

<b>FOR OFFICE USE ONLY</b>	

**HOUSE FLOOR AMENDMENTS**

2021 Regular Session

Amendments proposed by Representative Jenkins to Engrossed House Bill No. 642 by Representative Schexnayder

1 AMENDMENT NO. 1

2 On page 1, line 4, after "through" and before "relative to" delete "100.56," and insert in lieu  
3 thereof "100.57,"

4 AMENDMENT NO. 2

5 On page 1, at the beginning of line 12, delete "100.56," and insert in lieu thereof "100.57,"

6 AMENDMENT NO. 3

7 On page 9, between lines 7 and 8, insert the following:

8 "§100.57. American Rescue Plan Act Small Business and Nonprofit Youth  
9 Employment Program

10 A. There is hereby created in the state treasury, as a special fund, the  
11 "American Rescue Plan Act Small Business and Nonprofit Youth Employment  
12 Fund," hereinafter referred to as the "Employment Fund" to be administered as  
13 provided in this Section.

14 B. The Employment Fund is designed to provide funding from a portion of  
15 the federal monies allocated to Louisiana pursuant to the Coronavirus State Fiscal  
16 Recovery Fund of the American Rescue Plan Act of 2021 for the purpose of  
17 providing assistance to households, small businesses, and nonprofits from the  
18 negative economic impacts of the COVID-19 public health emergency.

19 C. The treasurer is hereby authorized and directed to transfer one hundred  
20 million dollars from the Louisiana Rescue Plan Fund into the Employment Fund.  
21 Monies in the fund shall be invested in the same manner as monies in the state  
22 general fund. Interest earned on the investment of monies in the fund shall be  
23 deposited in and credited to the fund. To the extent allowed by applicable federal  
24 law and guidance, unexpended and unencumbered monies in the Employment Fund  
25 at the end of the fiscal year shall remain in the Employment Fund. Monies in the  
26 Employment Fund shall be used solely as provided in this Section.

27 D. For purposes of this Section the following terms shall have the following  
28 meanings:

29 (1) "Department" means the Louisiana Department of Revenue.

30 (2) "Eligible nonprofit" means a nonprofit corporation or single member  
31 limited liability company wholly owned by a nonprofit corporation that meets all of  
32 the following criteria:

33 (a) Was domiciled in Louisiana as of March 1, 2020.

34 (b) Is in good standing with the secretary of state, if applicable.

35 (c) Suffered an interruption of operations caused by forced or voluntary  
36 closures or restricted operations due to social distancing measures, decreased  
37 customer demand, cleaning or disinfection expenses, or providing personal  
38 protective equipment.

39 (d) Is in good standing with the Internal Revenue Service and has filed the  
40 Form 990 for tax year 2019 or 2020, if applicable.

41 (e) Filed Louisiana tax returns for tax year 2019 or 2020, if applicable.

- 1            (f) Has customers or employees coming to its physical premises.  
2            (g) Had no more than fifty full-time equivalent employees as of March 1,  
3            2020.  
4            (h) Does not exist for the purpose of advancing partisan political activity and  
5            does not directly lobby federal or state officials.  
6            (3) "Eligible small business" means a corporation, limited liability company,  
7            partnership, or sole proprietorship that meets all of the following criteria:  
8            (a) Was domiciled in Louisiana as of March 1, 2020.  
9            (b) Is in good standing with the secretary of state, if applicable.  
10           (c) Suffered an interruption of business caused by forced or voluntary  
11           closures or restricted operations due to social distancing measures, decreased  
12           customer demand, cleaning or disinfection expenses, or providing personal  
13           protective equipment.  
14           (d) Was at least seventy-five percent owned by one or more Louisiana  
15           residents, whether individual resident citizens or Louisiana domestic business  
16           entities.  
17           (e) Filed Louisiana tax returns for tax year 2019 or 2020.  
18           (f) Has customers or employees coming to its physical premises.  
19           (g) Had no more than fifty full-time equivalent employees as of March 1,  
20           2020.  
21           (h) Is not a subsidiary of a business with more than fifty full-time equivalent  
22           employees, is not part of a larger business enterprise with more than fifty full-time  
23           equivalent employees, or is not owned by a business with more than fifty full-time  
24           equivalent employees.  
25           (i) Does not exist for the purpose of advancing partisan political activity and  
26           does not directly lobby federal or state officials.  
27           (j) Does not derive income from passive investments without active  
28           participation in business operations.  
29           (4) "Eligible youth" means an individual who meets all of the following  
30           criteria:  
31           (a) Has attained the age of sixteen but not yet attained the age of twenty-four.  
32           (b) Was unemployed prior to being hired by a business that will apply for a  
33           credit pursuant to the provisions of this Section.  
34           (c) Will be working in a full-time or part-time position that pays wages that  
35           are equivalent to the wages paid for similar jobs, with adjustments for experience and  
36           training.  
37           (d) Meets at least one of the following criteria:  
38           (i) Is at least eighteen years old, is no longer in school, and does not have a  
39           high school diploma or high school equivalency diploma or a HiSET or GED  
40           credential,  
41           (ii) Is a member of a family that is receiving assistance from the Family  
42           Independence Temporary Assistance Program.  
43           (iii) Is a member of a family that is receiving benefits through the  
44           Supplemental Nutrition Assistance Program.  
45           (iv) Is a member of a family that is receiving assistance from the Kinship  
46           Care Subsidy Program.  
47           (v) Is a member of a family that is receiving assistance or benefits under the  
48           Temporary Assistance for Needy Families Program.  
49           (vi) Has served time in jail or prison or is on probation or parole.  
50           (vii) Is pregnant or is a parent.  
51           (viii) Is homeless.  
52           (ix) Is currently or was in foster care, extended foster care, or the custody of  
53           the Department of Children and Family Services.  
54           (x) Is a veteran.  
55           (xi) Is the child of a parent who is currently incarcerated or was released  
56           from incarceration within the past two years.  
57           (xii) Lives in public housing or receives housing assistance such as a Section  
58           8 voucher.

1           (5) "Full-time position" means a position in which a person works at least  
2 thirty-five hours per week.

3           (6) "Grant" means an award by the secretary to an eligible small business or  
4 eligible nonprofit from the Employment Fund.

5           (7) "Part-time Position" means a position in which a person works at least  
6 twenty hours per week.

7           (8) "Secretary" means the secretary of the Louisiana Department of Revenue.

8           E. An eligible small business or eligible nonprofit that hires an eligible youth  
9 on or after July 1, 2021 shall be eligible for a grant pursuant to the provisions of this  
10 Section. Notwithstanding any provision of this Section to the contrary, no grant shall  
11 be awarded to the eligible business or eligible nonprofit unless the eligible youth has  
12 worked at least three consecutive months in a full-time or part-time position at the  
13 business or nonprofit.

14           F.(1) The grants awarded pursuant to the provisions of this Section shall be  
15 equal to:

16           (a) \$2,500 for each eligible youth who works at least three consecutive  
17 months in a full-time position.

18           (b) \$1,250 for each eligible youth who works at least three consecutive  
19 months in a part-time position.

20           (2) In no event shall an eligible business or an eligible nonprofit receive  
21 awards pursuant to the provisions of this Section in the aggregate in excess of  
22 twenty-five thousand dollars.

23           G. No grants shall be awarded pursuant to this Section after December 31,  
24 2022.

25           H. The hiring business or nonprofit shall not terminate an employee or  
26 otherwise reduce its workforce with the intention of creating a new hire that would  
27 make the business or nonprofit eligible for a grant pursuant to this Section.

28           I. The hiring business or nonprofit shall submit or maintain proof that the  
29 eligible youth meets eligibility criteria as required by the secretary.

30           J. The secretary may promulgate rules in accordance with the Administrative  
31 Procedure Act to establish the policies and criteria regarding program eligibility and  
32 any other matter necessary to carry out the intent and purposes of this Section."