, or any person, firm, or corporation and to hold, use, and dispose of such monies or property for any district purposes in accordance with the terms of the agreement of the gift, grant, loan, or donation.

(7) To adopt bylaws prescribing the powers, duties, and functions of the officers of the district, the conduct of the business of the district, and the maintenance of records.

(8) To maintain an office at such place or places as it may designate within the district.

(9) To lease as lessor or lessee to or from any person, firm, corporation, association, or body, public or private any facilities or property of any nature for district purposes.

(10) To borrow money and issue bonds, certificates, warrants, notes, or other evidences of indebtedness.

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(11) To levy such special assessments as may be authorized and to charge, collect, and enforce fees and other user charges.

(12) To cooperate with, or contract with, other governmental agencies as may be necessary, convenient, incidental, or proper in connection with any of the powers, duties, or purposes authorized by this Section.

(13) To exercise all of the powers necessary and proper in connection with any of the powers, duties, or purposes authorized by this Section.

~~F.(1)~~ H. The ~~board~~ district shall prepare or cause to be prepared a plan or plans specifying the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district and shall conduct such public hearings, publish such notice with respect thereto, and disseminate such information as it, in the exercise of its sound discretion, may deem to be appropriate or advisable and in the public interest.

~~(2) Any plan may specify and encompass any public services, capital improvements, and facilities which the city of Baton Rouge and the parish of East Baton Rouge are authorized to undertake, furnish, or provide under the constitution and laws of the state of Louisiana, and such specified public services, improvements, and facilities shall be special and in addition to all services, improvements, and facilities which the city of Baton Rouge is then furnishing or providing or may then or in the future be obligated to furnish or provide within the district.~~

~~(3) Any plan shall include:~~

~~(a) An estimate of the annual and total cost of acquiring, constructing, or providing the services, improvements, or facilities set forth therein.~~

~~(b) The proportion of the tax to be levied on the taxable real property within the district which is to be set aside and dedicated to paying the cost of furnishing specified services and the proportion of such tax to be set aside and dedicated to paying the cost of capital improvements or paying the cost of debt service on any bonds to be issued to pay the cost of capital improvements, such proportions, in each case, to be expressed in numbers of mills.~~

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~~(c) An estimate of the total number of mills required to be levied each year on the taxable real property within the district in order to provide the funds required for the implementation of the plan for furnishing the specified services and for capital improvements, debt service, or both.~~

~~(4) The board shall also submit the plan to the city-parish planning commission. The planning commission shall review the plan and determine whether or not it is consistent with the comprehensive plan for the city of Baton Rouge. The planning commission, within thirty days following receipt of the plan, shall submit to the metro council its written opinion as to whether or not the plan or any portion or detail thereof is inconsistent with the comprehensive plan for the city, together with its written comments and recommendations with respect thereto.~~

~~(5)(a) After receipt of the plan together with the written comments and recommendations of the city-parish planning commission, the metro council shall review and consider the plan together with the written comments and recommendations. The metro council, by a majority vote of all its members, may adopt or reject the plan as originally submitted by the board or alter or modify the plan or any portion or detail thereof.~~

~~(b) If the plan as originally submitted by the board is adopted by the majority vote of the metro council, it shall become final and conclusive and may thereafter be implemented. If the metro council alters or modifies the plan by a majority vote of its members, the plan as altered or modified shall be resubmitted to the board for its concurrence or rejection.~~

~~(c) The board may concur in the modified plan by a majority vote of all of its members. If the board votes to concur in the plan as modified by the metro council, the plan shall become final and conclusive and may thereafter be implemented. If the board does not concur in the plan as modified by the metro council, it shall notify the metro council in writing of its decision.~~

~~(d) Thereafter and as often as the board may deem to be necessary or advisable, it shall prepare or cause to be prepared a plan or plans and submit the same to the planning commission in accordance with the same procedure~~

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~~hereinabove prescribed with respect to the original plan. The planning commission shall submit such plan, together with their written comments and recommendations, to the metro council for its adoption, modification, or rejection in the manner and with the same effect as provided with respect to the original plan.~~

~~G.(1)(a) The provisions of Subsection F of this Section to the contrary notwithstanding, the board may prepare and submit directly to the metro council a plan or plans setting forth its intention to employ professional consultants, experts, and such other advisors and personnel as it shall deem to be necessary or convenient to assist in the preparation of a plan or plans for the orderly and efficient development of services and improvements within the district.~~

~~(b) The plan shall specify the services proposed to be rendered by such employees, an estimate of the aggregate of the proposed salaries of such employees, and an estimate of the other expenses of the board required for the preparation of such plan or plans, together with a request that a tax in an amount sufficient to cover the costs of such salaries and expenses be levied on the real property within the district.~~

~~(c) The plan shall include a proposed budget of income and expenditure specified source of funding for each of the years the tax is to run.~~

~~(2)(a) The metro council shall review and consider such plan within thirty days following submission to it by the board and shall adopt or reject such plan by a majority vote of its members.~~

~~(b) If the metro council adopts such plan, it shall become final and conclusive, and the tax requested by the board upon approval by special referendum of the electorate of the parish of East Baton Rouge, as required by Subsection J of this Section, shall be levied and collected.~~

~~(c) If the metro council rejects the plan, it shall notify the board of its action, and the board may again and from time to time prepare and submit to the metro council a plan in accordance with the procedures provided for this in this Subsection.~~

~~H. If no plan is finally and conclusively adopted in accordance with the procedures prescribed in this Section within four years after the effective date of this~~

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~~Section, all power and authority conferred hereby shall lapse, the district shall be dissolved, and all power and authority incident thereto shall become null and void as a matter of law; however, in such event, all obligations contractual or otherwise, incurred by the district during its existence, shall survive and shall be fully enforceable in accordance with their terms.~~

I.(1) All services to be furnished within the district pursuant to any plan finally and conclusively adopted ~~hereunder shall~~ pursuant to this Section may be furnished, supplied, and administered by the district or may be furnished, supplied, and administered by the city-parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities. All capital improvements and facilities to be acquired, constructed, or provided within the district, whether from the proceeds of bonds or otherwise, ~~shall~~ may likewise be so acquired, constructed, or provided by the city-parish through its regularly constituted departments, agencies, boards, commissions, and instrumentalities, it being the intention hereof to avoid the duplication of administrative and management efforts and expense in the implementation of any plan adopted for the benefit of the district.

(2) In order to provide such services ~~and/or~~ or provide, construct, or acquire such capital improvements or facilities, the ~~board~~ district may enter into inter-governmental local service contracts with the city-parish.

(3) The cost of any such services, capital improvements, or facilities shall be paid for by the district from the proceeds of the special tax levied upon real property within the district as ~~herein~~ provided in this Section ~~or~~, from the proceeds of bonds, or from the city-parish.

* * *

N. The district ~~shall have the power to pay the city of Baton Rouge and the parish of East Baton Rouge funds for services rendered by the city-parish under a local services contract between the district and the city-parish~~ may contract with the city-parish for services rendered on behalf of the district.

Section 2. The members of the board of commissioners of the Downtown Development District of the city of Baton Rouge serving on the effective date of this Act

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shall continue to serve until the expiration of their current terms. The successors of such members shall serve three-year terms.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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