

UNITED STATES OF AMERICA

State of Louisiana

Jay Dardenne

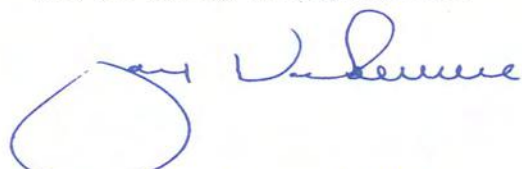
SECRETARY OF STATE

As Secretary of State, of the State of Louisiana, I do hereby Certify that

the annexed and following pages contain a true and correct copy of Act No. 417 of the 2007 Regular Session of the Louisiana Legislature (House Bill No.876) as shown by comparison with the original on file in the archives of this office.

*In testimony whereof, I have hereunto set
my hand and caused the Seal of my Office
to be affixed at the City of Baton Rouge on,*

this, the 7th day of August, 2009.


Secretary of State



ACT 417

ENROLLED

Regular Session, 2007

HOUSE BILL NO. 876

BY REPRESENTATIVE JACKSON

AN ACT

To enact R.S. 33:4712.14, and to enact Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.101, relative to naming a community center; to authorize the governing authority of East Baton Rouge to name the North Baton Rouge Community Center in honor of a living person; to create the East Baton Rouge Redevelopment Authority; to provide for the formation of a program or programs in East Baton Rouge Parish for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings needed to address the influx of displaced persons into East Baton Rouge Parish due to the effects of Hurricanes Katrina and Rita; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

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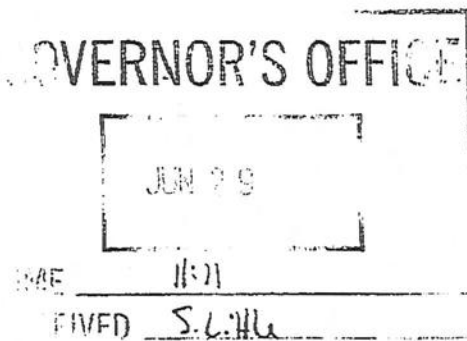
IN THE

House of Representatives

RECEIVED
BY SECRETARY OF STATE

JUL 11 2007

SECRETARY OF STATE



[Signature]

Clerk of the House of Representatives

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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. 33:4712.14 is hereby enacted to read as follows:

1 §4712.14. Naming of community center by governing authority of East Baton
2 Rouge Parish

3 Notwithstanding R.S. 42:267 or any other law to the contrary, the governing
4 authority of East Baton Rouge Parish may name the community center located at
5 2013 Central Road, Baton Rouge, Louisiana and generally known as the North Baton
6 Rouge Community Center in honor of Jewel J. Newman.

7 Section 2. Chapter 13-G of Title 33 of the Louisiana Revised Statutes of 1950,
8 comprised of R.S. 33:4720.101, is hereby enacted to read as follows:

9 CHAPTER 13-G. EAST BATON ROUGE REDEVELOPMENT AUTHORITY

10 §4720.101. East Baton Rouge Redevelopment Authority

11 A. This Chapter may be referred to as the "East Baton Rouge Parish
12 Redevelopment Law".

13 B. It is hereby found and declared that:

14 (1) There exist in the parish of East Baton Rouge areas which have become
15 slums, blighted, and distressed because of the unsafe, unsanitary, inadequate, or
16 overcrowded condition of the structures therein, or because of inadequate planning
17 for the area, or because of physically or functionally obsolete structures, or because
18 of excessive dwelling unit density, or because of the lack of proper light and air and
19 open space, or because of faulty street or lot design, or inadequate public utilities, or
20 community services, or because of failure to adequately maintain and repair
21 structures, or because of the conversion to incompatible types of land usage, or
22 because of environmental conditions and circumstances. Such conditions or a
23 combination of some or all of them have and will continue to result in making such
24 areas economic and social liabilities.

25 (2) In the wake of Hurricane Katrina and Hurricane Rita, the resident
26 population of the parish of East Baton Rouge in particular has increased
27 dramatically, creating an urgent and immediate need for affordable residential
28 housing. Persons displaced by Hurricane Katrina and Hurricane Rita should be
29 assisted, should they so desire, in obtaining long-term or permanent housing in the
30 parish of East Baton Rouge.

1 (3) The prevention and elimination of slum, blighted, and distressed
2 properties are matters of public policy and concern, as such areas tend to consume
3 a disproportionate amount of parish revenues because of the extra services required
4 for police, fire, accident, and other forms of public protection, services, and facilities.

5 (4) The salvage, renewal, redevelopment, and reconstruction of such slum,
6 blighted, and distressed areas will promote the public health, safety, morals, and
7 welfare of the public.

8 (5) The powers conferred by this Chapter are for public uses, purposes,
9 welfare, and utility for which public money may be expended as necessary and in the
10 public's interest. The provisions herein provided shall apply for residential,
11 recreational, commercial, industrial, or other purposes and otherwise to encourage
12 the provision of healthful homes, safe neighborhoods, a decent living environment,
13 and adequate places of employment for the people. Such purposes are hereby
14 declared as a matter of legislative determination.

15 (6) The object of this Chapter is to provide a unified and comprehensive
16 response to the housing shortages and other indirect effects of Hurricane Katrina and
17 Hurricane Rita upon south central Louisiana.

18 C.(1) There is hereby created in the parish of East Baton Rouge a body
19 politic and corporate which shall exist in perpetuity and shall be known as the East
20 Baton Rouge Redevelopment Authority, referred to in this Chapter as the "authority".

21 (2) The authority shall be a special district created pursuant to Article VI,
22 Section 19 of the Constitution of Louisiana and political subdivision of the state as
23 defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,
24 acting through its governing board, is hereby granted all of the rights, powers,
25 privileges, and immunities accorded by the laws and the Constitution of Louisiana
26 to political subdivisions of the state, subject to the limitations provided in this
27 Chapter.

28 D. The authority, for the purposes of this Chapter, may within its
29 jurisdiction, formulate a workable program or programs for using appropriate private
30 and public resources to eliminate and prevent the development or spread of slums

1 and blight, to encourage needed rehabilitation, and to provide for the redevelopment
2 of slum or blighted areas, or to undertake other feasible parochial activities as may
3 be suitably employed to achieve the objectives of such workable program.

4 E. The authority, to the greatest extent it determines to be feasible in carrying
5 out the provisions of this Chapter, shall seek out cooperative endeavors with
6 nonprofit and private enterprise. The authority shall give consideration to this
7 objective in exercising the powers granted pursuant to this Chapter.

8 F.(1) The East Baton Rouge Redevelopment Authority shall be comprised
9 of all of the territory located within the parish of East Baton Rouge, including the
10 territory comprising the municipalities of Baker, Baton Rouge, Central, and Zachary,
11 constituted on the effective date of this Section. However, the governing authority
12 of each municipality may opt out of being included within the territorial jurisdiction
13 of the authority.

14 (2) The authority shall be activated and implemented by the appropriate
15 governing authority recognizing and confirming the appointment of the initial five
16 members of the board.

17 G.(1) The East Baton Rouge Redevelopment Authority shall be governed by
18 a board of commissioners, referred to in this Chapter as the "board", consisting of
19 five members appointed as follows:

20 (a) One member shall be appointed by the governing authority of the Baton
21 Rouge Area Foundation.

22 (b) One member shall be appointed by the governing authority of the Baton
23 Rouge Area Chamber.

24 (c) Three members shall be appointed by the mayor-president of the city of
25 Baton Rouge and parish of East Baton Rouge.

26 (2) All appointments shall be confirmed by the appropriate governing
27 authority.

28 (3) The appointing authority shall present its appointees to the appropriate
29 governing authority. Such presentations by the appointing authorities shall be in
30 writing, shall be made at an official and open meeting of the appropriate governing

1 authority, and shall include information sufficient to allow the appropriate governing
2 authority to assess the qualifications and fitness of the appointee for his intended
3 duties. Upon receipt of such presentation, the appropriate governing authority shall
4 have the right to confirm or reject said appointment. Such confirmation or rejection
5 shall be made in the manner and under the procedure prescribed by the governing
6 authority. Regardless of the manner and procedure so employed, if the governing
7 authority does not reject said appointment within sixty days after the presentation
8 required by this Paragraph, then the appointment shall be deemed confirmed.

9 (4) Each board member shall be a citizen of the United States, a domiciliary
10 of and a qualified voter in the appropriate jurisdiction for at least one year preceding
11 the date of appointment, and shall remain a domiciliary of and a qualified voter of
12 such jurisdiction during the entirety of the term of office. Furthermore, each board
13 member shall be of good character and shall possess some skill, knowledge, or
14 experience that will prove useful in the accomplishment of the goals of the authority
15 as set forth in Subsection B of this Section.

16 (5) Each board member shall serve at the pleasure of the appropriate
17 appointing authority for a term of five years, unless removed for cause by the board,
18 as provided in this Chapter, or removed for any reason by authorized action of the
19 appointing authority.

20 (6) The board shall establish rules and requirements relative to the
21 attendance and participation of members in its meetings, regular or special. Such
22 rules and regulations may prescribe a procedure whereby, should any member fail
23 to comply with such rules and regulations, such member may be disqualified and
24 removed automatically from office by no less than a majority vote of the remaining
25 members of the board, and that member's position shall be vacant as of the first day
26 of the next calendar month. Any person removed under the provisions of this
27 Paragraph shall be ineligible for reappointment to the board, unless such
28 reappointment is confirmed unanimously by the board.

1 (7) A vacancy on a board shall be filled in the same manner as the original
2 appointment. In such cases a majority of the remaining board members may appoint
3 an interim member to serve until a new member is confirmed.

4 (8) Board members shall serve without compensation. shall have the power
5 to organize and reorganize the executive, administrative, clerical, and other
6 departments and forces of the authority and to fix the duties, powers, and
7 compensation of all employees, agents, and consultants of the authority. The board
8 may reimburse any member for expenses actually incurred in the performance of
9 duties on behalf of the authority.

10 (9) The board shall elect yearly from its number a chairman, a vice chairman,
11 a secretary, and a treasurer and shall establish their duties as may be regulated by
12 rules adopted by the board. The offices of secretary and treasurer may be held by the
13 same person. The board shall meet in regular session once each month and also shall
14 meet in special session as convened by the chairman or upon written notice signed
15 by three members. A majority of the members of the board, not including vacancies,
16 shall constitute a quorum for the conduct of business.

17 (10) All actions of a board shall be approved by the affirmative vote of a
18 majority of the members of that board present and voting. However, no action of the
19 board shall be authorized on the following matters unless approved by a majority of
20 the total board membership:

21 (a) Adoption of bylaws and other rules and regulations for conduct of the
22 authority's business.

23 (b) Hiring or firing of any employee or contractor of the authority. This
24 function may by majority vote be delegated by the board to a specified officer or
25 committee of the authority, under such terms and conditions, and to the extent, that
26 the board may specify.

27 (c) The incurring of debt.

28 (d) Levy of taxes and call for any tax or other election.

29 (e) Adoption or amendment of the annual budget.

1 (f) Sale, lease, encumbrance, or alienation of real property, improvements,
2 or personal property with a value of more than fifty thousand dollars.

3 (11) Vote by proxy shall not be permitted. Any member may request a
4 recorded vote on any resolution or action of the authority.

5 (12) The board shall cause minutes and a record to be kept of all its
6 proceedings, and it shall select a newspaper of general circulation within its
7 territorial jurisdiction as its official journal in which it shall publish its minutes and
8 in which it shall publish all official notices required by law. The authority shall be
9 subject to state laws governing public records, including the provisions of R.S. 44:1.

10 (13) All meetings of the board shall be subject to state laws relative to open
11 meetings, including the provisions of R.S. 42:5.

12 H. The authority, through the board, shall have all powers necessary or
13 convenient to carry out and effectuate the purposes and provisions of this Chapter,
14 including but not limited to the following:

15 (1) To sue and be sued and as such to stand in judgment.

16 (2) To adopt, use, and alter at will a corporate seal.

17 (3) To acquire by gift, grant, purchase, lease, or otherwise and to hold and
18 use any property, real, personal, mixed, tangible, or intangible, or any interest
19 therein, necessary or desirable for carrying out the objects and purposes of the
20 authority, and to engage in any action, such as the purchase of insurance, necessary
21 or desirable for the maintenance or improvement of such property. The authority
22 shall not have any power to expropriate, except that power which is granted by the
23 appropriate governing authority.

24 (4)(a) To sell, lease for a term of up to ninety-nine years, exchange, or
25 otherwise dispose of or transfer to or with other political subdivisions of this state
26 or public or private persons at public or private sale any residential, commercial,
27 industrial, or subdivision land, property, improvements, or portions thereof,
28 including real property, which is, in the opinion of the board, appropriate to
29 accomplish the objectives and purposes of the authority.

1 **(b) Prior to any sale, lease, conveyance, disposition, or transfer of property**
2 **pursuant to this Paragraph, the authority shall fix the price and terms of the sale,**
3 **lease, exchange, or other contract to be made with reference to the property. Such**
4 **sale, lease, conveyance, disposition, or transfer shall comply with the terms and**
5 **provisions of Paragraph (L)(2) of this Section.**

6 **(c) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the**
7 **Louisiana Revised Statutes and the statutes referenced therein, shall be in accordance**
8 **with laws providing for the disposition or transfer of such land.**

9 **(d) Other than the requirements of this Chapter, no other law limiting or**
10 **regulating the form or manner of the sale, lease, conveyance, disposition, or transfer**
11 **of property by public bodies, including without limitation R.S. 41:1338, shall apply**
12 **to the sale, lease, conveyance, disposition, or transfer of property by the authority.**
13 **All such sales, leases, conveyance, dispositions, or transfers of property remain**
14 **subject to the limitations imposed by the Constitution of Louisiana.**

15 **(5) To convey to the United States, the state, or to any political subdivision**
16 **of the state any land, property, right-of-way, easement, servitude, or other thing of**
17 **value, which the authority may own or acquire, for use by such governmental entity**
18 **to accomplish the objectives and purposes of the authority, pursuant to the terms of**
19 **any appropriate cooperative endeavor agreement.**

20 **(6) To make and collect reasonable charges for the use of property of the**
21 **authority and for services rendered by the authority and to regulate fees or rentals**
22 **charged for use of privately owned facilities located on property owned or sold by**
23 **the authority when such facilities are offered for use by the public or by a private**
24 **industrial, commercial, research, or other economic development entity or activity.**

25 **(7) To enter into contracts and agreements with public bodies or public**
26 **and/or private entities to achieve the authority's objectives and purposes, including**
27 **but not limited to contracts for professional, legal, and other services and for the**
28 **purchase, lease, acquisition, sale, construction, operation, maintenance, marketing,**
29 **and improvement of land, public works, and facilities, as the board may deem**
30 **necessary or convenient to accomplish the objectives and purposes of the authority.**

1 (8) To plan, develop, regulate, operate, and maintain activities and planned
2 land uses to foster creation of new jobs, economic development, industry, health
3 care, general public and social welfare, commerce, manufacturing, tourism,
4 relocation of people and businesses to the area, shipbuilding, aviation, military,
5 warehousing, transportation, offices, recreation, housing development, and
6 conservation.

7 (9) To acquire land and improvements to construct, operate, and maintain
8 facilities, improvements, and infrastructure, including buildings, roads, bridges,
9 drainage, and utilities, and to perform other functions and activities on property
10 owned or leased by the authority to accomplish the objectives and purposes of the
11 authority. However, the authority is prohibited from constructing, operating, or
12 maintaining any water, electric, or gas utility facilities which duplicate, curtail,
13 impair, or directly compete with a regulated water, electric, or gas utility facility
14 operating in or adjacent to the property owned or leased by the authority.

15 (10) To require and issue licenses.

16 (11) To levy annually and cause to be collected ad valorem taxes, provided
17 that the amount, term, and purpose of such taxes, as set out in propositions submitted
18 to a vote in accordance with the Louisiana Election Code, shall be approved by a
19 majority of the qualified electors of the parish voting in an election held for that
20 purpose.

21 (12)(a) To levy and collect sales and use taxes within the boundaries of the
22 authority for such purposes and at such rate as provided by the propositions
23 authorizing their levy, not to exceed in aggregate one percent, which taxes may not
24 exceed the limitation set forth in the Constitution of Louisiana, provided the
25 proposition submitted to a vote in accordance with the Louisiana Election Code shall
26 be approved by a majority of the qualified electors of the parish voting in an election
27 held for that purpose. In submitting a sales tax proposition to a vote, the board may
28 enter into a cooperative endeavor agreement with the parish governing authority
29 providing for the sales tax to be divided into parts between the parish and the

1 authority for such purposes and in such amounts as may be set forth in the
2 proposition.

3 (b) The tax shall be levied upon the sale at retail, the use, the lease or rental,
4 the consumption, the distribution, and storage for use or consumption of tangible
5 personal property, and upon the sales of services within the parish, all as defined in
6 R.S. 47:301 et seq.

7 (c) Except where inapplicable, the procedure established by R.S. 47:301 et
8 seq. shall be followed in the imposition, collection, and enforcement of the tax, and
9 procedural details necessary to supplement those Sections and to make them
10 applicable to the tax herein authorized shall be fixed in the resolution imposing the
11 tax.

12 (d) The tax shall be imposed and collected uniformly throughout the parish.

13 (e) Any tax levied under this Paragraph shall be in addition to all other taxes
14 which the parish or any other political subdivision within the parish is now or
15 hereafter authorized to levy and collect.

16 (13) To develop, activate, construct, exchange, acquire, improve, repair,
17 operate, maintain, lease, mortgage, sell, and grant a security device affecting the
18 movable and immovable property, servitudes, facilities, and works within the parish
19 under such terms and conditions as the board may deem necessary or appropriate for
20 any public purpose, including industrial, residential, subdivision, and commercial
21 development.

22 (14) To borrow money and to pledge or grant a security device affecting all
23 or part of its revenues, leases, rents, and other advantages as security for such loans.

24 (15) To appoint officers, agents, and employees, prescribe their duties, and
25 fix their compensation.

26 (16) To undertake and carry out redevelopment projects and related
27 activities.

28 (17) To apply for and accept advances, leases, grants, contributions, and any
29 other form of financial assistance from the federal government, the state, parish, or
30 other public bodies, or from any sources, public or private, for the purposes of this

1 Chapter, and to give such security as may be required and to enter into and carry out
2 contracts or agreements in connection therewith; and to include in any contract for
3 financial assistance with the federal government such conditions imposed pursuant
4 to federal laws as the board may deem reasonable and appropriate and which are not
5 inconsistent with the purposes of this Chapter.

6 (18) To make or have made all surveys and plans necessary to the carrying
7 out of the purposes of this Chapter and to adopt or approve, modify, and amend such
8 plans, which plans may include but are not limited to:

9 (a) Plans for carrying out a program of voluntary or compulsory repair and
10 rehabilitation of buildings and improvements.

11 (b) Plans for the enforcement of state and local laws, codes, and regulations
12 relating to the use of land and the use and occupancy of buildings and improvements
13 and to the compulsory repair, rehabilitation, demolition, or removal of buildings and
14 improvements.

15 (c) Appraisals, title searches, surveys, studies, and other plans and work
16 necessary to prepare for the undertaking of redevelopment projects and related
17 activities.

18 (19) To develop, test, and report methods and techniques and carry out
19 demonstrations and other activities for the prevention and the elimination of slums
20 and urban blight, including developing and demonstrating new or improved means
21 of providing housing or continuing care, assisted living, or independent living or
22 other similar type housing for elderly or retired persons or other persons desiring
23 such housing facilities.

24 (20) To make and from time to time amend and repeal bylaws, orders, rules,
25 and regulations in order to effectuate the provisions of this Chapter.

26 (21) To exercise all or any part or combination of powers herein granted by
27 this Chapter.

28 (22) The authority shall not be deemed to be an instrumentality of the state
29 for purposes of Article X, Section 1(A) of the Constitution of Louisiana.

1 I.(1) The authority may incur debt and issue general obligation bonds under
2 the authority of and subject to the provisions of Article VI, Section 33 of the
3 Constitution of Louisiana, and Subpart A of Part III of Chapter 4 of Subtitle II of
4 Title 39 of the Louisiana Revised Statutes of 1950, for the acquisition and operation
5 of authority property or to carry out the other public purposes of this Chapter, and
6 to issue any other bonds permitted by law, borrow money, and issue certificates of
7 indebtedness, notes, and other debt obligations as evidence thereof and provide for
8 the manner and method of repayment in accordance with law.

9 (2) The authority may issue revenue bonds to finance the undertaking of a
10 redevelopment project under this Chapter, or otherwise to acquire, purchase, lease,
11 construct, or improve housing, residential development, subdivision development,
12 commercial, research, industrial, or other plant sites and buildings, or other capital
13 improvements authorized in this Chapter, including energy and pollution abatement
14 and control facilities and necessary property and appurtenances thereto; and may sell,
15 lease, sublease, or otherwise dispose of by suitable and appropriate contract to any
16 enterprise locating or existing within the jurisdiction of an authority such sites,
17 buildings, or facilities and appurtenances thereto, all or severally. The funds derived
18 from the sale of such bonds may be disbursed in whole or in part upon delivery of
19 the bonds as shall be provided in the contract between an authority and the
20 residential, commercial, research, industrial, or other enterprise to be aided,
21 encouraged, or benefited subject to the requirements of Paragraph (L)(2) of this
22 Section.

23 (3) The issuing authority may enter into, amend, or terminate, as it
24 determines to be necessary or appropriate, any ancillary contracts (a) to facilitate the
25 issuance, sale, resale, purchase, repurchase, or payments of bonds, including without
26 limitation bond insurance, letters of credit, and liquidity facilities, or (b) to attempt
27 to hedge risk or achieve a desirable effective interest rate or cash flow, all subject to
28 the approval of the State Bond Commission.

29 (4) Bonds issued under Paragraph (2) of this Subsection shall be authorized
30 by resolution of the board and shall be limited obligations of the issuing authority;

1 the principal and interest, costs of issuance, and other costs incidental thereto shall
2 be payable solely from the income and revenue derived from the sale, lease, or other
3 disposition of the project or facility to be financed by the bonds issued under this
4 Subsection, or from the income and revenue derived from the sale, lease, or other
5 disposition of any existing project or facility acquired, constructed, and improved
6 under the provision of this Subsection, or from any source available for such
7 purpose. However, in the discretion of the issuing authority, the bonds may be
8 additionally secured by mortgage or other security device covering all or part of the
9 project from which the revenues so pledged may be derived. Any refunding bonds
10 issued pursuant to this Subsection shall be payable from any source described above
11 or from the investment of any of the proceeds of the refunding bonds authorized
12 under this Subsection and shall not constitute an indebtedness or pledge of the
13 general credit of the parish or municipality, as appropriate, or the authority within
14 the meaning of any constitutional or statutory limitation of indebtedness and shall
15 contain a recital to that effect. Bonds of the authority issued under this Subsection
16 shall be issued in such form, shall be in such denominations, shall bear interest, shall
17 mature in such manner, and be executed by one or more members of the board as
18 provided in the resolution authorizing the issuance thereof. Such bonds may be
19 subject to redemption at the option of and in the manner determined by the board in
20 the resolution authorizing the issuance thereof.

21 (5) No bonds or other evidences of indebtedness may be issued under this
22 Subsection without the prior approval of the State Bond Commission of the terms
23 and provisions thereof.

24 (6) Bonds issued under this Subsection shall be issued, sold, and delivered
25 in accordance with the terms and provisions of a resolution adopted by the board.
26 The board may sell such bonds in such manner, either at public or at private sale, and
27 for such price as it may determine to be in the best interests of the authority, subject
28 to the approval of the State Bond Commission. The resolution issuing bonds shall
29 be published in a newspaper of general circulation within the jurisdiction of the
30 authority, and for a period of thirty days after said publication, any interested citizen

1 may bring an action to contest the bonds and the security therefor, as provided in the
2 Constitution of Louisiana. If, after the expiration of thirty days, no suit has been
3 filed, the issuance, sale, and security of the bonds shall be incontestable, and no court
4 shall have authority to entertain any action questioning or contesting such matters.

5 (7) Bonds issued by the authority under this Chapter are deemed to be
6 securities of public entities within the meaning of Chapters 13 and 13-A of Title 39
7 of the Louisiana Revised Statutes of 1950, and shall be subject to defeasance in
8 accordance with the provisions of Chapter 14 of Title 39 of the Louisiana Revised
9 Statutes of 1950, shall be subject to the refunding provisions of Chapter 14-A of
10 Title 39 of the Louisiana Revised Statutes of 1950, and may also be issued as short-
11 term revenue notes of a public entity under Chapter 15-A of Title 39 of the Louisiana
12 Revised Statutes of 1950.

13 (8) No bonds, other debt obligations, or contracts of the authority shall be a
14 charge upon the income, property, or revenue of the parish or municipality, as
15 appropriate, nor shall any obligations of the authority be the obligations of the
16 applicable parish or municipality.

17 (9) Any bonds issued by the authority shall be subject to the Bond Validation
18 Law (R.S. 13:5121), pursuant to which the issuance of the bonds may be submitted
19 to the courts for validation.

20 J.(1) The exercise by a board of the powers conferred by virtue of this
21 Chapter shall be deemed and held to be an essential governmental function of the
22 state and parish. As the exercise of the powers granted by this Chapter will be in all
23 respects for the benefit of the people of the state and parish, for the increase of their
24 commerce and prosperity, and for the improvement of their health and living
25 conditions, the authority shall not be required to pay any taxes, including but not
26 limited to sales and use taxes, ad valorem, occupational licensing, income, or any
27 other taxes of any kind or nature, or assessments upon any property held, acquired
28 or used by the authority under the provisions of this Chapter, or upon the income
29 therefrom. Any bonds, certificates, or other evidences of indebtedness issued by the
30 authority and the income therefrom shall be exempt from taxation by the state and

1 by any parish, municipality, or other political subdivision of the state. The authority
2 shall not be deemed to be a public utility and shall not be subject in any respect to
3 the authority, control, regulation, or supervision of the Louisiana Public Service
4 Authority.

5 (2) All property of the authority, including funds owned or held by it for the
6 purpose of this Chapter, shall be exempt from levy and sale by virtue of an
7 execution, and no execution or other judicial process shall issue against the same, nor
8 shall judgment against the parish or authority be a charge or lien upon such property.
9 However, the provisions of this Subsection shall not apply to or limit the right of
10 obligees to pursue any remedies for the enforcement of any pledge or lien given
11 pursuant to this Chapter by the authority on its rents, fees, grants, or revenues.

12 K. The authority may purchase adjudicated properties within their respective
13 territorial jurisdictions from any political subdivision of the state of Louisiana,
14 including without limitation in the manner provided for in Chapter 13-A of Title 33.
15 No such purchase shall be construed to, or otherwise have the effect of, extending
16 or suspending the period prescribed by law for the redemption of the property by the
17 tax debtor or any other person.

18 L.(1) The authority shall have the power to create and execute redevelopment
19 plans for specified areas within its respective territorial jurisdictions. The
20 implementation of all such plans shall not proceed until, to the extent required by
21 law, the authority has obtained the approval of the local planning commission or
22 zoning board. In the execution of such a redevelopment plan, the authority shall
23 have the powers provided in this Subsection. The fact that a certain power is
24 expressed or implied in this Paragraph as pertinent to the authority's execution of a
25 redevelopment plan shall not suggest or imply that such power is otherwise denied
26 to the authority.

27 (2) A redevelopment plan shall include a definition of the redevelopment
28 area. This area, or any part thereof, may be further designated as a subdistrict of the
29 authority.

1 (3) The authority may sell, lease, or otherwise transfer real property or any
2 interest therein acquired by it in redevelopment areas for residential, recreational,
3 commercial, industrial, or other uses or for public use, in accordance with the
4 redevelopment plan, subject to such covenants, conditions, and restrictions, including
5 covenants running with the land, as it may deem to be necessary or desirable to assist
6 in preventing the development or spread of future slums or blighted areas or to
7 provide for the elimination thereof or to otherwise carry out the purposes of this
8 Chapter. The purchasers or lessees and their successors and assigns shall be
9 obligated to devote such real property only to the uses specified in the redevelopment
10 plan, and may be obligated to comply with such other requirements as the authority
11 may determine to be in the public interest, including the obligation to begin within
12 a reasonable time any improvements on such real property required by the
13 redevelopment plan. Such real property or interest shall be sold, leased, or otherwise
14 transferred at not less than its fair value for uses in accordance with the
15 redevelopment plan. In determining the fair value of real property for uses in
16 accordance with the redevelopment plans, the authority shall take into account and
17 give consideration to the use provided in such plan; the restrictions upon and the
18 covenants, conditions, and obligations assumed by the purchaser or lessee; and the
19 objectives of such plan for the prevention of the recurrence of slum areas, blighted
20 areas, or distressed areas. The authority, in any instrument of conveyance to a
21 private purchaser or lessee, may provide that such purchaser or lessee shall be
22 without power to sell, lease, or otherwise transfer the real property without the prior
23 written consent of the authority until such purchaser or lessee has completed the
24 construction of any and all improvements which he has obligated himself to
25 construct thereon. Real property acquired in accordance with the provisions of the
26 redevelopment plan shall be transferred as rapidly as feasible in the public interest,
27 consistent with the carrying out of the provisions of the project plan. Such plan and
28 any substantial modification of such plan shall be filed as a public record in the
29 office of the clerk of the parish, and any conveyances, encumbrances, or other

1 contracts may incorporate the provisions thereof by reference which shall afford
2 notice thereof to all parties.

3 (4) The authority may dispose of, sell, or lease real property in a
4 redevelopment area to any private person for the fair market value of the property
5 as determined by a certified and competent appraiser, or to any private person
6 pursuant to reasonable competitive bidding procedures as it shall prescribe subject
7 to the provisions set forth in this Paragraph. Such reasonable bidding procedures
8 must include public notice, by publication once each week for two consecutive
9 weeks in a newspaper having a general circulation in the community, inviting
10 proposals from and making available all pertinent information to private
11 redevelopers or any persons interested in undertaking to redevelop or rehabilitate a
12 redevelopment area or any part thereof. Such notice shall identify the area, or
13 portion thereof, and shall state that proposals shall be made by those in interest
14 within thirty days after publication of such notice, and that such further information
15 as is available may be obtained at such office as shall be designated in the notice.
16 The board shall consider all such redevelopment or rehabilitation proposals and the
17 financial and legal ability of the persons making such proposals to carry them out,
18 and may negotiate with any persons for proposals for the purchase, lease, or other
19 transfer of any real property acquired by the authority in the redevelopment area.
20 The board may accept such proposal as it deems to be in the public interest and in
21 furtherance of the purposes of this Chapter. Such notice, and all contracts to sell,
22 lease, or otherwise transfer real property under the provisions of this Chapter, shall
23 be a public record and shall include the name of the redeveloper or purchaser,
24 together with the names of its officers and principal members or shareholders and
25 investors and other interested parties, the redeveloper's estimate of the cost of any
26 residential development and rehabilitations, and the redeveloper's estimate of rentals
27 and sales prices of any proposed housing involved in such redevelopment and
28 rehabilitation. Thereafter, the board may execute such contract in accordance with
29 the provisions of this Chapter and deliver acts of sale, leases, and other instruments
30 and take all steps necessary to effectuate such contract.

1 (5) The authority may temporarily operate, maintain, or lease real property
2 acquired by it in a redevelopment area for or in connection with a redevelopment
3 project pending disposition of the property as authorized in this Chapter for such
4 uses and purposes as may be deemed desirable even though not in connection with
5 the redevelopment plan.

6 (6) Any real property within a redevelopment area acquired pursuant to
7 Subsection K of this Section may be disposed of without regard to the other
8 provisions of this Chapter. Real property acquired in accordance with the
9 redevelopment plan may be disposed of to a public body for public reuse without
10 regard to the provisions of this Subsection.

11 (7) Notwithstanding any other provisions of this Chapter where an area in
12 the parish is designated as a redevelopment area under the Federal Area
13 Redevelopment Act (Public Law 87-27), or any Act supplementary thereto, land in
14 a redevelopment project area designated under the redevelopment plan for industrial
15 or commercial uses may be disposed of to any public body or nonprofit corporation
16 for subsequent disposition as promptly as practical by the public body or corporation
17 for redevelopment in accordance with the redevelopment plan, and only the
18 purchaser from or lessee of the public body or corporation, and their assignees, shall
19 be required to assume the obligation of beginning the building of improvements
20 within a reasonable time. Any disposition of land to a public body or corporation
21 under this Paragraph shall be at its fair value for uses in accordance with the
22 redevelopment plan.

23 M.(1) The authority may, in the implementation of a redevelopment plan,
24 create one or more subdistricts to conduct, oversee, or assist in the implementation
25 of such redevelopment plan. The boundaries of such a subdistrict may include all
26 or part of the redevelopment area. Such a subdistrict shall have and exercise such
27 powers and responsibilities as the authority shall specify in the enabling resolution.
28 The full extent of such powers and responsibilities may include such powers as the
29 authority itself may exercise, and such other powers as are given to the subdistrict
30 by this Paragraph or any other law, but any exercise of such powers by the subdistrict

1 shall be confined solely to the geographical limits of the subdistrict. Such a
2 subdistrict may be established to exist at the pleasure of the authority, or for any
3 period of time, or until the happening of any occurrence or occurrences, that the
4 authority may specify.

5 (2) The creation of a subdistrict shall in no instance result in the detachment,
6 severance, or loss of any power or responsibility granted to the authority by this
7 Chapter, and within the confines of any subdistrict, the authority shall have full
8 jurisdiction, concurrent with that of the subdistrict, to exercise said powers and
9 responsibilities. The fact that a certain power is expressed or implied in this
10 Paragraph as pertinent to a subdistrict's conduct, overseeing, or assistance in the
11 implementation of the redevelopment plan shall not suggest or imply that such power
12 is otherwise denied to the authority. However, the authority and its subdistricts shall
13 not, collectively, have any greater power to tax than that granted, in the first instance,
14 to the authority alone.

15 (3) Unless otherwise specified in the resolution or other formal act creating
16 the subdistrict, the board members of the authority shall constitute the governing
17 authority of the subdistrict.

18 (4) Unless otherwise specified in the resolution or other formal act creating
19 the subdistrict, the subdistrict shall be a distinct and separate juridical entity, and the
20 rights, interests, and liabilities of the subdistrict shall not under any circumstances
21 be considered those of the authority.

22 (5)(a) In addition to the other powers it may be granted, a subdistrict may
23 enjoy, within its geographical boundaries, the powers of tax increment financing, the
24 issuance of revenue bonds, and those other powers that may be exercised by an
25 economic development district created by a local governmental subdivision pursuant
26 to R.S. 33:9038.32. However, the subdistrict shall remain subject to all limitations
27 and reservations applicable to the powers of the authority.

28 (b) Prior to the dedication of any state sales tax increments to be used for an
29 authorized purpose of a subdistrict, the secretary of the Department of Economic
30 Development shall submit the proposal to the Joint Legislative Committee on the

1 Budget for approval. The submittal shall also include a written evaluation and
2 determination by the department, with input from and certification by the
3 Department of Revenue, of the anticipated increase in state sales tax revenues to be
4 collected within the state over state sales tax revenues that were collected within the
5 state in the year immediately prior to the year in which the proposal is submitted to
6 the committee that would be a direct result of the proposal. In addition, any
7 cooperative endeavor agreement or other agreement providing for the expenditure
8 of funds collected by the state as state sales tax increments and dedicated to a project
9 or for the payment of revenue bonds therefor shall be subject to approval by the State
10 Bond Commission prior to execution by the state.

11 N. All banks, trust companies, bankers, savings banks and institutions,
12 building and loan associations, savings and loan associations, investment companies,
13 and other persons carrying on a banking or investment business; all insurance
14 companies, insurance associations, and other persons carrying on an insurance
15 business; and all executors, administrators, curators, trustees, and other fiduciaries
16 may legally invest any sinking funds, monies, or other funds belonging to them or
17 within their control in any bonds or other obligations issued by the authority pursuant
18 to this Chapter. Bonds and other obligations shall be authorized security for all
19 public deposits. It is the purpose of this Subsection to authorize any public or private
20 persons, political subdivisions, and officers, public or private, to use any funds
21 owned or controlled by them for the purchase of any bonds or other obligations.
22 Nothing contained in this Subsection with regard to legal investments shall be
23 construed as relieving any persons of any duty of exercising reasonable care in
24 selecting securities.

25 O. For the purpose of aiding in the planning, undertaking, or carrying out of
26 a redevelopment project and related activities authorized by this Chapter, any public
27 body may, upon such terms, with or without consideration as it may determine:

28 (1) Dedicate, sell, convey, or lease any of its interest in any property or grant
29 easements, licenses, or other rights or privileges therein to any authority.

1 (2) Incur the entire expense of any public improvements made by such
2 public body.

3 (3) Do any and all things necessary to aid or cooperate in the planning or
4 carrying out of a redevelopment plan and related activities.

5 (4) Lend, grant, or contribute funds to an authority in accordance with an
6 appropriate cooperative endeavor agreement and borrow money and apply for and
7 accept advances, loans, grants, contributions, and any other form of financial
8 assistance from the federal government, the state, parish, or other public body, or
9 from any other source.

10 (5) Enter into agreements which may extend over any period
11 notwithstanding any provision or rule of law to the contrary with the federal
12 government or other public body respecting action to be taken pursuant to any of the
13 powers granted by this Chapter, including the furnishing of funds or other assistance
14 in connection with a redevelopment project and related activities.

15 (6) Cause public buildings and public facilities, including parks,
16 playgrounds, recreational, community, educational, water, sewer, or drainage
17 facilities, or any other works which it is otherwise empowered to undertake to be
18 furnished; furnish, dedicate, close, vacate, pave, install, grade, regrade, plan, or
19 replan streets, roads, sidewalks, ways, or other places; plan or replan, zone or rezone,
20 or make exceptions from building regulations.

21 P. Any instrument executed, in proper form and with proper certification of
22 authority, by the authority purporting to convey any right, title, or interest in any
23 property under this Chapter shall be conclusively presumed to have been executed
24 in compliance with provisions of this Chapter insofar as title or other interest of any
25 bona fide purchasers, lessees, or transferees of the property is concerned.

26 Q. As used in this Chapter, the following terms shall have the meaning
27 herein ascribed to them.

28 (1) "Appropriate governing authority" shall mean the governing authority of
29 East Baton Rouge Parish.

30 (2) "Appropriate jurisdiction" shall mean East Baton Rouge Parish.

1 (3) "Bonds" means any bonds, notes, interim certificates, certificates of
2 indebtedness, debenture, or other obligation.

3 (4) "Federal government" means any department, agency, or instrumentality,
4 corporate or otherwise, of the United States of America.

5 (5) "Public body" means the state and any parish and any board, authority,
6 agency, district, subdivision, department, or instrumentality, corporate or otherwise,
7 of the state or any parish.

8 (6) "Real property" means all lands, including improvements and fixtures
9 thereon, and property of any nature appurtenant thereto, or used in connection
10 therewith, and every estate, interest, right, or use, legal or equitable, therein,
11 including terms for years and liens by way of judgment, mortgage, or otherwise.

12 R. Insofar as the provisions of this Chapter are inconsistent with the
13 provisions of any other law, the provisions of this Chapter shall be controlling.
14 However, the authority shall be subject to the provisions of the Local Government
15 Fair Competition Act, R.S. 45:844.41 et seq. The authority conferred by this Chapter
16 shall be in addition and supplemental to the powers conferred by any other law.

17 Section 3. This Act shall become effective upon signature by the governor or, if not
18 signed by the governor, upon expiration of the time for bills to become law without signature
19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
20 vetoed by the governor and subsequently approved by the legislature, this Act shall become
21 effective on the day following such approval.

1 Section 4. The provisions of R.S. 33:4712.14 shall be effective until December 31,
2 2007, and shall be null and void thereafter.



SPEAKER OF THE HOUSE OF REPRESENTATIVES



PRESIDENT OF THE SENATE



GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: 7.10.07 CBL