

2015 Regular Session

HOUSE BILL NO. 769

BY REPRESENTATIVE BURRELL

1 AN ACT

2 To enact Chapter 13-N of Title 33 of the Louisiana Revised Statutes of 1950, to be  
3 comprised of R.S. 33:4720.301, to create the Shreveport Implementation and  
4 Redevelopment Authority; to provide for the formation of a program or programs in  
5 the city of Shreveport for the use of appropriate private and public resources to  
6 eliminate and prevent the development or spread of slum, blighted, and distressed  
7 areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted,  
8 and distressed areas; to provide for the expeditious conversion of blighted or  
9 underused property into habitable residential dwellings in the city of Shreveport; to  
10 define the duties, liabilities, authority, and functions of the redevelopment authority;  
11 to authorize public bodies to furnish funds, services, facilities, and property in aid  
12 of redevelopment projects; and to provide for related matters.

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

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Chapter 13-N of Title 33 of the Louisiana Revised Statutes of 1950,  
18 comprised of R.S. 33:4720.301, is hereby enacted to read as follows:

19 CHAPTER 13-N. SHREVEPORT IMPLEMENTATION AND

20 REDEVELOPMENT AUTHORITY

21 §4720.301. Shreveport Implementation and Redevelopment Authority

22 A. This Chapter may be referred to as the "Shreveport Implementation and  
23 Redevelopment Law".

24 B. It is hereby found and declared that:

1           (1) There exist in the city of Shreveport areas which have become slums,  
2           blighted, and distressed because of the unsafe, unsanitary, inadequate, or  
3           overcrowded condition of the structures therein, or because of inadequate planning  
4           for the area, or because of physically or functionally obsolete structures, or because  
5           of excessive dwelling unit density, or because of the lack of proper light and air and  
6           open space, or because of faulty street or lot design, or inadequate public utilities, or  
7           community services, or because of failure to adequately maintain and repair  
8           structures, or because of the conversion to incompatible types of land usage, or  
9           because of environmental conditions and circumstances. Such conditions, or a  
10          combination of some or all of them, have and will continue to result in making such  
11          areas economic and social liabilities.

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

16           (3) The salvage, renewal, redevelopment, and reconstruction of such slum,  
17          blighted, and distressed areas will promote the public health, safety, morals, and  
18          welfare of the public.

19           (4) The powers conferred by this Chapter are for public uses, purposes,  
20          welfare, and utility for which public money may be expended as necessary and in the  
21          public's interest. The provisions provided in this Chapter shall apply for residential,  
22          recreational, commercial, industrial, or other purposes and otherwise to encourage  
23          the provision of healthful homes, safe neighborhoods, a decent living environment,  
24          and adequate places of employment for the people. Such purposes are hereby  
25          declared as a matter of legislative determination.

26           (5) The object of this Chapter is to provide for the following:

27           (a) The general and economic welfare of the city through housing,  
28          commercial, office, hospitality, recreation, education, infrastructure and utility  
29          capacity, manufacturing, industrial, research, retail, or other activities which will

1 create or retain jobs, maintain or diversify industry, including new or emerging  
 2 technologies, or maintain or increase the tax base.

3 (b) The improvement of conditions of deteriorated physical development,  
 4 slow economic growth, and eroded financial health of the public and private sectors.

5 (c) The control, abatement, and prevention of pollution to protect public  
 6 health and safety, and the development and use of indigenous and renewable energy  
 7 resources.

8 (d) Assistance to nonprofit and governmental entities in support of health,  
 9 educational, charitable, community, cultural, agricultural, consumer, or other  
 10 services benefiting the citizens.

11 C.(1) There is hereby created in the city of Shreveport a body politic and  
 12 corporate which shall exist in perpetuity and shall be known as the Shreveport  
 13 Implementation and Redevelopment Authority, referred to in this Chapter as the  
 14 "authority".

15 (2) The authority shall be a special district created pursuant to Article VI,  
 16 Section 19 of the Constitution of Louisiana and political subdivision of the state as  
 17 defined in Article VI, Section 44 of the Constitution of Louisiana. The authority,  
 18 acting through its governing board, is hereby granted all of the rights, powers,  
 19 privileges, and immunities accorded by the laws and the Constitution of Louisiana  
 20 to political subdivisions of the state, except the authority shall not have the power to  
 21 impose taxes, issue licenses, incur debt, issue bonds, or expropriate, subject to the  
 22 limitations provided in this Chapter.

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

25 D. The authority, for the purposes of this Chapter, shall formulate a workable  
 26 program or programs consistent with the Shreveport-Caddo 2030 Master Plan, an  
 27 approved redevelopment plan for the area, and the city of Shreveport's Consolidated  
 28 Strategy Plan for using appropriate private and public resources to eliminate and  
 29 prevent the development or spread of slums and blight, to encourage needed  
 30 rehabilitation, and to provide for the redevelopment of slum or blighted areas, or to

1           undertake other feasible parochial activities as may be suitably employed to achieve  
2           the objectives of such workable program.

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

8           F. The boundaries of the authority shall be comprised of all of the territory  
9           located within the corporate limits of the city of Shreveport as they exist now or may  
10          be changed.

11          G.(1) The authority shall be governed by a board of commissioners, referred  
12          to in this Chapter as the "board", consisting of nine members appointed by the mayor  
13          of the city of Shreveport as follows:

14                (a) One member appointed by the mayor for an initial term of one year and  
15                thereafter the appointment shall be for a term of five years.

16                (b) One member appointed by the mayor for an initial term of five years and  
17                thereafter the appointment shall be for a term of five years.

18                (c) One member appointed by the mayor for an initial term of three years and  
19                thereafter the appointment shall be for a term of five years.

20                (d) One member appointed by the mayor from a list of three names from the  
21                membership of the Greater Shreveport Chamber of Commerce, submitted by its  
22                board of directors, who shall serve for an initial term of two years and thereafter the  
23                appointment shall be for a term of five years.

24                (e) One member appointed by the mayor from a list of three names from the  
25                membership of the Shreveport Bar Association, submitted by its executive council,  
26                who shall serve an initial term of three years and thereafter the appointment shall be  
27                for a term of five years.

28                (f) One member appointed by the mayor from a list of three names from the  
29                membership of the Shreveport Chapter of the Society of Louisiana Certified Public

1           Accountants, submitted by the chapter officers, who shall serve an initial term of  
2           four years and thereafter the appointment shall be for a term of five years.

3           (g) One member appointed by the mayor from a list of three names from the  
4           membership of The Community Foundation of North Louisiana, submitted by its  
5           board of directors, who shall serve an initial term of four years and thereafter the  
6           appointment shall be for a term of five years.

7           (h) One member appointed by the mayor from a list of three names from the  
8           membership of the Northwest Louisiana Association of REALTORS, submitted by  
9           its board of directors, who shall serve an initial term of two years and thereafter the  
10          appointment shall be for a term of five years.

11          (i) One member appointed by the mayor from a list of three names from the  
12          membership of the Home Builders Association of Northwest Louisiana, submitted  
13          by its board of directors, who shall serve an initial term of five years and thereafter  
14          the appointment shall be for a term of five years.

15          (2) The board shall be representative of the city's population by race and  
16          gender to ensure diversity.

17          (3) All appointments shall be subject to confirmation by the governing  
18          authority of the city of Shreveport.

19          (4) Each board member shall be a citizen of the United States, a domiciliary  
20          of and a qualified voter in the city of Shreveport for at least one year preceding the  
21          date of appointment, and shall remain a domiciliary of and a qualified voter of such  
22          jurisdiction during the entirety of the term of office. Furthermore, each board  
23          member shall be of good character and shall possess a certain skill, knowledge, or  
24          experience that will prove useful in the accomplishment of the goals of the authority  
25          as set forth in Subsection B of this Section.

26          (5)(a) After the initial term of appointment to the board, each board member  
27          shall serve a term of five years, unless removed for cause by the board as provided  
28          in this Chapter, or removed for any reason by authorized action of the entity that  
29          nominated the person for appointment by the mayor.

1           (b) Any appointment to fill a vacancy which occurs during a board member's  
2           term shall be only for the remainder of the unexpired term of the position to which  
3           the board member was appointed.

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

13           (7) A vacancy on a board shall be filled in the same manner as the original  
14           appointment.

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

21           (9) The board shall elect yearly from its number a chairman, a vice chairman,  
22           a secretary, and a treasurer and shall establish their duties as may be regulated by  
23           rules adopted by the board. The offices of secretary and treasurer may be held by the  
24           same person. The board may meet in regular session once each month and shall also  
25           meet in special session as convened by the chairman or upon written notice signed  
26           by four members. A majority of the members of the board, not including vacancies,  
27           shall constitute a quorum for the conduct of business.

28           (10) All actions of the board shall be approved by the affirmative vote of a  
29           majority of the members of that board present and voting. However, no action of the

1 board shall be authorized on the following matters unless approved by a majority of  
2 the total board membership:

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

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

9 (c) Adoption or amendment of the annual budget.

10 (d) Sale, lease, encumbrance, or alienation of real property, improvements,  
11 or personal property with a value of more than fifty thousand dollars.

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

14 (12) The board shall cause minutes and a record to be kept of all its  
15 proceedings. Except as otherwise provided in this Paragraph, the authority shall be  
16 subject to the Public Records Law (Chapter 1 of Title 44 of the Louisiana Revised  
17 Statutes of 1950), the Open Meetings Law (R.S. 42:11 et seq.), and the Code of  
18 Governmental Ethics (Chapter 15 of Title 42 of the Louisiana Revised Statutes of  
19 1950). Notwithstanding the provisions of R.S. 42:14, until thirty days prior to the  
20 date the board is scheduled to consummate a final sale or lease of any immovable  
21 property owned by the authority, the board may meet in executive session to discuss  
22 negotiations between the authority and any prospective seller, purchaser, lessor, or  
23 lessee of that property. R.S. 44:31 through 35 shall not apply to any records related  
24 to the negotiations of or to the terms of such a sale or lease until thirty days prior to  
25 the date the board is scheduled to consummate a final sale or lease. The board shall  
26 give written public notice of its intention to consummate a final sale or lease at least  
27 thirty days prior to the date on which the board intends to take such action. This  
28 notice shall comply with the procedural provisions of R.S. 42:19.

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

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

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

6                     (3) To acquire by gift, grant, purchase, or lease, and to hold and use any  
7           property, immovable, movable, mixed, corporeal, or incorporeal, or any interest  
8           therein, necessary or desirable for carrying out the objects and purposes of the  
9           authority, and to engage in any action, such as the purchase of insurance, necessary  
10           or desirable for the maintenance or improvement of such property.

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

17                    (b) Prior to any sale, lease, conveyance, disposition, or transfer of property  
18           pursuant to this Paragraph, the authority shall fix the price and terms of the sale,  
19           lease, exchange, or other contract to be made with reference to the property. Such  
20           sale, lease, conveyance, disposition, or transfer shall comply with the terms and  
21           provisions of this Chapter.

22                    (c) Any sale of industrial land, as defined by Chapter 8 of Title 51 of the  
23           Louisiana Revised Statutes of 1950 and the statutes referenced in that Chapter, shall  
24           be in accordance with laws providing for the disposition or transfer of such land.

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



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

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

11          (7) To enter into contracts and agreements with public bodies or public or  
12          private entities to achieve the authority's objectives and purposes, including but not  
13          limited to contracts for professional, legal, and other services and for the purchase,  
14          lease, acquisition, sale, construction, operation, maintenance, marketing, and  
15          improvement of land, public works, and facilities, as the board may deem necessary  
16          or convenient to accomplish the objectives and purposes of the authority.

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

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

1           (10) To develop, activate, construct, exchange, acquire, improve, repair,  
2           operate, maintain, lease, mortgage, sell, and grant a security device affecting the  
3           movable and immovable property, servitudes, facilities, and works within the  
4           jurisdiction of the authority under such terms and conditions as the board may deem  
5           necessary or appropriate for any public purpose, including industrial, residential,  
6           subdivision, and commercial development.

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

9           (12) To appoint officers, agents, and employees, prescribe their duties, and  
10          fix their compensation.

11          (13) To undertake and carry out redevelopment projects and related  
12          activities.

13          (14) To apply for and accept advances, leases, grants, contributions, and any  
14          other form of financial assistance from the federal government, the state, parish of  
15          Caddo, city of Shreveport, or other public bodies, or from any sources, public or  
16          private, for the purposes of this Chapter, and to give such security as may be required  
17          and to enter into and carry out contracts or agreements in connection therewith; and  
18          to include in any contract for financial assistance with the federal government such  
19          conditions imposed pursuant to federal laws as the board may deem reasonable and  
20          appropriate and which are not inconsistent with the purposes of this Chapter.

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

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

26                (b) Plans for the enforcement of state and local laws, codes, and regulations  
27                relating to the use of land and the use and occupancy of buildings and improvements  
28                and to the compulsory repair, rehabilitation, demolition, or removal of buildings and  
29                improvements.

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

4                   (16) To develop, test, and report methods and techniques and carry out  
 5                   demonstrations and other activities for the prevention and the elimination of slums  
 6                   and urban blight, including developing and demonstrating new or improved means  
 7                   of providing housing or continuing care, assisted living, or independent living or  
 8                   other similar type housing for elderly or retired persons or other persons desiring  
 9                   such housing facilities.

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

12                  (18) To exercise all or any part or combination of powers herein granted by  
 13                  this Chapter.

14                  (19) To purchase property at a sale conducted pursuant to enforcement of  
 15                  judicial mortgages created in accordance with R.S. 13:2575(C) by tendering a bid  
 16                  equal to or greater than the minimum bid advertised, which bid may be a credit bid  
 17                  consisting of the obligation of the authority to satisfy the bid by payment to the  
 18                  political subdivision holding the lien being enforced in accordance with  
 19                  intergovernmental agreements between the authority and such political subdivision.  
 20                  Such a bid shall be given priority over all other bids regardless of amount, except for  
 21                  a higher bid submitted by a conventional mortgage holder holding a mortgage on the  
 22                  subject property.

23                  I. The exercise by the board of the powers conferred by virtue of this Chapter  
 24                  shall be deemed and held to be an essential governmental function of the state and  
 25                  city of Shreveport. As the exercise of the powers granted by this Chapter will be in  
 26                  all respects for the benefit of the people of the state of Louisiana and city of  
 27                  Shreveport, for the increase of their commerce and prosperity, and for the  
 28                  improvement of their health and living conditions, the authority shall not be required  
 29                  to pay any taxes, including but not limited to sales and use taxes, ad valorem,  
 30                  occupational licensing, income, or any other taxes of any kind or nature, or fees or

1 assessments upon any property held, acquired, or used by the authority under the  
2 provisions of this Chapter, or upon the income therefrom. The authority shall not be  
3 deemed to be a public utility and shall not be subject in any respect to the authority,  
4 control, regulation, or supervision of the Louisiana Public Service Commission.

5 J.(1) The authority may purchase adjudicated properties within its territorial  
6 jurisdiction from any political subdivision of the state of Louisiana. No such  
7 purchase shall be construed to, or otherwise have the effect of, extending or  
8 suspending the period prescribed by law for the redemption of the property by the  
9 tax debtor or any other person.

10 (2) In addition to the authority set forth in Subpart B of Part IV of Chapter  
11 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, such purchases  
12 by the authority may be by a direct negotiated purchase and sale agreement between  
13 the authority and a political subdivision without any other requirement of a public  
14 sale prior to the transfer of such properties to the authority. Such purchases by the  
15 authority shall not be considered the sale of surplus property or of property owned  
16 by the political subdivision.

17 (3) Effective upon the recordation of the transfer of an adjudicated property  
18 to the authority pursuant to a purchase and sale agreement, the rights of the authority  
19 in and to such property shall be the rights of a purchaser at a tax sale as contemplated  
20 by Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950,  
21 subject only to the rights of redemption of the property set forth in Article VII,  
22 Section 25(B) of the Constitution of Louisiana, and the property shall no longer be  
23 deemed to be adjudicated property as of such recordation. For purposes of the right  
24 of redemption in Article VII, Section 25(B) of the Constitution of Louisiana, the  
25 redemption period commences on the date of the recordation of the initial  
26 adjudication to the political subdivision and not on the date of transfer to the  
27 authority.

28 (4) Any such purchase and sale agreement shall set forth the total  
29 consideration to be paid by the authority and the method and timing of payment of  
30 such consideration by the authority.

1           (5) The state and any political subdivision with liens on the property may,  
2           pursuant to intergovernmental agreements with the authority, cancel such liens  
3           contemporaneously with or subject to the transfer of the property to the authority.

4           (6)(a) The authority shall have the right, subject to the provisions of this  
5           Section, to purchase properties at tax sales conducted in accordance with Part III of  
6           Chapter 5 of Subtitle III of Title 47 of the Louisiana Revised Statutes of 1950, and  
7           any and all such purchases shall be a purchase pursuant to those provisions and not  
8           an adjudication to a political subdivision.

9           (b) Notwithstanding the provisions of Chapter 5 of Subtitle III of Title 47 of  
10          the Louisiana Revised Statutes of 1950, the authority may tender a bid at a tax sale  
11          which is a credit bid, consisting of the obligation of the authority to satisfy the  
12          component parts of the bid by payments to the respective political subdivisions and  
13          taxing entities in accordance with intergovernmental agreements between the  
14          authority and such political subdivisions and taxing entities.

15          (7) The authority shall submit annual reports to the House Committee on  
16          Municipal, Parochial and Cultural Affairs and the Senate Committee on Local and  
17          Municipal Affairs and each member of the Shreveport legislative delegation  
18          concerning property purchased by the authority. Such report shall be filed by March  
19          first each year and shall cover the previous calendar year. Each report shall include:

20               (a) The legal description or other indication of the location of each property  
21               purchased.

22               (b) The amount paid for each property.

23               (c) The minimum bid that was set for the property and the appraised value  
24               of the property.

25               (d) A general description of the authority's plans for the property and how  
26               such plans advance the purposes for which the authority is created.

27               K.(1) The authority shall have the power to create and execute  
28               redevelopment or development plans for specified areas within its territorial  
29               jurisdiction. The implementation of all such plans shall not proceed until, to the  
30               extent required by law, the authority has obtained the approval of the local planning

1 commission or zoning board. In the execution of such a redevelopment plan, the  
2 authority shall have the powers provided in this Subsection. The fact that a certain  
3 power is expressed or implied in this Paragraph as pertinent to the authority's  
4 execution of a redevelopment plan shall not suggest or imply that such power is  
5 otherwise denied to the authority.

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

9 (3) The authority may sell, lease, exchange, or otherwise transfer immovable  
10 property or any interest therein acquired by it for residential, recreational,  
11 commercial, industrial, or other uses or for public use, subject to such covenants,  
12 conditions, and restrictions, including covenants running with the land, as it may  
13 deem to be necessary or desirable to assist in carrying out the purposes of this  
14 Chapter. The purchasers or lessees and their successors and assigns shall be  
15 obligated to devote such immovable property only to the uses as the authority may  
16 determine to be in the public interest, including the obligation to begin within a  
17 reasonable time any improvements on such immovable property. Such immovable  
18 property or interest shall be sold, leased, exchanged, or otherwise transferred at not  
19 less than its fair value for uses in accordance with the redevelopment or development  
20 plan. In determining the fair value of immovable property for uses in accordance  
21 with the redevelopment or development plans, the authority shall take into account  
22 and give consideration to the use provided in such plan; the restrictions upon and the  
23 covenants, conditions, and obligations assumed by the purchaser or lessee; and the  
24 objectives of such plan. The authority, in any instrument of conveyance to a private  
25 purchaser or lessee, may provide that such purchaser or lessee shall be without power  
26 to sell, lease, exchange, or otherwise transfer the immovable property without the  
27 prior written consent of the authority until such purchaser or lessee has completed  
28 the construction of any and all improvements which he has obligated himself to  
29 construct thereon. Immovable property acquired in accordance with the provisions  
30 of the plan shall be transferred as rapidly as feasible in the public interest, consistent

1 with the carrying out of the provisions of the project plan. Such plan and any  
2 substantial modification of such plan shall be filed as a public record in the office of  
3 the clerk of the parish, and any conveyances, encumbrances, or other contracts may  
4 incorporate the provisions thereof by reference which shall afford notice thereof to  
5 all parties.

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

1 redevelopment and rehabilitation. Thereafter, the board may execute such contracts  
2 in accordance with the provisions of this Chapter and deliver acts of sale, leases, and  
3 other instruments and take all steps necessary to effectuate such contracts.

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

9 (6) Any immovable property within a redevelopment area acquired pursuant  
10 to Subsection J of this Section may be disposed of without regard to the other  
11 provisions of this Chapter. Immovable property acquired in accordance with the  
12 redevelopment plan may be disposed of to a public body for public reuse without  
13 regard to the provisions of this Subsection.

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

26 L.(1) The authority may, in the implementation of a redevelopment plan,  
27 create one or more subdistricts to conduct, oversee, or assist in the implementation  
28 of such redevelopment plan. The boundaries of such a subdistrict may include all  
29 or part of the redevelopment area. Such a subdistrict shall have and exercise such  
30 powers and responsibilities as the authority shall specify in the enabling resolution.



1           The full extent of such powers and responsibilities may include such powers as the  
 2           authority itself may exercise, and such other powers as are given to the subdistrict  
 3           by this Paragraph or any other law, but any exercise of such powers by the subdistrict  
 4           shall be confined solely to the geographical limits of the subdistrict. Such a  
 5           subdistrict may be established to exist at the pleasure of the authority, or for any  
 6           period of time, or until the happening of any occurrence or occurrences, that the  
 7           authority may specify.

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

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

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

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

29                    (1) Dedicate, sell, convey, or lease any of its interest in any property or grant  
 30                    easements, licenses, or other rights or privileges therein to the 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 the 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 government of the United States, the state of Louisiana, parish  
9           of Caddo, city of Shreveport, or other public body, or 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          N. 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          O. As used in this Chapter, the following terms shall have the meanings  
27          herein ascribed to them:

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

1           (2) "Owners of a property interest" means anyone with a corporeal or  
2           incorporeal interest in immovable property filed for record in the conveyance records  
3           or mortgage records of the clerk of court and ex officio recorder of mortgages for the  
4           parish where the property is located, including a naked owner, a usufructuary, a  
5           mortgagee, a judgment creditor, or a holder of a personal or predial servitude.

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

9           (4) "Real property" or "immovable property" means any and all right, title,  
10           and interest in a tract of land, including its component parts and liens by way of  
11           judgment, mortgage, or otherwise.

12           P. 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           Q.(1) In addition to other powers granted to the authority pursuant to this  
18           Chapter, the authority may initiate an expedited quiet title and foreclosure action  
19           under this Subsection to quiet title to immovable property held by the authority,  
20           interests in property purchased by the authority at tax sales, or in formerly  
21           adjudicated properties acquired by the authority from a political subdivision, by  
22           recording with the conveyance records of the clerk of court and ex officio recorder  
23           of mortgages a notice of pending expedited quiet title and foreclosure action. The  
24           notice shall include a legal description of the property; the street address of the  
25           property if available; the name, address, and telephone number of the authority; a  
26           statement that the property is subject to expedited quiet title proceedings and  
27           foreclosure under this Subsection; and a statement that any legal interests in the  
28           property may be extinguished by a district court order vesting title to the property in  
29           the authority. If a notice is recorded in error, the authority may correct the error by  
30           recording a certificate of correction with the register of conveyances. A notice or

1 certificate under this Subsection need not be notarized and may be authenticated by  
2 a digital signature or other electronic means. If the authority has reason to believe  
3 that a property subject to an expedited quiet title and foreclosure action under this  
4 Subsection may be the site of environmental contamination, the authority shall  
5 provide the Department of Environmental Quality with any information in the  
6 possession of the authority that suggests the property may be the site of  
7 environmental contamination.

8 (2) After recording the notice under Paragraph (1) of this Subsection, the  
9 authority shall initiate a search of records identified in this Paragraph to identify the  
10 owners of a property interest in the property who are entitled to notice of the quiet  
11 title and foreclosure hearing under this Subsection. The authority may enter into a  
12 contract with or may request from one or more authorized representatives a title  
13 search or other title product to identify the owners of a property interest in the  
14 property as required under this Paragraph or to perform the other functions set forth  
15 in this Subsection required for the quieting of title to property. The owner of a  
16 property interest is entitled to notice under this Section if that owner's interest was  
17 identifiable by reference to either of the following sources before the date that the  
18 authority records the notice under Paragraph (1) of this Subsection:

19 (a) Land title records in the office of the recorder of mortgages and the  
20 register of conveyances.

21 (b) Tax records in the office of the assessor.

22 (3) The authority may file a single petition with the district court to expedite  
23 foreclosure under this Subsection listing all property subject to expedited foreclosure  
24 by the authority and for which the authority seeks to quiet title. If available to the  
25 authority, the list of properties shall include a legal description of, a tax parcel  
26 identification number for, and the street address of each parcel of property. The  
27 petition shall seek a judgment in favor of the authority against each property listed  
28 and shall include a date, within ninety days of filing, on which the authority requests  
29 a hearing on the petition. The petition shall request that a judgment be entered  
30 vesting absolute title in the authority for each parcel of property listed, as provided

1 in this Paragraph. Prior to the entry of judgment under this Paragraph, the authority  
 2 may request the court to remove property erroneously included in the petition or any  
 3 tax delinquent properties redeemed prior to the hearing.

4 (4) The district court in which a petition is filed under Paragraph (3) of this  
 5 Subsection shall immediately set the date, time, and place for a hearing on the  
 6 petition for foreclosure. The date shall be set by the court and shall not be more than  
 7 ten days after the date requested by the authority in the petition. In no event may the  
 8 court schedule the hearing later than ninety days after the filing of a petition by the  
 9 authority under Paragraph (3) of this Subsection.

10 (5) After completing the records search under Paragraph (2) of this  
 11 Subsection, the authority shall determine the address or addresses reasonably  
 12 calculated to inform those owners of a property interest in property subject to  
 13 expedited foreclosure under this Subsection of the pendency of the quiet title and  
 14 foreclosure hearing under Paragraph (11) of this Subsection. If, after conducting the  
 15 title search, the authority is unable to determine an address reasonably calculated to  
 16 inform persons with a property interest in property subject to expedited tax  
 17 foreclosure, or if the authority discovers a deficiency in notice under this Subsection,  
 18 the following shall be considered reasonable steps by the authority to ascertain the  
 19 addresses of persons with a property interest in the property subject to expedited  
 20 foreclosure or to ascertain an address necessary to correct a deficiency in notice  
 21 under this Subsection:

22 (a) For an individual, a search of records of the recorder of mortgages and  
 23 the register of conveyances.

24 (b) For a business entity, a search of business entity records filed with the  
 25 commercial division of the Department of State.

26 (c) For a state or federal chartered depository financial institution, a search  
 27 of entity records filed with the Louisiana Office of Financial Institutions or with the  
 28 Federal Deposit Insurance Corporation (FDIC).

1           (6) Not less than thirty days before the quiet title and foreclosure hearing  
2           under Paragraph (11) of this Subsection, the authority shall send notice by certified  
3           mail, return receipt requested, of the hearing to the persons identified under  
4           Paragraph (2) of this Subsection who have a property interest in property subject to  
5           expedited foreclosure. The authority shall also send a notice via regular mail  
6           addressed to the "Occupant" for each property subject to expedited foreclosure if an  
7           address for the property is ascertainable.

8           (7) Not less than thirty days before the quiet title and foreclosure hearing  
9           under Paragraph (11) of this Subsection, the authority or its authorized representative  
10          or authorized agent shall visit each parcel of property subject to expedited  
11          foreclosure and post on the property conspicuous notice of the hearing. In addition  
12          to the requirements of Paragraph (8) of this Subsection, the notice shall also include  
13          the following statement: "This Property has been transferred to the Shreveport  
14          Implementation and Redevelopment Authority and is subject to an expedited quiet  
15          title and foreclosure action. Persons with information regarding the prior owner of  
16          the property are requested to contact the Shreveport Implementation and  
17          Redevelopment Authority."

18          (8) The notices required under Paragraphs (6) and (7) of this Subsection shall  
19          include all of the following:

20               (a) The date on which the authority recorded, under Paragraph (1) of this  
21               Subsection, notice of the pending expedited quiet title and foreclosure action.

22               (b) A statement that a person with a property interest in the property may  
23               lose his interest as a result of the quiet title and foreclosure hearing under Paragraph  
24               (11) of this Subsection.

25               (c) A legal description, parcel number of the property, and the street address  
26               of the property, if available.

27               (d) The person to whom the notice is addressed.

28               (e) The date and time of the hearing on the petition for foreclosure under  
29               Paragraph (1) of this Subsection, and a statement that the judgment of the court may  
30               result in title to the property vesting in the authority.

1                   (f) An explanation of any rights of redemption and notice that the judgment  
 2                   of the court may extinguish any ownership interest in or right to redeem the property.

3                   (g) The name, address, and telephone number of the authority.

4                   (h) A statement that persons with information regarding the owner or prior  
 5                   owner of any of the properties are requested to contact the authority.

6                   (9) If the authority is unable to ascertain the address reasonably calculated  
 7                   to inform the owners of a property interest entitled to notice under this Section, or  
 8                   is unable to provide notice under Paragraphs (6) and (7) of this Subsection, the  
 9                   authority shall provide notice by publication. Prior to the hearing, a notice shall be  
 10                   published for three successive weeks, once each week, in a newspaper published and  
 11                   circulated in the parish. The published notice shall include all of the following:

12                   (a) A legal description, parcel number of the property, and the street address  
 13                   of the property, if available.

14                   (b) The name of any person not notified under Paragraphs (6) and (7) of this  
 15                   Subsection that the authority reasonably believes may be entitled to notice under this  
 16                   Section of the quiet title and foreclosure hearing under Paragraph (11) of this  
 17                   Subsection.

18                   (c) A statement that a person with a property interest in the property may  
 19                   lose his interest as a result of the foreclosure proceeding under Paragraph (11) of this  
 20                   Subsection.

21                   (d) The date and time of the hearing on the petition for foreclosure under  
 22                   Paragraph (11) of this Subsection.

23                   (e) A statement that the judgment of the court may result in title to the  
 24                   property vesting in the authority.

25                   (f) An explanation of any rights of redemption and notice that judgment of  
 26                   the court may extinguish any ownership interest in or right to redeem the property.

27                   (g) The name, address, and telephone number of the authority.

28                   (h) A statement that persons with information regarding the owner or prior  
 29                   owner of any of the properties are requested to contact the authority.

1           (10) If prior to the quiet title and foreclosure hearing under Paragraph (11)  
2           of this Subsection, the authority discovers any deficiency in the provision of notice  
3           under this Subsection, the authority shall take reasonable steps in good faith to  
4           correct the deficiency before the hearing. The provisions of this Subsection relating  
5           to notice of the quiet title and foreclosure hearing are exclusive and exhaustive.  
6           Other requirements relating to notice and proof of service under other law, rule, or  
7           other legal requirement are not applicable to notice or proof of service under this  
8           Subsection.

9           (11) If a petition for expedited quiet title and foreclosure is filed under  
10           Paragraph (3) of this Subsection, before the hearing, the authority shall file with the  
11           clerk of the district court proof of notice by certified mail under Paragraph (6) of this  
12           Subsection, proof of notice by posting on the property under Paragraph (7) of this  
13           Subsection, and proof of notice by publication, if applicable, pursuant to Paragraph  
14           (9) of this Section. A person claiming an interest in a parcel of property set forth in  
15           the petition for foreclosure, including a current holder of a conventional mortgage,  
16           who desires to contest that petition shall file written objections with the clerk of the  
17           district court and serve those objections on the authority before the date of the  
18           hearing. A holder of a conventional mortgage may object to the action and is entitled  
19           to a dismissal of the proceedings by the district court upon a showing that it is the  
20           holder of a legally enforceable conventional mortgage and upon payment of the  
21           outstanding amount of any liens, taxes, and related costs. The district court may  
22           appoint and utilize as the court considers necessary a curator for assistance with the  
23           resolution of any objections to the foreclosure or questions regarding the title to  
24           property subject to foreclosure. If the court withholds property from foreclosure, the  
25           authority's ability to include the property in a subsequent petition for expedited quiet  
26           title and foreclosure is not prejudiced. No injunction shall issue to stay an expedited  
27           quiet title and foreclosure action under this Subsection. The district court shall enter  
28           judgment on a petition to quiet title and foreclosure filed under Paragraph (3) of this  
29           Subsection not more than ten days after the conclusion of the hearing or contested  
30           case, and the judgment shall become effective ten days after the conclusion of the



1 hearing or contested case. The district court's judgment shall specify all of the  
2 following:

3 (a) The legal description and, if known, the street address of the property  
4 foreclosed.

5 (b) That title to property foreclosed by the judgment is vested absolutely in  
6 the authority, except as otherwise provided in Paragraphs (3) and (5) of this  
7 Subsection, without any further rights of redemption.

8 (c) That all liens against the property, including any lien for unpaid taxes or  
9 special assessments, are extinguished.

10 (d) That, except as otherwise provided in Subparagraph (e) of this Paragraph,  
11 the authority has good and marketable title to the property.

12 (e) That all existing recorded and unrecorded interests in that property are  
13 extinguished, except a visible or recorded easement or right-of-way or private deed  
14 restrictions.

15 (f) A finding that all persons entitled to notice and an opportunity to be heard  
16 have been provided that notice and opportunity. A person shall be deemed to have  
17 been provided notice and an opportunity to be heard if the authority followed the  
18 procedures for provision of notice by mail, by visits to property subject to expedited  
19 quiet title and foreclosure, and by publication under this Subsection, or if one or  
20 more of the following apply:

21 (i) The person had constructive notice of the hearing by acquiring an interest  
22 in the property after the date of the recording, under Paragraph (1) of this Subsection,  
23 of the notice of pending expedited quiet title and foreclosure action.

24 (ii) The person appeared at the hearing or submitted written objections to the  
25 district court under this Subsection prior to the hearing.

26 (iii) Prior to the hearing under this Paragraph, the person had actual notice  
27 of the hearing.

28 (12) Except as otherwise provided in Subparagraph (11)(e) of this  
29 Subsection, title to property set forth in a petition for foreclosure filed under  
30 Paragraph (3) of this Subsection shall vest absolutely in the authority upon the

1 effective date of the judgment by the district court, and the authority shall have  
2 absolute title to the property. The authority's title shall not be subject to any  
3 recorded or unrecorded lien, except as provided in Paragraph (11) of this Subsection,  
4 and shall not be stayed or held invalid, except as provided in Paragraph (13) of this  
5 Subsection. A judgment entered under this Subsection is a final order with respect  
6 to the property affected by the judgment and shall not be modified, stayed, or held  
7 invalid after the effective date of the judgment, except as provided in Paragraph (13)  
8 of this Subsection.

9 (13) The authority or a person claiming to have a property interest under  
10 Paragraph (2) of this Subsection in property foreclosed under this Subsection may,  
11 within twenty-one days of the effective date of the judgment under Paragraph (11)  
12 of this Subsection, appeal the district court's order or the district court's judgment  
13 foreclosing property to the court of appeals. The appeal of the judgment shall be  
14 entitled to preference and priority and shall be handled on an expedited basis by the  
15 court of appeal and, if applicable, the Louisiana Supreme Court. In such cases, the  
16 record shall be prepared and filed within fifteen days of the granting of the order of  
17 appeal. The court of appeal shall hear the case within thirty days after the filing of  
18 the appellee's brief. An appeal under this Paragraph is limited to the record of the  
19 proceedings in the district court under this Subsection. The district court's judgment  
20 foreclosing property shall be stayed until the court of appeal has reversed, modified,  
21 or affirmed that judgment. If an appeal under this Paragraph stays the district court's  
22 judgment foreclosing property, the district court's judgment is stayed only as to the  
23 property that is the subject of that appeal, and the district court's judgment  
24 foreclosing other property that is not the subject of that appeal is not stayed. To  
25 appeal the district court's judgment foreclosing property, a person appealing the  
26 judgment shall pay to the authority any taxes, interest, penalties, and fees due on the  
27 property and provide notice of the appeal to the authority within twenty-one days  
28 after the district court's judgment becomes effective. If the district court's judgment  
29 foreclosing the property is affirmed on appeal, the amount determined to be due shall  
30 be refunded to the person who appealed the judgment. If the district court's

1 judgment foreclosing the property is reversed or modified on appeal, the authority  
2 shall refund the amount determined to be due to the person who appealed the  
3 judgment, if any, and forward the balance to the appropriate taxing jurisdictions in  
4 accordance with the order of the court of appeal.

5 (14) The authority shall record a notice of judgment for each parcel of  
6 foreclosed property in the office of the register of conveyances. If the authority  
7 records a notice of judgment in error, the authority may subsequently record a  
8 certificate of correction. A notice or certificate under this Paragraph need not be  
9 notarized and may be authenticated by a digital signature or other electronic means.  
10 After the entry of a judgment foreclosing the property under this Subsection, if the  
11 property has not been transferred by the authority, the authority may cancel the  
12 foreclosure by recording with the register of conveyances a certificate of error, if the  
13 authority discovers any of the following:

14 (a) The description of the property used in the expedited quiet title and  
15 foreclosure proceeding was so indefinite or erroneous that the foreclosure of the  
16 property was void.

17 (b) An owner of an interest in the property entitled to notice of the expedited  
18 quiet title and proceedings against the property under this Subsection was not  
19 provided notice sufficient to satisfy the minimum due process requirements of the  
20 Constitution of Louisiana and the Constitution of the United States.

21 (c) A judgment of foreclosure was entered under this Subsection in violation  
22 of an order issued by a United States bankruptcy court.

23 (15) If a judgment of foreclosure is entered under Paragraph (11) of this  
24 Subsection, and all existing recorded and unrecorded interests in a parcel of property  
25 are extinguished as provided in Paragraph (11) of this Subsection, the owner of any  
26 extinguished recorded or unrecorded interest in that property who claims that he did  
27 not receive notice of the expedited quiet title and foreclosure action shall not bring  
28 an action for possession of the property against any subsequent owner but may only  
29 bring an action to recover monetary damages from the authority as provided in this  
30 Paragraph. The district court has original and exclusive jurisdiction in any action to

1 recover monetary damages under this Paragraph. An action to recover monetary  
2 damages under this Paragraph shall not be brought more than two years after a  
3 judgment for foreclosure is entered under Paragraph (11) of this Subsection. Any  
4 monetary damages recoverable under this Paragraph shall be determined as of the  
5 date a judgment for foreclosure is entered under Paragraph (11) of this Subsection  
6 and shall not exceed the fair market value of the interest in the property held by the  
7 person bringing the action under this Subsection on that date, less any taxes, interest,  
8 penalties, and fees owed on the property as of that date. The right to sue for  
9 monetary damages under this Paragraph shall not be transferable except by testate  
10 or intestate succession.

11 (16) The owner of a property interest with notice of the quiet title and  
12 foreclosure hearing under Paragraph (11) of this Subsection may not assert either of  
13 the following:

14 (a) That notice to the owner was insufficient or inadequate in any way  
15 because some other owner of a property interest in the property was not notified.

16 (b) That any right to redeem tax-reverted property was extended in any way  
17 because some other person was not notified.

18 (17) A person holding or formerly holding an interest in tax-reverted  
19 property subject to expedited foreclosure under this Subsection is barred from  
20 questioning the validity of the expedited foreclosure under this Subsection.

21 (18) The failure of the authority to comply with any provision of this  
22 Subsection shall not invalidate any proceeding under this Subsection if a person with  
23 a property interest in property subject to foreclosure was accorded the minimum due  
24 process required under the Constitution of Louisiana and the Constitution of the  
25 United States.

26 (19) It is the intent of the legislature that the provisions of this Subsection  
27 relating to the expedited quiet title and foreclosure of property by the authority  
28 satisfy the minimum requirements of due process required under the Constitution of  
29 Louisiana and the Constitution of the United States but that the provisions do not  
30 create new rights beyond those granted by the Constitution of Louisiana or the

1           Constitution of the United States. The failure of the authority to follow a  
 2           requirement of this Section relating to the expedited quiet title and foreclosure of  
 3           property held by the authority shall not be construed to create a claim or cause of  
 4           action against the authority unless the minimum requirements of due process  
 5           accorded under the Constitution of Louisiana or the Constitution of the United States  
 6           are violated.

7           (20) As used in this Subsection, "authorized representative" includes one or  
 8           more of the following:

9           (a) A title insurance company or agent licensed to conduct business in this  
 10          state.

11          (b) An attorney licensed to practice law in this state.

12          (c) A person accredited in land title search procedures by a nationally  
 13          recognized organization in the field of land title searching.

14          (d) A person with demonstrated experience in the field of searching land title  
 15          records, as determined by the authority.

16          (21) As used in this Subsection, "district court" shall mean the First Judicial  
 17          District Court.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_