



JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

State of Louisiana
DEPARTMENT OF JUSTICE
P.O. BOX 94005
BATON ROUGE
70804-9005

DEC 18 2015
OPINION 15-0084

90-A-1 PUBLIC FUNDS & CONTRACTS
La. Const. art. VI, § 23

Clifton T. Speed
Assistant District Attorney
Parish of Tangipahoa
P.O. Box 787
Greensburg, LA 70441

The Tangipahoa Communication District No. 1 may not purchase immovable property as an investment if such a purchase does not serve a public purpose, as required by La. Const. art. VI, § 23.

Dear Mr. Speed:

On behalf of the Tangipahoa Communication District No. 1 ("911 District"), you have requested an opinion of this office concerning the authority of the 911 District to purchase immovable property. Specifically, your request indicates that the 911 District wants to purchase immovable property as a future investment. Further conversations with you confirmed that the 911 District desires to purchase the immovable property only as an investment, and the 911 District has no plans to use the property in any manner.

As your request concerns the purchase of property by a political subdivision, it must be analyzed under La. Const. art. VI, § 23. La. Const. art. VI, § 23 provides:

Subject to and not inconsistent with this constitution and subject to restrictions provided by general law, political subdivisions may acquire property for any public purpose by purchase, donation, expropriation, exchange, or otherwise.

Under this article, a political subdivision, including the 911 District, may acquire immovable property if the acquisition is for a public purpose. In the instant matter, it does not appear that the 911 District is seeking to acquire immovable property for any public purpose. Acquiring immovable property as an investment serves no identifiable public purpose, and thus, the 911 District is without authority to purchase such property as an investment.

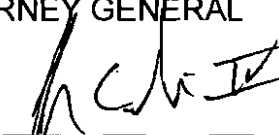
Accordingly, it is the opinion of this office that the 911 District may not purchase immovable property as an investment, as such a purchase does not appear to serve any public purpose required by La. Const. art. VI, § 23.

We trust this adequately responds to your request. However, if our office can be of further assistance, please do not hesitate to contact us.

Yours very truly,

JAMES D. "BUDDY" CALDWELL
ATTORNEY GENERAL

By:



John C. Morris IV
Assistant Attorney General

JDC/JCMIV