

2015 Regular Session

SENATE BILL NO. 52

BY SENATOR APPEL AND REPRESENTATIVE CARTER

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

EDUCATION DEPARTMENT. Re-creates the Department of Education. (6/30/15)

1 AN ACT

2 To enact R.S. 49:191(8)(m) and to repeal R.S. 49:191(6)(f), relative to the Department of  
3 Education, including provisions to provide for the re-creation of the Department of  
4 Education and the statutory entities made a part of the department by law; to provide  
5 for the effective termination date for all statutory authority for the existence of such  
6 statutory entities; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Pursuant to R.S. 49:193, the Department of Education and the statutory  
9 entities made a part of the department by law shall be re-created effective June 30, 2015, and  
10 all statutory authority therefor is continued in accordance with the provisions of Part XII of  
11 Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

12 Section 2. All statutory authority for the existence of the Department of Education  
13 and the statutory entities made a part of the department as re-created by Section 1 of this Act  
14 shall cease as of July 1, 2019, pursuant to R.S. 49:191. However, the Department of  
15 Education may be re-created prior to such date in accordance with the provisions of Part XII  
16 of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

17 Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that

1 those provisions are in conflict with the provisions of this Act.

2 Section 4. R.S. 49:191(8)(m) is hereby enacted to read as follows:

3 §191. Termination of legislative authority for existence of statutory entities; phase-  
4 out period for statutory entities; table of dates

5 Notwithstanding any termination dates set by any previous Act of the  
6 legislature, the statutory entities set forth in this Section shall begin to terminate their  
7 operations on July first of each of the following years, and all legislative authority  
8 for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of  
9 July first of the following year, which shall be the termination date:

10 \* \* \*

11 (8) July 1, 2018:

12 \* \* \*

13 **(m) The Department of Education and all statutory entities made a part**  
14 **of the department by law.**

15 \* \* \*

16 Section 5. R.S. 49:191(6)(f) is hereby repealed in its entirety.

17 Section 6. This Act shall become effective on June 30, 2015; if vetoed by the  
18 governor and subsequently approved by the legislature, this Act shall become effective on  
19 June 30, 2015, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Jeanne C. Johnston.

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Proposed law re-creates the Dept. of Education for four more years. Changes termination date from July 1, 2017, to July 1, 2019.

Present law (sunset law) provides that the Dept. of Education and all the statutory entities made a part of that department by law shall begin to terminate their operations on July 1, 2016, and that all legislative authority for such entities shall cease as of July 1, 2017, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of Education and its statutory entities, effective June 30, 2015, in accordance with the sunset law. Supersedes the provisions of the sunset law which set out the procedure for review and re-creation and which require a separate bill to re-create each statutory entity within the department along

with additional provisions. July 1, 2019, is the new termination date, and termination would begin July 1, 2018, unless the department is again re-created.

Effective June 30, 2015.

(Adds R.S. 49:191(8)(m); repeals R.S. 49:191(6)(f))