

2017 Regular Session

HOUSE BILL NO. 52

BY REPRESENTATIVE CONNICK

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

FUNDS/FUNDING: Changes the dedication of a portion of the truck and trailer fees collected in certain parishes and creates the Regional Maintenance and Lighting Fund

1 AN ACT

2 To amend and reenact R.S. 47:481 and R.S. 48:196(A)(introductory paragraph) and 197 and

3 to repeal R.S. 48:25.2(D), relative to certain registration and license fees and taxes

4 collected on trucks and trailers; to provide for the collection, deposit, and

5 appropriation of such registration and license fees and taxes collected in certain

6 parishes; to create the Regional Maintenance and Lighting Fund; to provide for the

7 deposit, use, and investment of monies in the fund; to provide for the New Orleans

8 Ferry Fund; to repeal the termination date of the New Orleans Ferry Fund; and to

9 provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 47:481 is hereby amended and reenacted to read as follows:

12 §481. Disposition of collections

13 Except as provided in R.S. 47:480, all fees and taxes provided for in this

14 Chapter, including the permit fees, shall be paid to the state treasurer on or before the

15 tenth day of each month following their collection and shall be credited to the

16 account of the Transportation Trust Fund, the State Highway Improvement Fund,

17 state highway fund No. 2, ~~and~~ the New Orleans Ferry Fund, and the Regional

18 Maintenance and Lighting Fund, as provided by law.

1 Section 2. R.S. 48:196(A)(introductory paragraph) and 197 are hereby amended and
2 reenacted to read as follows:

3 §196. State Highway Improvement Fund

4 A. There is hereby created, as a special fund in the state treasury, the State
5 Highway Improvement Fund, hereinafter referred to as the "fund". The source of
6 monies in this fund shall be registration and license fees and taxes collected by the
7 state pursuant to R.S. 47:462, and as provided in R.S. 47:481, in such amounts as
8 remain after payment of amounts due on bonds and related expenses as provided in
9 the documents pursuant to which the bonds were issued under the provisions of R.S.
10 48:196.1. Beginning July 1, 2007, and each fiscal year thereafter, after satisfaction
11 of the requirements of the provisions of R.S. 48:196.1 and compliance with the
12 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, and after
13 making the allocation for state highway fund No. 2, ~~and the New Orleans Ferry~~
14 ~~Fund, and the Regional Maintenance and Lighting Fund~~, the treasurer shall deposit
15 into the fund the following amounts:

16 * * *

17 §197. Motor vehicle license tax; ~~Transportation Trust Fund~~ Regional Maintenance
18 and Lighting Fund

19 A. Beginning From January 1, 2013, ~~and each fiscal year thereafter, through~~
20 June 30, 2017, after compliance with the requirements of Article VII, Section 9(B)
21 of the Constitution of Louisiana, and after making the allocation for state highway
22 fund No. 2, the treasurer shall deposit into the Transportation Trust Fund fifty
23 percent of all funds derived from the collection of registration and license fees and
24 taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S. 47:481,
25 in the parishes of Orleans, Jefferson, St. John the Baptist, St. Charles, Tangipahoa,
26 and St. Tammany.

27 B. There is hereby created, as a special fund in the state treasury, the
28 Regional Maintenance and Lighting Fund, hereinafter referred to as the "fund".
29 Beginning July 1, 2017, and each fiscal year thereafter, after compliance with the

1 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, after
2 making the allocation for state highway fund No. 2 for the Greater New Orleans
3 Expressway Commission, and after making the allocation for the New Orleans Ferry
4 Fund pursuant to R.S. 48:25.2, the treasurer shall deposit into the fund the remaining
5 monies derived from the collection of registration and license fees and taxes
6 collected by the state pursuant to R.S. 47:462, and as provided in R.S. 47:481, in the
7 parishes of Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St.
8 Tammany.

9 C. The monies in the fund shall be subject to an annual appropriation by the
10 legislature and shall be used only as provided in Subsection D of this Section. The
11 monies in the fund shall be invested by the treasurer in the same manner as the
12 monies in the state general fund, and all interest earned shall be deposited and
13 credited to the fund. All unexpended or unencumbered monies remaining in the fund
14 at the end of the fiscal year shall remain to the credit of the fund.

15 D. Monies appropriated from the fund shall be used exclusively for
16 maintenance and lighting of state highways in the respective parishes. Monies
17 collected in the parishes of Orleans, Jefferson, Tangipahoa, and St. Tammany shall
18 be appropriated to the Regional Planning Commission. Monies collected in the
19 parishes of St. Charles and St. John the Baptist shall be appropriated to the South
20 Central Planning and Development Commission.

21 Section 3. R.S. 48:25.2(D) is hereby repealed in its entirety.

22 Section 4. This Act shall become effective on July 1, 2017; if vetoed by the governor
23 and subsequently approved by the legislature, this Act shall become effective on July 1,
24 2017, or on the day following such approval by the legislature, whichever is later.

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 52 Original

2017 Regular Session

Connick

Abstract: Changes the dedication of motor vehicle license taxes on trucks and trailers collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes from the Transportation Trust Fund to the Regional Maintenance and Lighting Fund and repeals the termination date for the New Orleans Ferry Fund.

Present law dedicates 50% of all motor vehicle license taxes collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to state highway fund No. 2 for the Greater New Orleans Expressway Commission.

Present law (R.S. 48:197) dedicates 50% of motor vehicle license taxes on trucks and trailers collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to the Transportation Trust Fund.

Proposed law terminates the 50% dedication to the Transportation Trust Fund in present law beginning on July 1, 2017, and instead dedicates the motor vehicle license taxes on trucks and trailers collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes, net of allocations to the Bond Security and Redemption Fund, state highway fund No. 2, and the New Orleans Ferry Fund, into the newly created Regional Maintenance and Lighting Fund.

Proposed law creates the Regional Maintenance and Lighting Fund as a special treasury fund. Provides that monies in the fund shall be appropriated exclusively for maintenance and lighting for state highways in the parish in which the monies are collected. Provides for the appropriation of Orleans, Jefferson, Tangipahoa, and St. Tammany parish collections to the Regional Planning Commission and the appropriation of St. Charles and St. John the Baptist parish collections to the South Central Planning and Development Commission.

Present law (R.S. 48:25.2) dedicates a portion of the motor vehicle license tax on trucks and trailers collected in Orleans Parish to the New Orleans Ferry Fund. Present law creating the New Orleans Ferry Fund terminates on June 30, 2018.

Proposed law repeals the termination date of the New Orleans Ferry Fund in present law.

Effective July 1, 2017.

(Amends R.S. 47:481 and R.S. 48:196(A)(intro. para.) and 197; Repeals R.S. 48:25.2(D))