

CHAPTER 30-A. STATEWIDE CRIME PREVENTION AND SECURITY  
DISTRICT IMPLEMENTATION PROCEDURE

§9100.21. Neighborhood crime prevention and security district implementation procedure

A. Purpose. It is the intention of the legislature that the need for individual local laws be eliminated by the establishment of a procedure by which citizens living in neighborhoods within the state may, with the consent of the appropriate local governing authority, establish neighborhood crime prevention and security districts to aid in crime prevention and to add to the security of neighborhood residents by providing for an increase in the presence of law enforcement personnel in the neighborhood. For purposes of this Section, the "appropriate local governing authority" means the governing authority of the municipality, if the subdivision or subdivisions are located within a municipality, or the governing authority of the parish if the subdivision or subdivisions are not located within a municipality.

B. Creation and boundaries. (1) A neighborhood crime prevention and security district shall be created only upon the adoption of a resolution by the appropriate local governing authority authorizing the collection of signatures for a petition seeking an election to approve the district and parcel fee; the signing of such petition by thirty percent of the qualified electors in the proposed district; and approval by a majority of the electors of the proposed district voting on the proposition at an election held for the purpose, all in the manner and according to the procedure provided for in Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, R.S. 18:1300.31 et seq. Such election shall be held at the same time as a congressional general election or a gubernatorial primary election.

(2) If the district and the fee are not approved at such election, the district shall not be created and the parcel fee shall not be levied unless the entire procedure set forth in Paragraph (1) of this Subsection is completed again.

C.(1) Any district created pursuant to this Section shall be a body politic and corporate and shall be known by the name provided for in the ballot proposition proposing the creation of the district which is approved by the voters of the district, hereinafter referred in this Section as the "district". Such district shall be a political subdivision of the state as defined in the Constitution of Louisiana.

(2) The boundaries of a district shall be coterminous with the boundaries of one or more subdivisions within a parish as established in an official subdivision plat filed with the clerk of court for such parish.

D. Governance. (1) Any district established as provided for in this Section shall be governed by a board of commissioners consisting of the following members:

(a) The president of the homeowners' association of the subdivision composing the district.

(b) One member appointed by the board of directors of the homeowners' association of the subdivision composing the district.

(c) One member appointed by the member or members of the House of Representatives who represent the subdivision.

(d) One member appointed by the member or members of the Senate who represent the subdivision.

(e) One member appointed by the assessor of the parish or district in which the subdivision is located.

(f) One member appointed by the mayor of the municipality if the subdivision is located within a municipality, or if not located within a municipality, the head of the parish governing authority in which the subdivision is located.

(g) One member appointed by the member or members of the appropriate local governing authority who represent the subdivision.

(2) In the event a district is composed of multiple subdivisions, then the board of commissioners shall include the president of and a member appointed by the homeowners' association of each such subdivision, and additional members appointed by such members of the legislature and appropriate local governing authorities if the multiple subdivisions are represented by different legislators or authority representatives.

(3) All members of the board shall reside within the district.

(4)(a) The terms of the members appointed pursuant to Subparagraphs (1)(c) through (g) of this Subsection shall be concurrent with the respective appointing authority.

(b) The member serving pursuant to Subparagraph (1)(b) of this Subsection shall serve a term of four years.

(c) The member serving pursuant to Subparagraph (1)(a) shall serve during his term of office.

(5) Vacancies resulting from the expiration of a term or any other reason shall be filled in the manner of the original appointment. Members shall be eligible for reappointment.

(6) The members of the board shall select from among themselves a president and such other officers as they deem appropriate. The responsibilities of the officers shall be as provided by the bylaws of the board.

(7) The members of the board shall serve without compensation and shall not receive reimbursement for expenses.

E. Powers and duties. The district, acting through its board of commissioners, shall have the following powers and duties:

(1) To sue and be sued.

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

(3) To receive and expend funds collected pursuant to Subsection F and in accordance with a budget adopted as provided by Subsection G of this Section.

(4) To enter into contracts with individuals or entities, private or public, for the provision of security patrols in the district.

(5) To purchase items and supplies which the board deems instrumental to achieving the purpose of the district.

(6) To perform or have performed any other function or activity necessary for the achievement of the purpose of the district.

F. Parcel fee. The appropriate local governing authority may impose and collect a parcel fee within the district subject to and in accordance with the provisions of this Subsection:

(1) The amount of the fee shall be the same as is provided for in the ballot proposition approved by the voters pursuant to Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, R.S. 18:1300.31 et seq., as requested by a duly adopted resolution of the governing authority of the district. The fee, however, shall not exceed three hundred fifty dollars per parcel per year.

(2)(a) The fee shall be imposed on all parcels located within the district, or on only improved parcels, as is provided for in the ballot proposition approved by the voters pursuant to

Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, R.S. 18:1300.31 et seq., as requested by a duly adopted resolution of the governing authority of the district.

(b) For purposes of this Section, "parcel" means a lot, a subdivided portion of ground, or an individual tract and does not mean a "condominium parcel" as defined in R.S. 9:1121.103. Thus, with respect to condominiums, the fee collector shall impose the parcel fee on each lot on which condominiums are situated and not on individual condominium units.

(c) The owner of the parcel shall be responsible for payment of the fee.

(d) The fee shall expire ten years from its initial levy as provided for in the ballot proposition approved by the voters pursuant to Chapter 6-E of Title 18 of the Louisiana Revised Statutes of 1950, R.S. 18:1300.31, but may be renewed for an additional ten years only after the question of its imposition has been approved by a majority of the registered voters of the district voting on the proposition at an election held for the purpose prior to the expiration of the fee. Such an election shall be held at the same time as a congressional general election or a gubernatorial primary election. At least thirty days prior to such election, the board of commissioners shall mail notification of the upcoming election as provided for in R.S. 18:1300.33(B). No other election for renewal of the parcel fee shall be required except as provided by this Subparagraph.

(3) The fee shall be collected at the same time and in the same manner as ad valorem taxes are collected in the parish.

(4) Any parcel fee which is unpaid shall be added to the tax rolls of the parish and shall be enforced with the same authority and subject to the same penalties and procedures as unpaid ad valorem taxes.

(5) The appropriate local governing authority shall remit to the district all amounts collected not more than sixty days after collection. However, such authority may retain one percent of the amount collected as a collection fee.

G. Budget; audit; applicability of other laws. (1) The board of commissioners shall adopt an annual budget in accordance with the Louisiana Local Government Budget Act, R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the appropriate local governing authority.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513.

(3) Except as otherwise specifically provided in this Chapter, the board of commissioners shall be subject to the Open Meetings Law, the Public Records Law, and the Code of Governmental Ethics.

H. Miscellaneous provisions. (1) It is the purpose and intent of this Section that the additional law enforcement personnel and services provided by the district shall be supplemental to and not in lieu of personnel and services provided in the district by the municipality or parish.

(2) If the district ceases to exist, any funds of the district shall be transferred to the appropriate local governing authority and shall be used for law enforcement purposes within the former boundaries of the district.

I. The provisions of this Section shall not apply to any subdivision or other area in which a neighborhood crime prevention and security district or a similar entity has been authorized by any other provision of law.

Acts 2008, No. 930, §2, eff. July 15, 2008.