

2015 Regular Session

HOUSE BILL NO. 295

BY REPRESENTATIVE BROWN

AGRICULTURE: Provides for a forest protection assessment and the transfer of monies received from the assessment to the Louisiana Agricultural Finance Authority

1 AN ACT

2 To amend and reenact Part II-A of Chapter 28 of Title 3 of the Louisiana Revised Statutes  
3 of 1950, to be comprised of R.S. 3:4321, relative to the forest protection tax; to  
4 provide for a forest protection assessment; to provide for unencumbered and  
5 unexpended monies in the Forest Protection Fund; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. Part II-A of Chapter 28 of Title 3 of the Louisiana Revised Statutes of  
8 1950, comprised of R.S. 3:4321, is hereby amended and reenacted to read as follows:

9 PART II-A. Forest Protection ~~Tax~~ Assessment

10 §4321. Forest protection ~~tax~~ assessment

11 A. There is hereby levied an annual ~~tax~~ assessment of eight cents per acre  
12 on each acre of timberland in the state to be paid by the owners thereof, which shall  
13 be known as the forest protection ~~tax~~ assessment. "Timberland", as used in this Part,  
14 means bona fide timberland being assessed at its use value as defined and determined  
15 pursuant to R.S. 47:2301 et seq.

16 B. The ~~tax~~ assessment shall be entered on the tax rolls by the assessor and  
17 shall be paid by the owner of such timberland to the sheriff and ex officio tax  
18 collector of the parish in which the timberland is located in the same manner as  
19 parish ad valorem taxes and, when collected, shall be remitted to the state treasurer  
20 to be used solely as provided in this Part.

1 C. After compliance with the requirements of Article VII, Section 9(B) of  
2 the Constitution of Louisiana, relative to the Bond Security and Redemption Fund,  
3 and prior to monies being placed in the state general fund, an amount equal to that  
4 deposited as required herein shall be credited to a special fund hereby created in the  
5 state treasury to be known as the "Forest Protection Fund".

6 D. The monies in the fund shall be expended by the Department of  
7 Agriculture and Forestry for the ~~acquisition~~ acquisition and maintenance of  
8 equipment for the protection of forest lands from damage by fire or other causes and  
9 only in the amounts appropriated annually by the legislature. All unexpended and  
10 unencumbered monies in the fund at the end of the fiscal year shall revert to the ~~state~~  
11 ~~general fund~~ Louisiana Agricultural Finance Authority. ~~The monies in the fund shall~~  
12 ~~be invested by the treasurer in the same manner as monies in the state general fund,~~  
13 ~~and interest earned on the investment of these monies shall be credited to the state~~  
14 ~~general fund.~~

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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)]

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HB 295 Engrossed

2015 Regular Session

Brown

**Abstract:** Provides for a forest protection assessment. Directs all unexpended and unencumbered monies in the Forest Protection Fund (fund) to the Louisiana Agricultural Finance Authority.

Present law establishes a forest protection tax. Proposed law modifies present law by changing the tax to an assessment.

Present law establishes a Forest Protection Fund. Proposed law retains present law.

Present law directs the Dept. of Agriculture and Forestry to expend monies in the fund to acquire and maintain equipment for the protection of forest lands from damage by fire or other causes. Proposed law retains present law.

Present law directs all unexpended and unencumbered monies in the fund to the state general fund and requires that such funds be invested by the treasurer and the interest earned credited to the state general fund. Proposed law modifies present law by directing all unexpended and unencumbered monies in the fund to the Louisiana Agricultural Finance Authority. Proposed law also removes the present law requirement that the monies in the fund be invested and the interest credited to the state general fund.

(Amends R.S. 3:4321)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Agriculture, Forestry, Aquaculture, and Rural Development to the original bill:

1. Make a technical change.