

2015 Regular Session

HOUSE BILL NO. 566

BY REPRESENTATIVE FANNIN

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

FUNDS/FUNDING: Provides for the transfer and deposit on monies among state funds

1 AN ACT

2 To amend and reenact R.S. 32:868(B)(2)(b) and R.S. 51:2361(A)(2) and to enact R.S.
3 40:1402, relative to special treasury funds; to provide for the transfer, dedication,
4 use, and appropriations as specified of certain treasury funds; to provide for the
5 deposit of certain funds into the state treasury; to provide for deposits into the Rapid
6 Response Fund; to provide for the uses of monies in the Insurance Verification
7 System Fund; to authorize the transfer of balances between funds; to create the New
8 Orleans Public Safety Fund in the state treasury; to provide for deposit, use, and
9 investment of the money in the New Orleans Public Safety Fund; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 32:868(B)(2)(b) is hereby amended and reenacted to read as follows:

13 §868. Funding of real-time system to verify motor vehicle insurance; Insurance
14 Verification System Fund; creation

15 * * *

16 B. There is hereby created in the state treasury the Insurance Verification
17 System Fund, hereinafter referred to as the "fund". Monies in the fund shall be
18 invested in the same manner as monies in the state general fund. Interest earned on
19 investment of monies in the fund shall be deposited in and credited to the fund. The
20 monies in this fund shall be used solely as provided for in this Section and only in

1 the amounts appropriated by the legislature. Unexpended and unencumbered monies
2 in the fund shall remain in the fund. Monies in the fund shall be used in amounts
3 appropriated by the legislature as follows:

4 * * *

5 (2) For Fiscal Year 2015-2016 and each fiscal year thereafter, monies in the
6 fund shall be used as follows:

7 * * *

8 (b) ~~The next~~ Next, the amount needed to fund the increase in the costs of
9 salaries and related benefits associated with the provisional pay plan adopted by the
10 State Police Commission on February 12, 2015, not to exceed forty-two million
11 dollars per year, shall be dedicated to the Department of Public Safety and
12 Corrections, office of state police.

13 * * *

14 Section 2. R.S. 40:1402 is hereby enacted to read as follows:

15 §1402. New Orleans Public Safety Fund

16 A. There is hereby created in the state treasury the New Orleans Public
17 Safety Fund, hereinafter referred to as the "fund". The source of monies in the fund
18 shall be any monies appropriated annually by the legislature including federal funds,
19 donations, gifts, or grants, and any other monies which may be provided by law. All
20 unexpended and unencumbered monies in the fund at the end of the year shall remain
21 in the fund. Monies in the fund shall be invested by the treasurer in the same manner
22 as monies in the state general fund, and any interest earned on such investment shall
23 be deposited in and credited to the fund.

24 B. Monies in the fund shall be appropriated by the legislature to the office
25 of state police for public safety services, including patrol and law enforcement, in the
26 area of the city of New Orleans within the following boundaries: the Mississippi
27 River, the center line of Canal Street, the rear property line of the properties fronting
28 on the lake side of North Rampart Street, the rear property line of the properties
29 fronting on the downriver side of Esplanade Avenue to the Mississippi River.

1 Section 3. R.S. 51:2361(A)(2) is hereby amended and reenacted to read as follows:

2 §2361. Rapid Response Fund

3 A.

4 * * *

5 (2) Beginning July 1, 2005, the state treasurer is directed to deposit into the
6 fund at the beginning of each fiscal year ~~an amount sufficient to bring the~~
7 ~~unencumbered balance in the fund to~~ ten million dollars. The legislature may
8 appropriate additional monies to the fund notwithstanding the balance in the fund.

9 * * *

10 Section 4. Notwithstanding any provision of law to the contrary, the state treasurer
11 is hereby authorized and directed to transfer the unexpended and unencumbered fund
12 balance of the Telephone Company Property Assessment Relief Fund at the end of Fiscal
13 Year 2014-2015 to the Overcollections Fund.

14 Section 5.(A) Notwithstanding any provision of the law to the contrary, the state
15 treasurer is hereby authorized and directed to transfer the following amounts into the
16 Overcollections Fund from the funds specified below:

17 (1) Twenty-Five Million Five Hundred Seventy-Six Thousand Three Hundred
18 Eighty Dollars from the Insurance Verification System Fund.

19 (2) Eleven Million Eight Hundred Seventy-Four Thousand Seven Hundred Seventy
20 Dollars from the Riverboat Gaming Enforcement Fund.

21 (3) Three Million Five Hundred Forty Thousand Dollars from the Employment
22 Security Administration Account of the Employment Security Administration Fund.

23 (4) Four Million Two Hundred Thousand Dollars from the Penalty and Interest
24 Account of the Employment Security Administration Fund.

25 (B) Notwithstanding any provision of law to the contrary, the state treasurer is
26 hereby authorized and directed to transfer Twelve Million Dollars from the Self-Insurance
27 Fund to the Overcollections Fund.

1 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
2 hereby authorized and directed to transfer Eleven Million One Hundred Thousand Dollars
3 from the Department of Revenue to the Overcollections Fund.

4 (D) Notwithstanding any provision of law to the contrary, the Louisiana Office
5 Building Corporation or its successor is hereby authorized and directed to deposit into the
6 state treasury Five Hundred Thousand Dollars. The state treasurer is hereby authorized and
7 directed to transfer the funds to the Overcollections Fund.

8 (E) Notwithstanding any provision of law to the contrary, the Louisiana Public
9 Facilities Authority or its successor is hereby authorized and directed to deposit into the state
10 treasury Two Million Three Hundred Thousand Dollars. The state treasurer is hereby
11 authorized and directed to transfer the funds to the Overcollections Fund.

12 Section 6. Notwithstanding any provision of law to the contrary, the Louisiana
13 Lottery Corporation or its successor is hereby authorized and directed to deposit into the state
14 treasury the unrestricted or unencumbered fund assets of Five Million Nine Hundred
15 Thousand Dollars. The state treasurer is hereby authorized and directed to transfer the funds
16 to the Lottery Proceeds Fund.

17 Section 7. Notwithstanding any provision of law to the contrary, the state treasurer
18 is hereby authorized and directed to transfer Forty-Four Million Six Hundred Twenty-Seven
19 Thousand Eight Hundred Ninety-Two Dollars, to be comprised wholly of nonrecurring
20 revenues out of the state general fund from the Fiscal Year 2013-2014 surplus, as recognized
21 by the Revenue Estimating Conference, to the Budget Stabilization Fund.

22 Section 8. Sections 4, 5, 6, 8, and 9 of this Act shall become effective upon signature
23 of this Act by the governor or, if not signed by the governor, upon expiration of the time for
24 bills to become law without signature by the governor, as provided by Article III, Section
25 18 of the Constitution of Louisiana.

26 Section 9. Sections 1, 2, 3, and 7 of this Act shall become effective on July 1, 2015.

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 566 Engrossed

2015 Regular Session

Fannin

Abstract: Provides for the transfer and deposit of monies among state funds, including deposits into the Overcollections Fund, the Lottery Proceeds Fund, and the Budget Stabilization Fund.

INSURANCE VERIFICATION SYSTEM FUND (EFFECTIVE JULY 1, 2015)

Present law provides for the uses of the Insurance Verification System Fund. Provides that \$42 million shall be dedicated to the office of state police prior to funding the sheriffs for housing of parolees pending revocation hearings and funding to DAs and Assistant DAs.

Proposed law changes the office of state police dedication to the lesser of the amount needed to fund the pay increase adopted by the State Police Commission on February 12, 2015, or \$42 million per year.

NEW ORLEANS PUBLIC SAFETY FUND (EFFECTIVE JULY 1, 2015)

Proposed law establishes the New Orleans Public Safety Fund as a special treasury fund. The source of monies in the fund are federal funds, donations, gifts, or grants, and any money appropriated to the fund. Monies in the fund shall be appropriated to the office of state police for public safety services in the city of New Orleans in an area bound by the Mississippi River, Canal Street, North Rampart Street (both sides), and Esplanade Avenue (both sides).

RAPID RESPONSE FUND (EFFECTIVE JULY 1, 2015)

Present law directs the treasurer to deposit into the Rapid Response Fund sufficient funds to bring the unencumbered balance of the fund to \$10 million.

Proposed law deletes the reference in present law to the unencumbered fund balance, requiring the treasurer to annually deposit at least \$10 million into the fund.

OVERCOLLECTIONS FUND (EFFECTIVE ON GOV'S SIGNATURE)

Transfers the unrestricted and unencumbered fund balance of the Telephone Company Property Assessment Relief Fund remaining at the end of FY 2014-2015 into the Overcollections Fund.

Transfers the following into the Overcollections Fund:

Amount	Source
\$25,576,380	Insurance Verification Fund
\$11,874,770	Riverboat Gaming Enforcement Fund
\$ 3,540,000	Employment Security Administration Account of the Employment Security Administration Fund
\$ 4,200,000	Penalty and Interest Account of the Employment Security Administration Fund
\$12,000,000	Self-Insurance Fund
\$11,100,000	La. Dept. of Revenue
\$ 500,000	La. Office Building Corp.

\$ 2,300,000 La. Public Facilities Authority

LOTTERY PROCEEDS FUND (EFFECTIVE ON GOV'S SIGNATURE)

Transfers \$ 5,900,000 from the Louisiana Lottery Corp. to the Lottery Proceeds Fund.

BUDGET STABILIZATION FUND (EFFECTIVE JULY 1, 2015)

Transfers \$44,627,892 of nonrecurring revenues out of the state general fund from the Fiscal Year 2013-2014 surplus, as recognized by the Revenue Estimating Conference, to the Budget Stabilization Fund.

(Amends R.S. 32:868(B)(2)(b) and R.S. 51:2361(A)(2); Adds R.S. 40:1402)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Delete the repeal of the Telephone Company Property Assessment Relief Fund and specify that the fund balance transferred at the end of Fiscal Year 2014-2015 is the unexpended and unencumbered fund balance.
2. Add changes to the Insurance Verification System Fund.
3. Add creation of the New Orleans Public Safety Fund.
4. Change amounts transferred from Insurance Verification Fund, Riverboat Gaming Enforcement Fund, and from the La. Public Facilities Authority.