

ACT No. 66

2016 Regular Session

HOUSE BILL NO. 812

BY REPRESENTATIVES SCHRODER AND THIBAUT

1 AN ACT

2 To enact R.S. 39:127.2, relative to maximum utilization of office space in state owned or
3 leased buildings; to provide for the identification of underutilized office space; to
4 require utilization by certain agencies; to provide duties and responsibilities; to
5 require reporting of available office space and reporting of agencies in violation; and
6 to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:127.2 is hereby enacted to read as follows:

9 §127.2. Utilization of office space in state owned buildings

10 A. The Legislature of Louisiana hereby finds and declares that the maximum
11 utilization of state owned or leased buildings is a necessary cost efficiency and,
12 accordingly, further declares that it is incumbent upon and the responsibility of all
13 state agencies to actively conserve, identify, and seek available office space in state
14 owned or leased buildings.

15 B.(1) Each agency shall submit to the division of administration by July first
16 of each year and update by January first of each year, the identity of any and all
17 office space in state owned or leased buildings by location and square footage and
18 the identity of any unoccupied or underutilized office space in state owned or leased
19 buildings by location and square footage.

20 (2) The division of administration shall compile the names of any agencies
21 that fail to submit the information required by Paragraph (1) of this Subsection and
22 submit the names of the agencies to the Joint Legislative Committee on the Budget
23 for consideration at its next meeting.

24 (3) The division of administration shall prepare an annual report, to be
25 submitted to the Joint Legislative Committee on the Budget on or before March first

1 of each year, regarding the amount of office space in state owned or leased buildings,
2 the amount of unoccupied or underutilized office space in state owned or leased
3 buildings, and the amount of leased office space in buildings that are not considered
4 state owned or leased. The annual report shall also include a compilation of the
5 notices to the agencies and the agencies' responses required by Paragraph (D)(2) of
6 this Section.

7 C. The division of administration, as part of its duty to allocate space in
8 accordance with R.S. 39:127, shall:

9 (1) Maintain a list, updated semi-annually, of all office space in state owned
10 or leased buildings by location and square footage.

11 (2) Identify all available office space that the division of administration
12 determines is suitable for the needs of an agency with leased space, and within thirty
13 days after the semi-annual update of the list required in this Section, send a notice
14 to the head of the agency of the available space.

15 D.(1) Within ninety days of the notification provided for in this Section, the
16 agency head shall respond to the notice with a transitional plan for moving into the
17 available space or a detailed indication of why the space is not suitable for use by the
18 agency.

19 (2) If the agency does not submit a transitional plan for moving into the
20 space identified or does not move in the time indicated in the plan, the notice to the
21 agency and the agency's response required by this Section shall be submitted to the
22 Joint Legislative Committee on the Budget for consideration at its next meeting. The
23 notices to the agencies and the agencies' responses shall be compiled and included
24 in the report by the division of administration to the Joint Legislative Committee on
25 the Budget required by Paragraph (B)(3) of this Section.

26 E. Neither the fact that an agency is headed by an elected or an appointed
27 officer nor the fact that an agency derives its operating funds from direct legislative
28 appropriations, dedication or other allocation or sources of revenues, fees or charges
29 or assessments, or from any other specified source of funds available to the state or

1 for use by the state shall be a factor in determining the agencies or buildings to which
2 this Section shall apply.

3 F. The division of administration shall comply with federal laws and
4 regulations and with state-federal agreements with respect to the housing of any
5 agency, or its personnel, operations, equipment, or activities, which receives or
6 administers any federal funds.

7 G. For purposes of this Section:

8 (1) "Agency" means a department, office, division, or agency of a state
9 governmental entity, except those provided in R.S. 39:127(C) and (D).

10 (2) "Agency head" or "head of agency" means the chief executive or
11 administrative officer of an agency who exercises supervision over the agency.

12 (3) "Lease" means any agreement, including but not limited to cooperative
13 endeavor agreements, professional services contracts, and consulting services
14 contracts which gives rise to relationships of landlord and tenant or lessor and lessee.

15 (4) "Office space" means space suitable to house an agency, its personnel,
16 operations, equipment, or activities but does not include the space governed by the
17 provisions of R.S. 49:150.1.

18 (5) "State owned or leased building" means a public building, or a portion
19 of a building, belonging to or under the control of the state of Louisiana and designed
20 to house personnel, equipment, storage, or services of the various agencies of the
21 state.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____