

ACT No. 354

2022 Regular Session

HOUSE BILL NO. 797

BY REPRESENTATIVE DUPLESSIS

1 AN ACT

2 To amend and reenact R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3),
3 9039.69(A)(3) and (5), and 9039.72(A)(14) and to enact R.S. 33:9039.63.1,
4 9039.68(B)(2)(c), 9039.69(C), and 9039.72(D), relative to Orleans Parish; to provide
5 relative to the BioDistrict New Orleans; to provide relative to the boundaries and
6 powers and duties of the district; to provide relative to the creation of subdistricts;
7 to require that district projects be in compliance with certain rules and regulations;
8 to provide for an effective date; and to provide for related matters.

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

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 33:9039.62, 9039.68(A)(3) and (B)(1), (2)(b), and (3), 9039.69(A)(3)
14 and (5), and 9039.72(A)(14) are hereby amended and reenacted and R.S. 33:9039.63.1,
15 9039.68(B)(2)(c), 9039.69(C), and 9039.72(D) are hereby enacted to read as follows:

16 §9039.62. BioDistrict New Orleans; creation; territorial jurisdiction

17 A. There is hereby created the BioDistrict New Orleans, referred to in this
18 Chapter as the "district". The district shall be composed of ~~all of the territory located~~
19 ~~in the parish of Orleans bounded by Earhart Blvd., Carrollton Ave., Loyola Ave., and~~
20 ~~Iberville St.~~ all of the territory located in the parish of Orleans included within the
21 following perimeter: From the corner of Iberville Street and North Derbigny Street
22 proceed south along the apparent eastern right of way of North Derbigny Street to
23 the point where the northern property line of Lot A. of Square 217 intersects with
24 North Derbigny Street. Thence proceed west through the entirety of Square 217

1 along the northern property lines of Lot A, Lots 4 and 5, Lots 25, 26, and part of 24,
2 Lot C, Lots 9, 10, and 11 and Lot 21 or 12 of Square 217. Crossing North Roman
3 Street, proceed west along the southern property line of Lot 2 of Square 45. Thence
4 turn north and proceed in Square 245 along the western property lines of Lot 2, Lot
5 3, Lot 4, and Lot 5. Thence turn west and proceed along the southern property lines
6 of Lot 11, Lot 12, Lot 13 or 19, Lot 14 or 18, Lot 15 or 17, and Lot 16 of Square 245
7 to where it intersects with the apparent eastern right of way of North Prieur Street.
8 Crossing North Prieur Street at an oblique southwest angle, proceed along the
9 northern property lines of Lot C, Lot 3, Lot 4, Lot 5, Lot 6, Lot 16, Lot 17, Lot 20,
10 Lot 21, and Lot 19 of Square 246. Crossing North Johnson Street proceed west
11 along the northern property lines of Lot 23, Lot A, Lot B or 7R, Lot C or Part of Lot
12 4-7, Lot A or 8, Lot A or 9, Lots 8, 9, and 10, and Lot C, of Square 275. Thence,
13 from where the rear property line of Lot B, Lot 8, Lot 9, Lot 10, and Lot C, Square
14 275 intersects with North Galvez Street, proceed South along the apparent eastern
15 right of way of North Galvez Street to the intersection of North Galvez street and the
16 apparent southern right of way of Canal Street. Thence west along the apparent
17 southern right of way of Canal Street for three blocks to the intersection of the
18 apparent southern right of way of Canal Street and the apparent eastern right of way
19 of North Rocheblave Street. Thence three blocks south along the apparent eastern
20 right of way of South Rocheblave Street to the southeast corner of South Rocheblave
21 Street and Banks Street. Thence one block west along the apparent southern right
22 of way of Banks Street to the intersection of Banks Street and South Dorgenois
23 Street. Follow the apparent eastern right of way of South Dorgenois Street south one
24 block to the intersection of Tulane Avenue. Thence follow the apparent northern
25 right of way of Tulane Avenue in a northeast direction four blocks to the corner of
26 South Galvez Street. Thence south along the apparent eastern right of way of South
27 Galvez Street for two blocks to the intersection with Perdido Street. Thence follow
28 the apparent northern right of way of Perdido Street east to where Perdido Street
29 intersects with the eastern property line of Lot B and Part of 15, and Lot 18 or 14 of
30 Square 517.

1 Follow said property line in a southern direction to the northern boundary of
2 Lot A-1. Thence proceed west to the most northerly northwest corner of Lot A-1.

3 Thence proceed south in the direction of Poydras Street along the eastern
4 boundary lines of Lot 19, Lot 11 or 21, Lot 12 or 20, and Lot 22. Thence proceed
5 west along the southern property line of Lot 22 to where it intersects with the eastern
6 side of South Galvez Street. Thence, proceed south along the apparent eastern right
7 of way of South Galvez Street to the intersection of South Galvez Street and Poydras
8 Street. Thence proceed along Poydras Street in a westward direction to the
9 intersection of Poydras Street and South Broad Street. Thence proceed north along
10 South Broad Street one block to the corner of South Broad Street and Perdido Street.

11 Proceed east along the apparent northern right of way of Perdido Street to the
12 eastern property line of the Lot owned by HTJ Investments, LLC. Proceed north
13 following said property line the width of Square 586 to where said property line
14 intersects with Gravier Street. Thence proceed west along the apparent northern
15 right of way of Gravier Street to where the western property line of Lot 26, in Square
16 585 intersects with Gravier Street. Thence, proceed north along said property line
17 until the southern property line of Lot 22 or Part of Lot 22. Thence proceed in an
18 easterly direction towards South Dorgenois Street along the northern boundary lines
19 of Lot 26, Lot 27, and Lot 28, Thence proceed north toward Tulane Avenue along
20 the westernmost property line of Lot 22 or Part of Lot 22, and Lot 30.

21 Thence run east towards South Dorgenois Street along the rear line of Lot 22
22 or Part of Lot 22, and Lot 30. Thence turn at a ninety degree angle north and follow
23 the westernmost property line of Lot 40 and Lot 41. Thence run east along the
24 northern property line of Lot 41. until it intersects with South Dorgenois Street.
25 Thence proceed north along the apparent western right of way of South Dorgenois
26 Street (crossing Tulane Avenue) until you reach the intersection of the apparent
27 western right of way of South Dorgenois Street and the southern property line of Part
28 of Lot 29, Lot 30 or P, Lot 40, Lot 41 in Square-1 of Square 584. Proceed west
29 along said property line until it intersects with the easternmost border of Lot A or Lot
30 47. Thence turn south along the easternmost property line of Lot A or Lot 47 until

1 it intersects with the northernmost property line of Lot 22. Thence continue in a
2 westerly direction along the northernmost property lines of Lot 22 or 33, Lot 21 or
3 32, and Lot 19 or 20 or Lot 30 and 31. Crossing Manassas Place into Square
4 Number 584, continue westward along the northernmost property lines of Lot 17 or
5 29 or B, Lot 16-B., and Part of Lot 12, Lot 13, or Lot 25 or the Rear Part of Lot 27,
6 Lot 14 or Lot 26, Lot 15 or Lot 27.

7 Thence turn southwest along the westernmost property line of Part of Lot 17
8 or 29 or Lot B, Lot 16-B, and Part of Lot 12, Lot 13, or Lot 25 or the Rear Part of
9 Lot 27, Lot 14 or Lot 26, 15 or Lot 27 until it intersects with the northern property
10 line of Lot V, Lot W, Lot X or Part of Lot 23 Lot 24, and Lot 25. Proceed west
11 along the northern property line of Lot V, Lot W, Lot X or Part of Lot 23 Lot 24, and
12 Lot 25 to the point it intersects with the eastern side of South Broad Street. Thence
13 cross South Broad Street at a slight southwest angle to the intersection of South
14 Broad Street and Baudin Street. Proceed west along the apparent southern right of
15 way of Baudin Street for two blocks. Thence south along the apparent eastern right
16 of way of South Dupre Street one block to the intersection with Tulane Avenue.
17 Thence proceed southwesterly along the apparent northern right of way of Tulane
18 Avenue, approximately two-thirds of a block to the intersection of Tulane Avenue
19 and the eastern property line of Lot 13 in Square 627. Thence Proceed northward
20 along said line until it intersects with the southern property line of the rear part of
21 Lot 21. Thence proceed in a westward direction along the rear property line of Lot
22 13 until it intersects with the easternmost property line of Lot A. Thence turn south
23 along the eastern property line of Lot 13 to where it intersects with the northeastern
24 corner of Lot 12. Thence proceed west along the rear property lines of Lot 12 and
25 Lot 11 to the intersection with South Gayoso Street. Crossing South Gayoso Street
26 proceed west along the entire northern property line of Lot 1-A, crossing the entirety
27 of Square 636 stopping at the intersection of said property line and the apparent
28 western right of way of South Salcedo Street. Thence run north along the apparent
29 western right of way of South Salcedo Street back to the apparent southern right of
30 way of Baudin Street. Thence proceed west along the apparent southern right of way

1 of Baudin Street one block to the corner of South Lopez Street. Thence proceed
2 south on the apparent eastern right of way of South Lopez Street (crossing Tulane
3 Avenue) and reaching the intersection of South Lopez Street and the apparent
4 southern right of way of Tulane Avenue. Proceed northeast along the apparent
5 southern right of way of Tulane Avenue two blocks to the intersection with the
6 apparent eastern right of way of South Gayoso Street. Turn south on the apparent
7 eastern right of way of South Gayoso Street until it intersects with the northern
8 property line of Lot 16., Square 626. Proceed thence east along the northmost
9 property lines of Lot 16 and Lot 27 across the entirety of Square 626 until you reach
10 the apparent western right of way of South Dupre Street. Cross South Dupre Street
11 at a slight southeast angle intersecting with the apparent eastern right of way of
12 South Dupre Street and the southwest corner of Lot 21A. Thence proceed east along
13 the entire southernmost property line of 21A across the entirety of Square 613 to
14 where it intersects with the apparent western right of way of South White Street.
15 Thence south on the apparent western right of way of South White Street until you
16 reach the corner of South White Street and Gravier Street. Proceed thence southwest
17 along the apparent northern right of way of Gravier Street one block west to the
18 corner of Gravier Street and South Dupre Street. Thence proceed south along the
19 apparent eastern right of way of South Dupre Street south one block to the
20 intersection of Perdido Street and South Dupre Street. Thence proceed in a
21 southwesterly direction five blocks along the apparent northern right of way of
22 Perdido Street to the corner of Perdido Street and the eastern side of S. Norman C.
23 Francis Parkway. Proceed from this corner approximately one and one-half blocks
24 north on South Norman C. Francis Parkway until the intersection with South Norman
25 C. Francis Parkway and the southernmost property line of Lot B and Part of Lot 14
26 or 15 of Square 677. Thence an easterly direction towards South Rendon Street
27 along the southernmost property line of Lot B and Part of Lot 14 or 15 and the
28 northernmost property line of Lot 29 where said property line intersects with the
29 apparent western right of way of South Rendon Street. Thence north along the
30 apparent western right of way of South Rendon Street to where it intersects with the

1 ~~apparent northern right of way of Tulane Avenue. Thence proceed in a slight~~
2 ~~northeast angle to the intersections of Tulane Avenue, South Lopez Street, and~~
3 ~~D'Hemecourt Street. Thence proceed in a westerly direction along the apparent~~
4 ~~southern right of way of D'Hemecourt Street three blocks (Crossing South Norman~~
5 ~~C. Francis Parkway) to the corner of D'Hemecourt Street and the apparent eastern~~
6 ~~right of way of South Clark Street. From the corner of D'Hemecourt and South~~
7 ~~Clark, proceed south to the point where the apparent eastern right of way of South~~
8 ~~Clark Street intersects the northern property line of Lot Z or 3, Square 689. Proceed~~
9 ~~east along the northern property line of Lot Z or 3 to where it intersects with the~~
10 ~~western property line of Lot 3. Thence turn south and follow the western property~~
11 ~~line of Lot 3 until it intersects with the northernmost apparent right of way of Tulane~~
12 ~~Avenue. Thence turn west and follow Tulane Avenue to the intersection with South~~
13 ~~Clark Street. Proceed south along the apparent eastern right of way of South Clark~~
14 ~~Street (crossing Tulane Avenue) to the corner of South Clark Street and the apparent~~
15 ~~northern right of way of Gravier Street. Proceed west along the apparent northern~~
16 ~~right of way of Gravier Street approximately one and one-half blocks to the point on~~
17 ~~Gravier Street where it intersects with the western property line of Lot 5 and Part of~~
18 ~~Lot K Square 715. Continue in a northern direction along the western property lines~~
19 ~~of Lot 6, Lot 7, Lot 8, Lot 9, Lot 10, and part of Lot 11 until it intersects with the~~
20 ~~southwest corner of Lot 13. Proceed thence east along the southern property lines~~
21 ~~of Lot 13, Lot 14, Lot 15, and Lot 17, Square 715 to the intersection with the~~
22 ~~apparent western right of way of South Genois Street. Thence proceed north along~~
23 ~~the apparent western right of way of South Genois Street to the intersection with~~
24 ~~Tulane Avenue. Thence proceed westerly along the apparent southern right of way~~
25 ~~of Tulane Avenue two blocks to the southwest corner of Tulane Avenue and South~~
26 ~~Cortez Street. Thence briefly north on the apparent western right of way of South~~
27 ~~Cortez Street (crossing Tulane Avenue) to the intersection of South Cortez Street and~~
28 ~~Ulloa Street. Thence west three blocks along the apparent southern right of way of~~
29 ~~Ulloa Street to the corner of South Carrollton Avenue. Thence proceed briefly south~~
30 ~~along the eastern side of South Carrollton Avenue (crossing Tulane Avenue) until~~

1 it intersects with the northernmost property line of Lot 1, Square 763. Proceed
2 thence along the northern boundary line of Lot 3 in a meandering southeast direction
3 and then south along the property lines of Lot 3 and Lot 2 to the intersection with the
4 southernmost boundary of Square 763 and the apparent northern right of way of
5 Gravier Street. Proceed thence west along the apparent northern right of way of
6 Gravier Street to the intersection with South Carrollton Avenue. Proceed south
7 along the eastern side of South Carrollton Avenue to the corner of South Carrollton
8 Avenue and Edinburgh Street. From the corner of South Carrollton Avenue and
9 Edinburgh Street, proceed east five blocks along the apparent northern right of way
10 of Edinburgh Street to the corner of Edinburgh Street and Broadway Street. Thence
11 proceed north one block along the apparent western right of way of Broadway Street
12 to the intersection with Palm Street. From the intersection of Broadway and Palm
13 Streets, proceed east along the apparent northern right of way of Palm Street moving
14 at a slight northeast angle at the intersection of Palm Street and Audubon Street until
15 you come to the dividing line between Square 23 and Square 128. Proceed north
16 along said boundary line of Squares 23 and 128 to the intersection with the apparent
17 southern right of way of Washington Avenue. Continue along Washington Avenue
18 in a northwesterly direction to the southwest corner of Broadway Street and
19 Washington Avenue. Thence proceed north (crossing Washington Avenue and
20 Drexel Drive), continuing north along the apparent eastern right of way of Broadway
21 Street two blocks to the intersection of Broadway Street and Dixon Street. Thence
22 one block west along the apparent southern right of way of Dixon Street to the
23 intersection of Dixon Street and Pine Street. Thence proceed one block north along
24 the apparent western right of way of Pine Street to the intersection of Pine Street and
25 Howard Avenue. Proceed east along Howard Avenue three blocks to the corner of
26 Howard Avenue and South Genois Street. Thence proceed south along the apparent
27 eastern right of way of South Genois Street for two blocks to the intersection of
28 South Genois Street and Drexel Drive. Thence east one block along the apparent
29 northern right of way of Drexel Drive to the intersection of South Clark Street. From
30 the corner of South Clark Street and Drexel Drive proceed south along the apparent

1 eastern right of way of South Clark two blocks to the intersection with Washington
 2 Avenue and South Clark Street. Proceed along the apparent southern right of way
 3 of Washington Avenue in a southeast direction to the intersection of Washington
 4 Avenue and Earhart Boulevard. From the corner of Earhart Boulevard and
 5 Washington Avenue proceed on Earhart Boulevard in a generally northeast direction
 6 until Earhart Boulevard intersects with Loyola Avenue. From the intersection of
 7 Loyola Avenue and Earhart Boulevard, proceed in a meandering northwest direction
 8 along the western side of Loyola Avenue and Elk Place to the intersection of Elk
 9 Place and Iberville Street. Proceed thence west along the apparent southern right of
 10 way of Iberville Street seven blocks (crossing North Claiborne) to the intersection
 11 with Iberville and North Derbigny Street to a point. Said point being the point of
 12 beginning.

13 B. The district shall be a political subdivision of the state as defined in
 14 Article VI, Section 44(2) of the Constitution of Louisiana. Pursuant to Article VI,
 15 Sections 19 and 20 of the Constitution of Louisiana, the district, acting through its
 16 board of commissioners, the governing authority of the district, is hereby granted all
 17 of the rights, powers, privileges, and immunities accorded by law and the
 18 Constitution of Louisiana to political subdivisions of the state, including but not
 19 limited to the power to incur debt, except as otherwise provided in this Chapter.

20 * * *

21 §9039.63.1. Additional limitations; expropriation

22 Notwithstanding any right, power, authority, privilege, exemption, or
 23 immunity that the district may have under the Constitution of Louisiana, this
 24 Chapter, or any other provision of general law, the district and any subdistricts shall
 25 not have the right to, and shall not acquire property by expropriation or exercise any
 26 power of eminent domain over any property and shall not enter into any cooperative
 27 endeavor agreement with any other entity, public or private, to acquire property by
 28 expropriation or eminent domain.

29 * * *

1 §9039.68. General powers

2 A. In addition to the powers and duties elsewhere granted in this Chapter, the
3 board is hereby granted and shall have and may exercise all powers necessary or
4 convenient for the carrying out of its objects and purposes, including but not limited
5 to the following:

6 * * *

7 (3) To acquire by gift, grant, purchase, or lease, ~~or otherwise~~ and to hold and
8 use any property, real, personal, or mixed, tangible or intangible, or any interest
9 therein necessary or desirable for carrying out the objects and purposes of the
10 district. The district shall have no power of expropriation or eminent domain.

11 * * *

12 B.(1) At least ten days after publication of a notice in the official journal of
13 the district, a public hearing shall be conducted, and the board may then designate
14 one or more areas within or without the boundaries of the district as they may exist
15 from time to time as a separate subdistrict, or as an enlargement or reduction of the
16 original district, provided that subdistricts created by the board outside the then
17 current boundaries of the district need not be contiguous to the district. Any territory
18 outside the original boundaries of the district that is sought to be included or
19 excluded in the district, or designated as a separate subdistrict, may only be so
20 included, excluded, or designated subject to the approval of the Legislature of
21 Louisiana and the governing authority of the city of New Orleans, by ordinance.
22 Each subdistrict shall constitute a separate political subdivision of the state, governed
23 by the district board with the same powers and limitations of the district. Each
24 designated subdistrict area shall be representative of its geographic location and
25 designated as "BioDistrict Economic Development Subdistrict for _____".

26 (2)

27 * * *

1 (b) Subdistricts created outside the ~~then-current~~ boundaries of the district
 2 also need not be contiguous to the district. Any territory outside the district that is
 3 sought to be included or excluded in the district or designated as a subdistrict, may
 4 only be so subject to the approval of the Legislature of Louisiana and the governing
 5 authority of the city of New Orleans, by ordinance. Each subdistrict shall constitute
 6 a separate political subdivision of the state, governed by the district board with the
 7 same powers and limitations of the district. Each designated subdistrict area shall
 8 be representative of its geographic location and designated as " BioDistrict Economic
 9 Development Subdistrict for _____".

10 (c) The board shall not designate as a separate subdistrict any area wholly
 11 within the boundaries of the district without prior approval of the Legislature of
 12 Louisiana and the governing authority of the city of New Orleans, by ordinance.

13 (3) No territorial jurisdiction or boundaries of the district shall be expanded,
 14 reduced, or extended and no subdistrict shall be created to include any area that is not
 15 entirely contained within the New Orleans Metropolitan Statistical Area without the
 16 approval of the Legislature of Louisiana and the governing authority of the city of
 17 New Orleans, by ordinance.

18 §9039.69. Special powers

19 A. In addition to the general powers granted in this Chapter, the district shall
 20 have the following special powers:

21 * * *

22 (3) To undertake any project ~~or program~~ beneficial to the district ~~whether~~
 23 ~~within or outside~~ the boundaries of the district.

24 * * *

25 (5) To acquire real and personal property, including health education and
 26 enhancement facilities, by lease, purchase, or donation, ~~or otherwise~~ including but
 27 not limited to the following: land; improvements, oil, gas, and mineral rights; stocks;
 28 bonds; notes; and any other things of value. Title thereto shall be taken in the name
 29 of the district.

30 * * *

1 C. The district or any subdistrict shall enter into a payment in lieu of taxes
2 agreement with the city of New Orleans prior to the acquisition of any property
3 owned by the district that was not exempt from ad valorem taxes immediately
4 preceding the district's acquisition of such property. The agreement shall provide
5 that the district or subdistrict shall annually pay to the city of New Orleans an
6 amount equal to the ad valorem taxes that would have been payable to the city had
7 the property not been exempt from such taxation by reason of its ownership by the
8 district or subdistrict.

* * *

§9039.72. Projects

A.

* * *

(14)(a) The support of any other type of bioscience projects or safety, security (police), parking, housing (student and workforce), conference and meeting facilities, transportation (pedestrian and vehicular), emergency preparedness, emergency operations, beautification, image, district identity, centralized laundry, janitorial services, maintenance services (grass cutting, street cleaning), development and enforcement of district standards for buildings (architectural), landscaping, streets and sidewalks, lighting and signage.

(b) The district or any subdistrict shall not adopt a district identity or any district standards for any area of the city of New Orleans without the prior approval of the governing authority of the city of New Orleans, by ordinance.

* * *

D.(1) All projects of the district and any subdistrict in the city of New Orleans shall be performed only within the boundaries of the district or subdistrict.

(2) All projects of the district and any subdistrict in the city of New Orleans shall be subject to and shall comply with the city of New Orleans master plan and all ordinances and rules and regulations governing zoning, building land use, historic preservation, historic districts, and neighborhood participation plans applicable to the area in which the project is located.

1 Section 2. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____