

SENATE BILL NO. 221

BY SENATOR ADLEY

1 AN ACT

2 To amend and reenact R.S. 48:77(A) and (B) and 2074(A) and to repeal R.S. 48:77(C),
3 2077(24), and Chapter 32 of Title 48 of the Louisiana Revised Statutes of 1950,
4 comprised of R.S. 48:2111 through 2119, relative to the dedication and use of certain
5 funds for transportation purposes; to provide for the certification and the use of the
6 increase in the base amount of certain mineral revenues received by the state; to
7 provide for the deposit and use of such monies into the Transportation Trust Fund
8 and for other transportation uses; to repeal provisions dedicating certain sales taxes
9 in the event of a projected deficit in the official Revenue Estimating Conference
10 forecast; to abolish the Transportation Mobility Fund, including the sources of
11 funding, the use of the monies in the fund, and authority to approve projects for such
12 purposes; to provide for an effective date; and to provide for related matters.

13 Be it enacted by the Legislature of Louisiana:

14 Section 1. R.S. 48:77(A) and (B) and 2074(A) are hereby amended and reenacted
15 to read as follows:

16 §77. Transportation Trust Fund; dedication and uses of certain monies for
17 transportation purposes

18 A. Beginning ~~July 1, 2008~~ **Fiscal Year 2017-2018 and each year thereafter**,
19 from the avails of the taxes imposed by Chapters 2, 2-A, and 2-B of Subtitle II of
20 Title 47 of the Louisiana Revised Statutes of 1950 from the sale, use, lease or rental,
21 the distribution, the consumption, and the storage for use or consumption of motor
22 vehicles which are taxable pursuant to said Chapters 2, 2-A, and 2-B, and after
23 satisfying the requirements of Article VII, Section 9(B) of the Constitution of
24 Louisiana relative to the Bond Security and Redemption Fund, the treasurer shall
25 deposit ~~the following amounts as provided in Subsection B of this Section:~~ **an**
26 **amount equal to an increase in general fund revenues as certified by the**
27 **Revenue Estimating Conference as being attributable to the provisions of the**

1 Act that originated as Senate Bill No. 122 of the 2015 Regular Session of the
 2 Legislature, but not in excess of one hundred million dollars per fiscal year, to
 3 the funds to be dedicated for use as provided by Subsection B of this Section.

4 ~~(1) For Fiscal Year 2008-2009, ten percent of such avails.~~

5 ~~(2) For Fiscal Year 2009-2010, twenty percent of such avails.~~

6 ~~(3) For Fiscal Year 2010-2011, thirty percent of such avails.~~

7 ~~(4) For Fiscal Year 2011-2012, fifty percent of such avails.~~

8 ~~(5) For Fiscal Year 2012-2013, seventy-five percent of such avails.~~

9 ~~(6) For Fiscal Year 2013-2014, eighty-five percent of such avails.~~

10 ~~(7) For Fiscal Year 2014-2015 and thereafter, all of the collections.~~

11 B. The avails of the taxes **monies** dedicated pursuant to Subsection A of this
 12 Section shall be deposited for the purposes **to the funds** specified **for the following**
 13 **purposes:**

14 (1) ~~Ninety-three percent to~~ **The first seventy million dollars of the total**
 15 **monies shall be deposited into the Transportation Trust Fund to be used**
 16 **exclusively for state highway pavement and bridge sustainability projects in**
 17 **accordance with the Department of Transportation and Development**
 18 **definitions of such projects.**

19 **(2) After compliance with the provisions of Paragraph (B)(1) of this**
 20 **Subsection, ninety-three percent of the remaining monies shall be deposited into**
 21 the Transportation Trust Fund to be appropriated and expended as follows:

22 (a) ~~Not less than thirty percent of the total avails deposited in the~~
 23 ~~Transportation Trust Fund pursuant to Subsection A of this Section shall be~~
 24 dedicated to **highway priority program projects classified as** capacity projects **in**
 25 **accordance with the Department of Transportation and Development**
 26 **definitions of such projects.**

27 (b) ~~Seven~~ **Twenty-five** percent of the total avails deposited in the
 28 Transportation Trust Fund pursuant to Subsection A of this Section shall be used
 29 exclusively for port **construction and development** priority **program** projects as
 30 provided in Chapter 47 of Title 34 (R.S. 34:3451 through 3463).

1 (c) The remainder of the total avails monies deposited in the Transportation
 2 Trust Fund pursuant to ~~Subsection A of this Section~~ after compliance with
 3 Subparagraphs (B)(2)(a) and (b) of this Paragraph shall be used exclusively for
 4 highway priority projects. Such projects shall be specifically for state highway
 5 pavement and bridge sustainability in accordance with the Department of
 6 Transportation and Development definitions of such projects.

7 ~~(2)(3)(a)~~ Seven percent After compliance with the provisions of
 8 Paragraph (B)(1) of this Subsection, seven percent of the remaining monies shall
 9 be deposited to into the ~~Transportation Mobility Fund~~ Louisiana State
 10 Transportation Infrastructure Fund as provided in the Act which originated as
 11 House Bill No. 767 of the 2015 Regular Session of the Legislature. Unless
 12 otherwise approved by the ~~Louisiana Transportation Authority,~~ the The avails
 13 monies deposited in the ~~Transportation Mobility Fund~~ pursuant to ~~Subsection A of~~
 14 ~~this Section~~ Louisiana State Transportation Infrastructure Fund pursuant to
 15 this Subsection shall be used exclusively for final design and construction and shall
 16 not be used for studies.

17 (b) If the Act which originated as House Bill No. 767 of the 2015 Regular
 18 Session of the Legislature fails to pass and is not enacted into law, the monies
 19 allocated to this Paragraph shall be deposited into the Transportation Trust
 20 Fund and used exclusively for port construction and development priority
 21 program projects as provided in Subparagraph (B)(2)(b) of this Section.

22 (4) None of the monies deposited into the Transportation Trust Fund
 23 pursuant to this Subsection shall be appropriated to the office of state police.

24 * * *

25 §2074. Louisiana Transportation Authority; creation; board of directors; meetings;
 26 quorum

27 A. The Louisiana Transportation Authority, hereafter referred to as the
 28 "authority", is hereby created possessing full corporate powers to promote, plan,
 29 finance, develop, construct, control, regulate, operate, and maintain any tollway or
 30 transitway to be constructed within its jurisdiction. ~~Additionally, the authority shall~~

1 ~~administer and disburse the funds deposited into the Transportation Mobility Fund~~
2 ~~in accordance with the provisions of R.S. 48:2112 et seq.~~

3 * * *

4 Section 2. R.S. 48:77(C) and 2077(24) and Chapter 32 of Title 48 of the Louisiana
5 Revised Statutes of 1950, comprised of R.S. 48:2111 through 2119, are hereby repealed.

6 Section 3. It is hereby declared by the Legislature of Louisiana that it is the
7 legislative intent that a portion of the costs of implementation of the provisions of Section 1
8 of this Act shall be deemed to be offset by any monies derived from the increase in the base
9 amount of mineral revenues received by the state prior to any deposit into the Budget
10 Stabilization Fund, as provided in the Act which originated as Senate Bill No. 122 of the
11 2015 Regular Session of the Legislature.

12 Section 4. This Act shall take effect and become operative if and when the Act
13 which originated as Senate Bill No. 122 of this 2015 Regular Session of the Legislature is
14 enacted into law and becomes effective.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____