2019 Regular Session

HOUSE BILL NO. 598

BY REPRESENTATIVE BARRAS

LEGISLATIVE EXPENSES: Makes appropriations for the expenses of the legislature for Fiscal Year 2019-2020

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AN ACT

To appropriate funds for Fiscal Year 2019-2020 to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; to provide for the salary, expenses, and allowances of members, officers, staff, and agencies of the Legislature; to provide with respect to the appropriations and allocations herein made; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. The sum of Seventy-Four Million Ninety-Three Thousand Eight Hundred Eighty-One and No/100 ($74,093,881.00) Dollars, or so much thereof as may be necessary, is hereby appropriated out of the state general fund and the sum of Twenty-Three Million Five Hundred Twenty-Five Thousand Forty-Three and No/100 ($23,525,043.00) Dollars is hereby appropriated out of self-generated funds to defray the expenses of the legislature, including the House of Representatives and the Senate, the staffs of the House of Representatives and of the Senate, the Legislative Auditor, the Legislative Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana State Law Institute.

Section 2.(A)(1) Out of the total amount herein appropriated from the state general fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and No/100 ($50,762,798.00) Dollars is hereby allocated to provide the salary and allowances of members, officers, and staff of the House of Representatives, and the salary and allowances for the speaker of the House of Representatives and for expenses of his office,
including reimbursement for actual expenses as presiding officer and for his service to or for
the benefit of the House of Representatives, the legislature, the legislative branch of
government, or the state, as determined by the speaker, and to provide the salary and
allowances of members, officers, and staff of the Senate, and the salary and allowances for
the president of the Senate and for expenses of his office, including reimbursement for actual
expenses as presiding officer and for his service to or for the benefit of the Senate, the
legislature, the legislative branch of government, or the state, as determined by the president
of the Senate. These funds also shall be used to pay mileage and per diem of the members
of the legislature and mileage and per diem expenses of committees; salaries and/or expense
allowances of officers and employees of the legislature; costs of renovations, maintenance,
repairs, and necessary additions to the House and/or Senate chambers and other legislative
rooms; audio-visual systems, information networks, technological enhancements, and
technical support; printing the bills, journals, and calendars; computer equipment and
services; library services; provision of accessibility services for persons with disabilities
during sessions of the legislature and during the interim; and for all other expenses of the
legislature. Notwithstanding any other provision of the law to the contrary, any and all
monies paid to an employee of the legislature shall be used to determine full-time status and
for the eligibility and calculation of all benefits, including, but not limited to, retirement and
insurance. This provision shall be remedial in nature and shall not eliminate or reduce any
current benefits of a legislative employee. In addition to the amounts and limitations
provided in R.S. 24:31.5, these funds shall also be used to provide an additional two hundred
seventy-five dollars per month to the total amount available to each legislator for the salary
of his legislative assistants which shall be obtained and disbursed as hereinafter provided.

(2) Notwithstanding the provisions of R.S. 24:31.5, any legislative assistant
employed on or before December 1, 2007, may retain the salary they were earning on
December 1, 2007.

(B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 ($28,998,300.00)
Dollars is hereby set aside and allocated for the use of the House of Representatives and
Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
No/100 ($21,764,498.00) Dollars for the use of the Senate.

(C) The presiding officer of each house shall warrant on the state treasurer in favor
of the House of Representatives or the Senate, as the case may be, for the allocation herein
provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid
out of the state general fund, and the state treasurer shall pay said warrants by preference
over all other warrants, except warrants for the salaries of constitutional officers of the state,
which shall be concurrent with the warrants provided for by this Act.

(D)(1) The funds drawn as provided herein shall be deposited in the name of the
House of Representatives or the Senate, as the case may be, in an approved bank located in
this state selected by the presiding officer of each house. Payment of per diem and mileage,
salaries of the members, officers, and employees, and other expenses of the legislature shall
be made by individual check, payable to the person or firm entitled thereto, signed by the
presiding officer of the House of Representatives as to disbursements by the House, and as
to disbursements by the Senate, signed by the president of the Senate. Facsimile or
electronic signatures may be used; such payment also may be made by electronic funds
transfer through the automated clearing house and deposited into the account of the person
or firm entitled to such payment.

(2) Copies of legislative documents of the Senate and the House shall be provided
at fees according to policy and schedules adopted by the secretary of the Senate and clerk
of the House, jointly, and approved by the president of the Senate and the speaker of the
House, jointly. Funds derived from the sale of legislative documents of the Senate and the
House during legislative sessions shall be used to offset the cost of printing the journals and
calendars.

(3) The legislature is hereby expressly authorized to receive and expend any monies
received as a result of any grants or donations or other forms of assistance as provided for

(E) Any portion of the funds herein allocated to the two houses, any portion of the
funds previously appropriated or interest earnings on such appropriations and any self-
generated revenues that are not required for the expenses of the 2019 Regular Session of the
Legislature, including printing and all expenses in connection therewith, are hereby appropriated and may be used to pay the mileage, per diem, expenses of committees, and any other expenses of the legislature during the 2019-2020 Fiscal Year; however, all funds remaining unexpended and/or unencumbered shall be returnable to the state general fund on or before October 1, 2020.

Section 3.(A) The sum of Ten Million Four Hundred Eighty-Three Thousand Seven Hundred Eight and No/100 ($10,483,708.00) Dollars is hereby allocated out of the total appropriation from the state general fund made in Section 1 of this Act to the legislative auditor, to pay the expenses of his office, including the salaries and expenses of his employees, the costs of equipment, and all other expenses incurred by that office in connection with the operation thereof during the 2019-2020 Fiscal Year.

(B)(1) The sum of Three Hundred Fifty Thousand and No/100 ($350,000.00) Dollars is hereby appropriated, payable from the state general fund, to establish an agency working capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds available in the ancillary enterprise fund, the sum of Twenty-Three Million Five Hundred Twenty-Five Thousand Forty-Three and No/100 ($23,525,043.00) Dollars is authorized to be used by the legislative auditor, in addition to the amount allocated in Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses of his employees, the costs of equipment, and all other expenses incurred by that office in connection with the operations thereof during the 2019-2020 Fiscal Year.

(2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1, shall be authorized to receive reimbursement of actual expenses of audits performed on federally funded programs, both direct and indirect, and regulatory boards funded primarily from fees and self-generated revenues and self-supported enterprise functions for the purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act. Reimbursement for audits performed on federally funded programs shall be limited to reimbursement authorized by federal laws and regulations.

(3) Notwithstanding any provision of the law to the contrary, including the General Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the legislative auditor is authorized to allocate and collect from each auditee included in the
state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
independent certified public accountants, such amounts as may be reasonably necessary to
compensate the legislative auditor for services rendered and costs incurred in connection
with the audit of each auditee. In the collection of such amounts, the legislative auditor
shall, on or after the first day of July of each year, notify and warrant, without any other
approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
each auditee from monies accruing or available to the auditee to the Legislative Auditor
Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
to all such auditees shall not exceed the amount appropriated to the legislative auditor from
the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
herein.

(C) In the conduct of such functions all receipts of self-generated revenues shall be
deposited in the state treasury to the credit of the Legislative Auditor Ancillary Enterprise
Fund and disbursements made by the state treasurer to the extent of the amounts deposited
to the credit of such fund in accordance with provisions of law governing expenditures. All
monies from self-generated revenue of the legislative auditor's office shall be paid to the
Legislative Auditor Ancillary Enterprise Fund and shall be deemed to be available for
expenditure in the amount herein appropriated, and any increase in self-generated revenue
over the amount herein appropriated shall be available for expenditure by the legislative
auditor only on approval by the co-chairmen of the Legislative Budgetary Control Council.

(D) The legislative auditor shall warrant on the state treasurer for the monies
allocated by this Section, and the warrant shall be paid by the state treasurer out of the state
general fund. The funds so drawn shall be disbursed only in accordance with budgeted
amounts provided herein and such amendments as may be approved by the Legislative
Budgetary Control Council.

(E) In addition to any portion of the funds herein allocated in this Section to the
legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
appropriated and may be used to defray the expenses of the legislative auditor. These funds
shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
to exceed the total balance remaining at the end of the previous fiscal year; however, all
funds remaining unexpended and/or unencumbered shall be returnable to the state general
fund on or before October 1, 2020.

Section 4.(A) The sum of Three Million One Hundred Fifty-Eight Thousand Eight
Hundred Forty-Nine and No/100 ($3,158,849.00) Dollars is hereby allocated out of the total
appropriation from the state general fund made in Section 1 of this Act to the Joint
Legislative Committee on the Budget, to be used solely for the operations of the Legislative
Fiscal Office and in particular to pay the expenses thereof, including the salaries and
expenses of its employees, the cost of equipment, and all other expenses incurred by said
office in connection with the operation thereof during the 2019-2020 Fiscal Year. The
operations and functions of the Legislative Fiscal Office shall be under the direction and
supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
services shall be approved by the Legislative Budgetary Control Council and the Joint
Legislative Committee on the Budget.

(B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
provided by this Section, and the warrant shall be paid by the state treasurer out of the state
general fund. The funds so drawn shall be disbursed only in accordance with a budget
approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
Control Council.

(C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
portion of the funds previously appropriated or interest earnings on such appropriations and
any self-generated revenues that are not required for the expenses of the 2019 Regular
Session of the Legislature, including printing and all expenses in connection therewith, are
hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
the 2019-2020 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
shall be returnable to the state general fund on or before October 1, 2020.

Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
Hundred One and No/100 ($1,131,401.00) Dollars is hereby allocated out of the total
appropriation from the state general fund made in Section 1 of this Act to the Louisiana State
Law Institute, to pay the expenses thereof, including the salaries and expenses of its employees, the cost of equipment, and all other expenses incurred by said office in connection with the operation thereof during the 2019-2020 Fiscal Year.

(B) The executive director of the Louisiana State Law Institute shall warrant on the state treasurer for the allocation provided by this Section, and the warrant shall be paid by the state treasurer out of the state general fund. The funds so drawn shall be disbursed only in accordance with a budget approved by the Legislative Budgetary Control Council and subject to the budgetary control of said council.

(C) Any portion of the funds herein allocated to the Louisiana State Law Institute, any portion of the funds previously appropriated or interest earnings on such appropriations and any self-generated revenues may be used to pay expenses of the Louisiana State Law Institute during the 2019-2020 Fiscal Year; however, all funds remaining unexpended and/or unencumbered shall be returnable to the state general fund on or before October 1, 2020.

Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One Hundred Twenty-Five and No/100 ($8,557,125.00) Dollars is hereby allocated out of the total appropriation from the state general fund made in Section 1 of this Act and the balance on July 2, 2019 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular Session is hereby appropriated to the Legislative Budgetary Control Council, all of which may be used to pay the expenses thereof, including salaries and expenses of certain legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R. Poynter Legislative Research Library, contracts for professional services, mileage and per diem expenses of the interim activities of joint legislative committees created by statute or by the presiding officers of the Senate and the House of Representatives to which no specific allocation of funds is made in this Act, as approved by the council or, jointly, by the co-chairmen of the council, the cost of construction, maintenance, repair, improvements, renovations, and access to the capitol building, capitol annex building, building for legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase, maintenance, and repair of furniture and equipment, audio-visual systems, security systems, information networks, technological enhancements, technical support, and computer equipment and services, as jointly approved by the president of the Senate and the speaker.
of the House of Representatives, the cost of equipment, dues to legislative associations, to
pay costs to maintain actuarial integrity of the state retirement system affected by the
inclusion of certain legislative employees, and all other expenses incurred by said council
in connection with the operation thereof during the 2019-2020 Fiscal Year.

(B) The co-chairmen of the Legislative Budgetary Control Council shall jointly
warrant on the state treasurer for the monies appropriated and allocated by this Section, and
the state treasurer shall pay their warrants by preference over all other warrants, except
warrants for the salaries of constitutional officers of the state, which shall be concurrent with
warrants provided for by this Act.

(C) The funds drawn as provided herein shall be deposited in the name of the
Legislative Budgetary Control Council in an approved bank located in this state selected by
the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the
officers and employees, and other expenses of the Legislative Budgetary Control Council
shall be made by individual check, payable to the person or firm entitled thereto, signed by
the presiding co-chairmen of the council. Facsimile or electronic signatures may be used;
such payment also may be made by electronic funds transfer through the automated clearing
house and deposited into the account of the person or firm entitled to such payment.

(D) Any portion of the funds herein allocated to the Legislative Budgetary Control
Council, any portion of the funds previously appropriated, or interest earnings on any such
appropriations, and self-generated revenues are hereby appropriated and may be used to pay
any expenses of the Legislative Budgetary Control Council during the 2019-2020 Fiscal
Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
to the state general fund on or before October 1, 2020.

Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing
operating budget for FY 2018-2019 and the appropriation for FY 2019-2020 from the state
general fund is as follows:
<table>
<thead>
<tr>
<th>Entity</th>
<th>FY 2018-2019</th>
<th>FY 2019-2020</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Act 79 of 2018)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>House of Representatives</td>
<td>$ 28,998,300</td>
<td>$ 28,998,300</td>
</tr>
<tr>
<td>Senate</td>
<td>$ 21,764,498</td>
<td>$ 21,764,498</td>
</tr>
<tr>
<td>Legislative Auditor</td>
<td>$ 10,093,83</td>
<td>$ 10,483,708</td>
</tr>
<tr>
<td>Legislative Fiscal Office</td>
<td>$ 2,886,664</td>
<td>$ 3,158,849</td>
</tr>
<tr>
<td>La. State Law Institute</td>
<td>$ 1,131,401</td>
<td>$ 1,131,401</td>
</tr>
<tr>
<td>Legislative Budgetary Control Council</td>
<td>$ 8,557,125</td>
<td>$ 8,557,125</td>
</tr>
<tr>
<td>Total state general fund</td>
<td>$ 73,431,826</td>
<td>$ 74,093,881</td>
</tr>
</tbody>
</table>

The Legislative Auditor for FY 2018-2019 was appropriated self-generated funds in the amount of $22,989,230 and for FY 2019-2020 is appropriated self-generated funds in the amount of $23,525,043. The Legislative Budgetary Control Council for FY 2018-2019 was appropriated the balance of the technology fund on July 2, 2018 and for FY 2019-2020 is appropriated the balance on July 2, 2019 of said fund. The FY 2018-2019 appropriations for the Legislature and the legislative service agencies from the State General Fund (Direct) were reduced by $10,958,870 and the allocation of said reduction was implemented pursuant to a plan adopted by the Legislative Budgetary Control Council.

Section 8. This Act shall become effective on July 1, 2019; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2019, or on the day following such approval by the legislature, whichever is later.

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**DIGEST**

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 598 Original 2019 Regular Session Barras

**Abstract:** ABSTRACT

Provides for the expenses of the legislature and legislative service agencies. Appropriates $74,093,881 from the state general fund for FY 2019-2020 including the following:
House of Representatives $ 28,998,300
Senate $ 21,764,498
Legislative Auditor $ 10,483,708
Legislative Fiscal Office $ 3,158,849
Louisiana State Law Institute $ 1,131,401
Legislative Budgetary Control Council $ 8,557,125

Total state general fund $ 74,093,881

Provides for the allocation of funds for salaries and allowances of members, officers, and staff of the House and Senate. Provides the balance on July 2, 2019 of the fund created by Act 513, §13 of 2008 RS is appropriated to the Legislative Budgetary Control Council.

Appropriates $350,000 from the state general fund to establish the Legislative Auditor Ancillary Enterprise Fund as an agency working capital fund; appropriates $23,525,043 from the fund, which is authorized to be used for expenses of the auditor's office.

Retains provisions of existing law allowing legislative assistants who were employed on or before Dec. 1, 2007, to retain the salary they were earning on Dec. 1, 2007.

Effective July 1, 2019.