

2017 Regular Session

SENATE BILL NO. 226

BY SENATOR HEWITT

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

FUNDS/FUNDING. Eliminates certain statutory dedications and eliminates certain dedications of certain funds. (7/1/17)

AN ACT

To amend and reenact R.S. 3:2(C), 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), the introductory paragraph of R.S. 22:347(A), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a), and 437(B)(1), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 467(G), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), 2341(F), 2361, the introductory paragraph of 2362(A), 2363, 2365, 2365.1(B) and (C), and 2366, and Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature, and to repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, Subpart A-2 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.7, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), 437(A) through (E), 831(B), 835(C), (D), and (F), 1071(D)(3)(b) and (c), and 2134, R.S. 24:39, 1291.1(E), and 1515, R.S.

1 27:92(C), 392(B)(2)(b) through (C), 437(B)(2) and (C), and 439, R.S. 28:826 and
2 842, R.S. 30:136.3, 2205, and 2480.2, Subpart A of Part II-A of Chapter 1 of Subtitle
3 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:91,
4 R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the
5 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part
6 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,
7 comprised of R.S. 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title
8 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.21, Subpart
9 J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of
10 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I
11 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.31,
12 Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
13 Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of
14 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
15 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the
16 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of
17 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of
18 1950, comprised of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle
19 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
20 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I of Title 39 of the
21 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126, Subpart R-1 of
22 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of
23 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of Subtitle I
24 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.146,
25 467(G), and 1357, R.S. 40:16.2, 1402, 1428(A)(4) and (C), 1547, and 2845(D)(2)
26 and (3) and (E), R.S. 46:114.4, 440.1, Chapter 57 of Title 46 of the Louisiana
27 Revised Statutes of 1950, comprised of R.S. 47:2731, and 2901, R.S. 47:301.1(F),
28 302.2 through 302.55, 318, 322.1 through 322.43, 322.45 through 322.48, 332.1
29 through 332.15, 332.16 through 332.49, 332.51 through 332.54, 841(G), 841.1,

1 841.2, 1061(B), 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:214.6.7(D)
 2 and (E) and 259, R.S. 51:2212(3), 2213, 2315, and 2365.1(D), and Code of Criminal
 3 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session
 4 of the Legislature, Section 9 of Act No. 138 of the 2005 Regular Session of the
 5 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the
 6 Legislature, relative to special treasury funds; to provide for the elimination of
 7 certain special treasury funds; to eliminate certain dedications into certain special
 8 treasury funds; to eliminate certain required expenditures from special treasury
 9 funds; to repeal certain funds; to repeal certain sales and use tax dedications; to
 10 authorize the transfer of balances between funds; to provide for deposit of monies
 11 into the state general fund; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 3:2(C), 4321(B), 4411(A), and 4423(3) are hereby amended and
 14 reenacted to read as follows:

15 §2. Creation, powers, and duties of Department of Agriculture and Forestry and the
 16 commissioner of agriculture and forestry

17 * * *

18 C. All funds derived from the sale of timber on state lands under this Section
 19 shall be deposited in the state treasury **for deposit into the state general fund.**
 20 ~~Monies derived from the sale of timber on state lands in the custody of the Louisiana~~
 21 ~~Department of Health shall be deposited into the Louisiana Department of Health's~~
 22 ~~Facility Support Fund as provided in R.S. 40:16.2.~~ The legislature shall annually
 23 appropriate to the Department of Agriculture and Forestry the costs incurred by that
 24 department under the provisions of this Section.

25 * * *

26 §4321. Forest protection assessment

27 * * *

28 B. The assessment shall be entered on the tax rolls by the assessor and shall
 29 be paid by the owner of such timberland to the sheriff and ex officio tax collector of

1 the parish in which the timberland is located in the same manner as parish ad
2 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~
3 solely as provided in this Part for deposit into the state general fund.

4 * * *

5 §4411. Forestry Productivity Fund; disposition of funds

6 A. Funds equal to seventy-five percent of that portion of the severance tax
7 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of
8 Louisiana shall be deposited immediately upon receipt into the state treasury for
9 deposit into the state general fund.

10 * * *

11 §4423. Definitions

12 As used in this Part, the following terms shall have the meanings ascribed
13 below:

14 * * *

15 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax
16 deduction, rebate, investment, contract, or grant made available by the state to
17 directly support the purchase of forestry products. "Incentives" shall not mean any
18 such benefit available under statutorily provided programs including Louisiana
19 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act
20 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax
21 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program
22 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and
23 Industrial Tax Equalization Program (R.S. 47:3201, et seq.), ~~Rapid Response Fund~~
24 ~~(R.S. 51:2361), and Mega-Project Development Fund (R.S. 51:2365).~~

25 Section 2. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as follows:

26 §5073. Certifications; directory; tax stamps

27 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this
28 state, whether directly or through a distributor, retailer, or similar intermediary or
29 intermediaries, shall execute and deliver on a form prescribed by the attorney general

1 a certification to the secretary and attorney general, no later than the thirtieth day of
 2 April each year, certifying under penalty of perjury that, as of the date of such
 3 certification, such tobacco product manufacturer either: is a participating
 4 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all
 5 installment payments required by R.S. 13:5075(J). For the initial certification
 6 submitted no later than the thirtieth of April each year, a manufacturer shall pay to
 7 the attorney general a fee of five hundred dollars. The fees generated pursuant to this
 8 Section shall be deposited in the ~~Tobacco Settlement Enforcement Fund~~ **state**
 9 **general fund** and used solely and exclusively for purposes of enforcement of the
 10 Master Settlement Agreement, pursuant to R.S. 39:98.7.

11 * * *

12 Section 3. R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3) are hereby
 13 amended and reenacted to read as follows:

14 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood
 15 development and enrichment activity classes; financial assistance

16 * * *

17 B.

18 * * *

19 (3) As provided in this Subsection, when a participating school district
 20 receives privately funded scholarship funds pursuant to this Subsection, the annual
 21 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program
 22 shall be reduced by the amount of the private scholarship program funds so received.
 23 The commissioner of administration shall determine and specify the amount of the
 24 reduction from the source of the funds to provide the maximum benefit to the state
 25 from the privately funded scholarship program. The state treasurer shall deposit the
 26 amount of the reduction as specified by the commissioner of administration into the
 27 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~
 28 ~~within the fund hereby established and created to be known as the "Program~~
 29 ~~Participation Savings Account"~~ **state general fund.**

1 * * *

2 §3046.3. Private scholarships

3 * * *

4 C. As provided in this Section, when an eligible college or university
5 receives privately funded scholarship funds on behalf of a student, the state funds for
6 the Louisiana GO Grant program shall be reduced by the amount of the private
7 scholarship program funds so received. The commissioner of administration shall
8 determine and specify the amount of the reduction from the source of the funds to
9 provide the maximum benefit to the state from the privately funded scholarship
10 program. The state treasurer shall deposit the amount of the reduction as specified
11 by the commissioner of administration into the ~~Overcollections Fund created in R-~~
12 ~~S. 39:100.21 and credit the deposit to an account within the fund hereby established~~
13 ~~and created to be known as the "Program Participation Savings Account"~~ **state**
14 **general fund.**

15 * * *

16 §4019. Private scholarships

17 * * *

18 C. As provided in this Section, when a participating school receives privately
19 funded scholarship funds on behalf of a student pursuant to this Section, the annual
20 appropriation of state funds for the program shall be reduced by the amount of such
21 private scholarship program funds so received. The commissioner of administration
22 shall determine and specify the amount of the reduction from the source of the funds
23 to provide the maximum benefit to the state from the privately funded scholarship
24 program. The state treasurer shall deposit the amount of such reduction as specified
25 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~
26 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~
27 ~~and created to be known as the "Program Participation Savings Account"~~ **state**
28 **general fund.**

29 * * *

1 §5068. Miscellaneous

2 * * *

3 D.

4 * * *

5 (3) As provided in this Subsection, if an eligible college or university
6 receives privately funded scholarship funds on behalf of a student, the state funds for
7 the Taylor Opportunity Program for Students shall be reduced by the amount of the
8 private scholarship program funds so received. A reduction shall not affect the
9 estimated nature of the Taylor Opportunity Program for Students appropriation as
10 provided in the Act or Acts that contain such appropriations. The commissioner of
11 administration shall determine and specify the amount of the reduction from the
12 source of the funds to provide the maximum benefit to the state from the privately
13 funded scholarship program. The state treasurer shall deposit the amount of such
14 reduction as specified by the commissioner of administration into the
15 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~
16 ~~within the fund hereby established and created to be known as the "Program~~
17 ~~Participation Savings Account"~~ **state general fund.**

18 * * *

19 Section 4. The introductory paragraph of R.S. 22:347(A), 835(B), and 1476(A)(2)
20 are hereby amended and reenacted to read as follows:

21 §347. Disposition of tax money

22 A. Monies collected under R.S. 22:342 through 349, after being first credited
23 to the Bond Security and Redemption Fund in accordance with Article VII, Section
24 9(B) of the Constitution of Louisiana, shall be credited to a ~~special fund hereby~~
25 ~~established in the state treasury and known as the "Two Percent Fire Insurance Fund"~~
26 ~~hereinafter the "fund". Monies in the fund shall be available in amounts appropriated~~
27 ~~annually by the legislature for the following purposes in the following order of~~
28 ~~priority:~~ **the state general fund.**

29 * * *

1 §835. Fire marshal tax; ~~Louisiana Fire Marshal Fund~~

2 * * *

3 B. All funds received by the commissioner of insurance pursuant to
4 Subsection A of this Section shall be deposited immediately upon receipt into the
5 state treasury **for deposit into the state general fund.**

6 * * *

7 §1476. Assessments against insurers; dedications

8 A.

9 * * *

10 (2) An amount equal to two and one-fourth hundredths of one percent of the
11 gross direct premiums received in this state, in the preceding year; two and thirty-
12 seven hundredths of one percent of the direct gross premiums received in this state,
13 in the year 2001; and two and one-half hundredths of one percent of the direct gross
14 premiums received in the state, in the year 2003 and every year thereafter by insurers
15 doing business in this state and subject to this Subpart, less returned premiums shall
16 be deposited by the commissioner of insurance with the state treasurer to be credited
17 to a special fund created in the state treasury entitled the ~~Municipal Fire and Police~~
18 ~~Civil Service Operating Fund~~, hereinafter known as the "fund". Subject to an annual
19 appropriation by the legislature pursuant to the provisions of R.S. 33:2480 and 2540,
20 monies in the fund shall be used solely to support the operations of the office of state
21 examiner, ~~Municipal Fire and Police Civil Service~~. Monies in the fund shall be
22 invested by the treasurer in the same manner as monies in the state general fund and
23 interest earned on investment of these monies shall be credited to the state general
24 fund. All unexpended and unencumbered monies in the fund at the end of the fiscal
25 year shall revert to the state general fund.

26 * * *

27 Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as follows:

28 §1514. Worker training fund; purpose; training programs; eligibility criteria;
29 program administration

1 * * *

2 D.

3 * * *

4 (5) The administrator may annually set aside an amount up to ten percent of
5 the amount appropriated to the fund by the state legislature for preemployment
6 training in any year in which the legislature appropriates funds for training equal to
7 or exceeding those funds appropriated in the previous year ~~to the Rapid Response~~
8 ~~Fund created by R.S. 51:2361 or to the Louisiana Economic Development Fund~~
9 ~~created by R.S. 51:2315.~~ All preemployment training shall require an employer
10 matching contribution of not more than fifty percent, and job placement outcomes
11 at wage rates commensurate with training, as determined by the administrator
12 pursuant to duly promulgated rules and regulations.

13 * * *

14 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a),
15 and 437(B)(1) are hereby amended and reenacted to read as follows:

16 §27.1. Uniform compulsive and problem gambling program

17 * * *

18 F. In any proceeding brought against any licensee, permittee or casino
19 gaming operator and any employee thereof for a willful violation of the self-
20 exclusion rules of the board, the board may order the forfeiture of any money or
21 thing of value obtained by the licensee or the casino gaming operator from any self-
22 excluded person. Any money or thing of value so forfeited shall be deposited into the
23 ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ **state**
24 **general fund.**

25 * * *

26 §92. Collection and disposition of fees

27 * * *

28 B.

29 * * *

1 (2) After complying with the provisions of Paragraph (1) of this Subsection,
2 the state treasurer shall, each fiscal year, credit the following amounts to the
3 following funds:

4 (a)(i) ~~One percent, not to exceed five hundred thousand dollars, to the~~
5 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

6 (ii) The amounts of winnings withheld and remitted in accordance with R.S.
7 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~
8 ~~Fund provided for in R.S. 28:842~~ **state general fund**.

9 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ **The** franchise
10 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

11 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~
12 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~
13 ~~pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education~~
14 ~~in Louisiana First Fund as provided in R.S. 17:421.7.~~

15 (iii)(ii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2)
16 which is attributable to any riverboat gaming licensee which pays additional
17 franchise fees pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the
18 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ **state**
19 **general fund**.

20 (iv)(iii) The franchise fees paid pursuant to R.S. 27:91(C)(2) through (4) to
21 the ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ **state**
22 **general fund**.

23 (c) ~~To a special fund, which is hereby created in the state treasury and~~
24 ~~entitled the Riverboat Gaming Enforcement Fund~~ **the state general fund**, an amount
25 equal to the revenues received by the state pursuant to this Chapter, less any monies
26 credited to other funds pursuant to the provisions of Subparagraphs (a) and (b) of this
27 Paragraph.

28 * * *

29 §249. Compulsive gambling; posting information

1 as provided in R.S. 27:247 ~~and~~ no monies are deposited in and credited to the Casino
2 Support Services Fund~~;~~.

3 (aa) ~~Ten percent shall be deposited in and credited to the Support Education~~
4 ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~
5 ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

6 (bb) ~~Ninety percent shall be deposited in and credited to the Support~~
7 ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

8 (ii) In each year for which the Joint Legislative Committee on the Budget
9 approves the amount of the casino support services contract as provided in R.S.
10 27:247~~;~~.

11 (aa) ~~The first one million eight hundred thousand dollars shall be deposited~~
12 ~~in and credited to the Casino Support Services Fund.~~

13 (bb) ~~The next sixty million dollars shall be deposited in and credited to the~~
14 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

15 (cc) ~~After satisfying the requirements of Subitems (aa) and (bb) of this Item,~~
16 ~~monies shall be deposited into the Casino Support Services Fund until the casino~~
17 ~~support services contract is fully funded for that year.~~

18 (dd) ~~After satisfying the requirements of Subitem (cc) of this Item, the~~
19 ~~remainder of the monies shall be deposited in and credited to the Support Education~~
20 ~~in Louisiana First Fund as provided for in R.S. 17:421.7.~~

21 * * *

22 §392. Collection and disposition of fees and taxes

23 * * *

24 B.

25 * * *

26 (2)(a) After complying with the provisions of Paragraph (1) of this
27 Subsection, the state treasurer shall, each fiscal year, credit ~~one percent from the~~
28 ~~combined net slot machine proceeds collected by the state from each licensed~~
29 ~~facility, not to exceed five hundred thousand dollars, to the Compulsive and Problem~~

* * *

E. Tax.

* * *

(3) The district is specifically authorized to transfer to the state such amounts as are necessary to address the policies established by this Chapter and Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ **The** district shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live Racing Facility Gaming Control Fund to be administered and expended as provided in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~ proceeds of such tax to the state and the state treasurer is directed to deposit any such amount into the state general fund; ~~however, five percent of the total proceeds transferred to the state shall be deposited in the St. Landry Parish Excellence Fund created by R.S. 27:392(B)(3)(b).~~

* * *

§9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and Gaming Control Assistance District

* * *

E. Tax.

* * *

(3) The district is specifically authorized to transfer to the state such amounts as are necessary to address the policies established by this Chapter and Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically (a) the~~ **The** district shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live Racing Facility Gaming Control Fund to be administered and expended as provided in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~ proceeds of such tax to the state and the state treasurer is directed to deposit any such amount into the state general fund; ~~however, five percent of the total proceeds~~

1 the preceding fiscal year remaining at the end of the fiscal year against which bona
 2 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the
 3 state treasury during the forty-five day period after the last day of the fiscal year only
 4 as such liabilities come due for payment. ~~Prior to placing monies associated with~~
 5 ~~such unexpended appropriations into the state general fund, the state treasurer shall~~
 6 ~~transfer all cash balances identified and reported by the commissioner of~~
 7 ~~administration as being from unexpended and unencumbered state general fund~~
 8 ~~(direct) and Overcollections Fund appropriations for professional, personal, and~~
 9 ~~consulting service contracts not approved by the Joint Legislative Committee on the~~
 10 ~~Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for~~
 11 ~~deposit in and credit to the Higher Education Financing Fund as are necessary to~~
 12 ~~satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the~~
 13 ~~Payments Towards the UAL Fund as are necessary to satisfy the requirements of~~
 14 ~~R.S. 39:100.11.~~

15 * * *

16 §100.61. New Opportunities Waiver Fund

17 * * *

18 B.(1) The source of monies in the fund shall be as follows: **in accordance**
 19 **with the provisions of R.S. 47:120.171.**

20 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~
 21 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~
 22 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~
 23 ~~Official Forecast at the beginning of the current fiscal year into the New~~
 24 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~
 25 ~~used for appropriation in the ensuing fiscal year.~~

26 (b) ~~Monies designated for the fund and received by the state treasurer from~~
 27 ~~donations, gifts, grants, appropriations, or other revenue.~~

28 * * *

29 §352. Cancellation of unexpended portions of appropriations; exceptions

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fund.

* * *

Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6)(b) are hereby amended and reenacted to read as follows:

§1582. Emergency elevator access; master key; substitute emergency measures; enforcement; penalty; rulemaking authority

* * *

E. The office of state fire marshal shall enforce this Section. Any person who fails to comply with the requirements of this Section is subject to an administrative fine of not more than one thousand dollars, in addition to any other penalty provided by law. All administrative fines shall be deposited into the ~~Louisiana Fire Marshal Fund~~ **state general fund.**

* * *

§1593. Volunteer firefighters; medical and life insurance

The state fire marshal is authorized to negotiate for and to purchase, ~~out of funds available for such purpose in the Two Percent Fire Insurance Fund provided for in R.S. 22:347(A);~~ a group insurance policy to provide medical benefits, death benefits, and burial benefits for volunteer firefighters of the state suffering injury or death while engaged in the scope of their duties as volunteer firefighters. Such policy shall cover all bona fide volunteers starting the day upon which their membership begins without any prior certification to the state fire marshal's office or to the insurer. The state fire marshal shall deliver to each volunteer unit a printed notice concerning the policy requirements as to written notice of claim and written proof of loss including the period in which such must be filed. The volunteer unit shall post such notice in a conspicuous place at its facilities.

* * *

§2845. Board; functions, powers, and duties

A. The board shall:

* * *

1 (6) Establish and maintain a statewide trauma registry to collect and analyze
2 data on the incidence, severity, and causes of trauma, including traumatic brain
3 injury. The registry shall be used to improve the availability and delivery of pre-
4 hospital or out-of-hospital care and hospital trauma care services.

5 * * *

6 (b) Required reporting to the state trauma registry is contingent on LERN
7 providing adequate financial support ~~through the Louisiana Emergency Response~~
8 ~~Network Fund~~ to cover administrative costs.

9 * * *

10 Section 10. R.S. 42:262(B) is hereby amended and reenacted to read as follows:

11 §262. Special attorney or counsel

12 * * *

13 B. Any recovery or award of attorney fees, including settlement, in litigation
14 involving the attorney general or any state agency, board, or commission, not
15 including any public postsecondary education institution, belongs to the state and
16 shall be deposited into the state treasury into the ~~Department of Justice Legal~~
17 ~~Support Fund in accordance with R.S. 49:259~~ **state general fund**. No payment of
18 attorney fees shall be made out of state funds in the absence of express statutory
19 authority, including R.S. 17:100.10, R.S. 23:1669, R.S. 37:2153, R.S. 41:724 and
20 922, R.S. 42:1157.3, R.S. 46:15, R.S. 47:1512, 1515.3, 1516, 1516.1, and 1676,
21 except such payment of attorney fees as may be approved by the Joint Legislative
22 Committee on the Budget during the interim between legislative sessions.

23 * * *

24 Section 11. R.S. 46:977.13 is hereby amended and reenacted to read as follows:

25 §977.13. Louisiana Children and Youth Health Insurance Program premium
26 monies; ~~Health Care Redesign Fund~~

27 Monies received by the state as a result of premiums paid for coverage
28 through the program shall be ~~credited to the Health Care Redesign Fund~~ **deposited**
29 **into the state general fund.**

1 Section 12. R.S. 47:1061(A)(4) and 9029(B) are hereby amended and reenacted to
2 read as follows:

3 PART III. TELECOMMUNICATION TAX

4 §1061. Telecommunication tax for the deaf

5 A.

6 * * *

7 (4) The revenues so collected shall be remitted by the secretary immediately
8 upon receipt to the treasurer and the treasurer shall credit the full amount of such
9 taxes to the Bond Security and Redemption Fund **and then deposit the amount into**
10 **the state general fund.** ~~After a sufficient amount is allocated from that fund to pay~~
11 ~~all obligations secured by the full faith and credit of the state which become due and~~
12 ~~payable within any fiscal year, the treasurer shall pay the remainder of such funds~~
13 ~~into a special fund which is hereby created within the state treasury and designated~~
14 ~~as the "Telecommunications for the Deaf Fund".~~

15 * * *

16 §9029. Deposit of revenues; expenditures and investments authorized; transfer of
17 revenues to state treasury; dedication and use of proceeds;
18 corporation operating account; audit of corporation books and
19 records; audits

20 * * *

21 B.~~(1)~~ A Louisiana Lottery Proceeds Fund is hereby established in the state
22 treasury. Net lottery proceeds shall be credited to this fund as provided in Subsection
23 A of this Section. Monies credited to the Louisiana Lottery Proceeds Fund shall be
24 invested by the state in accordance with state investment practices and all earnings
25 from such investments shall accrue to this account. ~~Except as provided in Paragraph~~
26 ~~(2) of this Subsection, no~~ **No** monies shall be allotted or expended from this account
27 unless pursuant to an appropriation by the legislature in accordance with law.

28 ~~(2) The state treasurer is authorized and directed to transfer annually an~~
29 ~~amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to~~

1 ~~the Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

2 * * *

3 Section 13. R.S. 51:1927.1, 2211(A), 2332(3), 2341(F), 2361, the introductory
4 paragraph of 2362(A), 2363, 2365, 2365.1(B) and (C), and 2366 are hereby amended and
5 reenacted to read as follows:

6 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~
7 ~~Louisiana Economic Development Fund~~

8 A. Following a decertification of a pool that was certified on or after
9 January 1, 1999, and for which insurance premium tax credits were granted, an
10 independent certified public accountant shall perform a review of all distributions
11 other than tax distributions and management fees from such pool to the equity
12 holders of the pool to determine if such distributions produce an annual internal rate
13 of return to the equity holders of the pool of at least fifteen percent calculated on the
14 original amount of certified capital contributed to such pool as well as any additional
15 capital contributed to such pool. Within thirty days following the issuance of the
16 accountant's report, the certified capital company shall remit to the ~~Louisiana~~
17 ~~Economic Development Fund~~ **state general fund** twenty-five percent of all
18 distributions in excess of the amount required to produce an annual internal rate of
19 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ **state**
20 **general fund** shall have received an amount equal to the amount of tax credits
21 granted for the pool. Thereafter, the certified capital company shall remit to the
22 ~~Louisiana Economic Development Fund~~ **state general fund** five percent of such
23 excess distributions.

24 B. Following a decertification of a pool that was certified on or after
25 January 1, 2002, and for which income tax credits or insurance premium tax credits
26 were granted, an independent certified public accountant shall annually perform a
27 review of all distributions, other than tax distributions and management fees, from
28 such pool to the equity holders of the pool to determine if such distributions produce
29 a rate of return to the equity holders of the pool of at least ten percent calculated on

1 the original amount of certified capital contributed to such pool as well as any
2 additional capital contributed to such pool. Within thirty days following the issuance
3 of the accountant's annual report, the certified capital company shall remit twenty-
4 five percent of all distributions in excess of the amount required to produce a rate of
5 return of ten percent to the ~~Louisiana Economic Development Fund~~ **state general**
6 **fund**.

7 C. The calculation of internal rate of return shall include all cash
8 distributions to equity investors out of the certified capital company's investment
9 pool, except for tax distributions and management fees. Management fees shall not
10 exceed two and one-half percent per annum of the total certified capital of the pool
11 without the prior approval of the secretary. Notwithstanding any other provisions in
12 this Chapter to the contrary, for all certified capital pools formed after December 31,
13 2001, if a certified Louisiana capital company does not place (1) forty percent of the
14 investment pool in qualified investments within three years after the investment date,
15 (2) sixty percent of the investment pool in qualified investments within five years of
16 the investment date, and (3) upon the certified Louisiana capital company's option
17 either (a) one hundred percent of the investment pool in qualified investments within
18 seven years of the investment date or (b) one hundred and ten percent of the
19 investment pool in qualified investments within eight years of the investment date,
20 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall
21 remit to the ~~Louisiana Economic Development Fund~~ **state general fund** twenty-five
22 percent of all distributions, other than tax distributions and management fees, until
23 the ~~Louisiana Economic Development Fund~~ **state general fund** shall have received
24 one hundred percent of the tax credits granted for such pool and thereafter the
25 company shall remit ten percent of all distributions, other than tax distributions and
26 management fees to the ~~Louisiana Economic Development Fund~~ **state general fund**.
27 If a certified Louisiana capital company has not decertified an investment pool
28 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years
29 from the investment date, such company shall remit to the ~~Louisiana Economic~~

1 board.

2 * * *

3 PART VI-A RAPID RESPONSE FUND **PROJECTS**

4 §2361. Rapid Response Fund **Projects**

5 A.(1) ~~The Rapid Response Fund, hereinafter referred to as the "fund", is~~
6 ~~hereby created as a special fund within the state treasury.~~

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

10 B.(1) ~~All unexpended and unencumbered monies in the fund at the end of the~~
11 ~~fiscal year shall remain in the fund. Monies in the fund shall be invested by the~~
12 ~~treasurer in the same manner as those in the state general fund, and any interest~~
13 ~~earned on the investment of monies in the fund shall be credited to the fund.~~

14 (2) ~~Monies in the fund shall be~~ **The legislature may make** available for
15 appropriation to the Department of Economic Development, hereinafter referred to
16 as the "department", ~~. Such appropriations~~ **monies that** shall be used by the secretary
17 of the department for immediate funding of all or a portion of economic development
18 projects which may be necessary in order to successfully secure the creation or
19 retention of jobs by a business entity under such circumstances as may be determined
20 by the secretary and the governor.

21 (3) ~~B.(1)~~ **B.(1)** The secretary shall report to the Joint Legislative Committee on the
22 Budget twice yearly, on the first day of October and the first day of April, with
23 respect to all actual expenditures of monies appropriated ~~from the fund~~ **for the**
24 **projects**. The reports shall be available electronically, and the secretary shall include
25 in these reports any other information which the committee may require with respect
26 to use of monies appropriated ~~from the fund~~, including but not limited to the
27 following information on each economic development project which receives
28 funding:

29 (a) Performance targets.

1 (b) Outcomes.

2 (c) Numbers of jobs created and retained.

3 (d) Overall payroll generated.

4 ~~(4)(2)~~ The department shall make available upon request the economic
5 impact analysis on an economic development project which receives monies ~~from~~
6 ~~the fund~~.

7 C. At the same time as the secretary submits to the official journal for the
8 state a notice containing general information regarding active negotiations for an
9 economic development project which is eligible for funding ~~from the fund~~, which
10 active negotiations the secretary desires to keep confidential as provided in R.S.
11 44:22, upon request by a member of the legislature in whose legislative district a
12 project is located, the secretary may provide information regarding the project if the
13 member submits his signature under oath that all information shall remain
14 confidential and privileged.

15 §2362. Accountability requirements; legal agreements; Rapid Response ~~Fund~~
16 projects

17 A. All legal agreements for Rapid Response ~~Fund~~ projects shall include all
18 of the following:

19 * * *

20 §2363. Accountability requirements; reports; Rapid Response ~~Fund~~ **projects**

21 A. The secretary of the Department of Economic Development shall develop
22 a uniform accountability report for economic development created by the Rapid
23 Response ~~Fund~~ **projects**. The secretary shall also develop a formula for measuring
24 the return on investment for each Rapid Response ~~Fund~~ project.

25 B. The Department of Economic Development shall compile and make
26 available a list of the cooperative endeavor agreements, the name of the entity
27 receiving funds, and the amount of the incentive received for all Rapid Response
28 ~~Fund~~ projects in both written and electronic form.

29 PART VI-B. LOUISIANA MEGA-PROJECT DEVELOPMENT ~~FUND~~

1 §2365. Louisiana Mega-Project Development Fund

2 A. ~~(1) The Louisiana Mega-Project Development Fund, hereinafter referred~~
3 to as the "fund", is hereby created as a special fund within the state treasury.

4 B. ~~The state treasurer is hereby authorized and directed to transfer one~~
5 hundred fifty million dollars from the Louisiana Economic and Port Development
6 Infrastructure Fund to the Louisiana Mega-Project Development Fund on June 29,
7 2007. The legislature may appropriate additional monies to the fund if it deems
8 necessary to accomplish the purposes of the fund.

9 C. ~~Monies in the fund shall be invested by the treasurer in the same manner~~
10 ~~as monies in the state general fund and any interest earned on the investment of~~
11 ~~monies in the fund shall be credited to the fund. All unexpended and unencumbered~~
12 ~~monies in the fund at the end of the fiscal year shall remain in the fund.~~

13 D. ~~(1) Monies in the fund shall be~~ **The legislature may make** available for
14 appropriation for ~~general purposes and for use by~~ **to** the Department of Economic
15 Development, hereinafter referred to as the "department"; ~~Such appropriations~~
16 **monies that** shall be used by the secretary of the department for immediate funding
17 of all or a portion of economic development mega-projects which may be necessary
18 in order to successfully secure the creation or retention of jobs by a business entity
19 or a qualified major event under such circumstances as established by this Part.

20 (2) The secretary shall report to the Joint Legislative Committee on the
21 Budget twice yearly, on the first day of October and the first day of April, with
22 respect to all actual expenditures of monies appropriated ~~from the fund~~. The reports
23 shall be available electronically, and the secretary shall include in these reports any
24 other information which the committee may require with respect to use of monies
25 appropriated from the fund, including but not limited to the following information
26 on each economic development project which receives funding:

27 (a) Performance targets.

28 (b) Outcomes.

29 (c) Numbers of jobs created and retained.

1 (d) Overall payroll generated.

2 (3) The department shall make available upon request the economic impact
3 analysis on an economic development project which receives monies ~~from the fund~~.
4 This Subparagraph shall not apply to a mega-project which is a qualified major event
5 as defined in R.S. 51:2365.1.

6 ~~E.B.~~ Monies ~~in the fund~~ shall be expended only upon recommendation by the
7 secretary and concurrence by the governor. Any such recommendation shall be
8 implemented pursuant to a cooperative endeavor agreement executed in accordance
9 with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative
10 Committee on the Budget.

11 ~~F.C.~~(1) For purposes of this Section, "mega-project" means:

12 (a) A project which will provide the following:

13 (i) Either five hundred new direct jobs to the state or a minimum initial
14 investment of five hundred million dollars by the private sector or the United States
15 Government through the creation of a new facility or the expansion of an existing
16 facility.

17 (ii) A substantial return on the investment by the state as measured by
18 projected tax revenues.

19 (b) A project for a military or federal installation which is important to the
20 Louisiana economy and that may be subject to base realignment and closure, or for
21 the purchase of land for a mega-project.

22 (c) A project resulting in re-creating or saving at least five hundred direct
23 jobs in this state, through the transfer of ownership of a facility that has been closed
24 or a facility that is at risk of closure due to conditions arising out of or relating to a
25 proceeding under Title 11 of the United States Code.

26 (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets
27 all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

28 (2) Except for a mega-project as provided in Subparagraphs (1)(b) and (d) of
29 this Subsection, the investment by the state in any mega-project shall not exceed

1 thirty percent of the total cost of the project as described by the cooperative endeavor
2 agreement.

3 ~~G.D.~~ At the same time as the secretary submits to the official journal for the
4 state a notice containing general information regarding active negotiations for an
5 economic development mega-project which is eligible for funding from the fund,
6 which active negotiations the secretary desires to keep confidential as provided in
7 R.S. 44:22, upon request by a member of the legislature in whose legislative district
8 a project is located, the secretary may provide information regarding the project if
9 the member submits his signature under oath that all information shall remain
10 confidential and privileged.

11 §2365.1. Major Events Incentive Program ~~and the Major Events Incentive Program~~
12 **Subfund**

13 * * *

14 B.(1) ~~There is hereby established in the state treasury a special subfund in the~~
15 ~~Mega-Project Development Fund to be known as the "Major Events Incentive~~
16 ~~Program Subfund", hereafter in this Section, the "subfund".~~

17 ~~(2) Beginning with the 2015-2016 Fiscal Year and for each fiscal year~~
18 ~~thereafter, and after allocation of money to the Bond Security and Redemption Fund~~
19 ~~as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the~~
20 ~~treasurer shall transfer in and credit to the subfund an amount equal to the sum of the~~
21 ~~incremental increase in state tax receipts generated by the occurrence of all qualified~~
22 ~~events.~~

23 ~~(3) Monies in the subfund shall be invested in the same manner as monies in~~
24 ~~the Louisiana Mega-Project Development Fund and any interest earned on the~~
25 ~~investment of monies in the subfund shall be credited to the subfund. All unexpended~~
26 ~~and unencumbered monies in the subfund at the end of the fiscal year shall remain~~
27 ~~in the subfund.~~

28 ~~(4) Subject to legislative appropriation and the approval of the Joint~~
29 ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~

1 ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~
2 ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

3 C.(1) Subject to legislative appropriation and the approval of the Joint
4 Legislative Committee on the Budget, the secretary of the Department of Economic
5 Development is hereby authorized to enter into a contract with a local organizing
6 committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire
7 for Louisiana any qualified event that will have a significant positive impact on
8 economic development in the state. The contract shall provide for a financial
9 commitment to the local organizing committee, endorsing parish, or endorsing
10 municipality which shall be subject to legislative appropriation.

11 (2) The amount of the incremental increase in certain state tax receipts
12 generated within the designated area by the occurrence of the qualified event during
13 a specified period shall be determined by the secretary. ~~The secretary shall notify the~~
14 ~~Joint Legislative Committee on the Budget and the treasurer of his determination~~
15 ~~and, upon the direction of the Joint Legislative Committee on the Budget, the~~
16 ~~treasurer shall transfer the amount of the incremental increase to the subfund. Such~~
17 ~~state tax receipts shall be limited to excise tax and sales and use taxes, excluding~~
18 ~~state hotel and motel occupancy taxes.~~ The amount of the incremental increase shall
19 not include local tax receipts.

20 D.C. An event not included in the definition of qualified event is ineligible
21 for funding under R.S. 51:2365. A qualified event may receive funding under R.S.
22 51:2365 only if all of the following conditions are met:

23 (1) After considering through a highly competitive selection process one or
24 more sites that are not located in this state, a site selection organization selects a site
25 located in this state for an event to be held once, or for an event scheduled to be held
26 annually for a period of years under an event contract.

27 (2) A site selection organization selects a site in this state as the sole site for
28 the event.

29 (3) The event is held not more frequently than annually.

* * *

Section 15. R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, Subpart A-2 of Part X of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3397.7, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), 437(A) through (E), 831(B), 835(C), (D), and (F), 1071(D)(3)(b) and (c), and 2134, R.S. 24:39, 1291.1(E), and 1515, R.S. 27:92(C), 392(B)(2)(b) through (C), 437(B)(2) and (C), and 439, R.S. 28:826 and 842, R.S. 30:136.3, 2205, and 2480.2, R.S. 33:3005, Subpart A of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:91, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana

1 Revised Statutes of 1950, comprised of R.S. 39:100.146, 467(G), and 1357, R.S. 40:16.2,
 2 1402, 1428(A)(4) and (C), 1547, and 2845(D)(2) and (3) and (E), R.S. 46:114.1, 440.1,
 3 Chapter 57 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2731,
 4 and 2901, R.S. 47:301.1(F), 302.2 through 302.55, 318, 322.1 through 322.43, 322.45
 5 through 322.48, 332.1 through 332.15, 332.16 through 332.49, 332.51 through 332.54,
 6 841(G), 841.1, 841.2, 1061(B), 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S.
 7 49:214.6.7(D) and (E) and 259, R.S. 51:2212(3), 2213, 2315, and 2365.1(D), and Code of
 8 Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session
 9 of the Legislature, Section 9 of Act No. 138 of the 2005 Regular Session of the Legislature,
 10 and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature are hereby
 11 repealed in their entirety.

12 Section 16. The state treasurer is hereby authorized and directed to transfer any
 13 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through
 14 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year
 15 2016-2017.

16 Section 17. This Act shall become effective on July 1, 2017.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Ben Huxen.

DIGEST

SB 226 Original

2017 Regular Session

Hewitt

VARIOUS FUNDS

Proposed law eliminates the following funds as well as all sales and use tax dedications to local entities and their related funds:

2013 Amnesty Collections Fund	§4(B) of Act No. 421 of the 2013 R.S. of the Legislature
Academic Improvement Fund	R.S. 17:354
Administrative Fund of the Department of Insurance	R.S. 22:1071(D)(3)(b) and (c)
Automobile Theft and Insurance Fraud Prevention Authority Fund	R.S. 22:2134
Avoyelles Parish Local Government Gaming Mitigation Fund	R.S. 33:3005
Barrier Island Stabilization and Preservation Fund	R.S. 49:214.6.7(D) and (E)
Center for Excellence for Autism Spectrum Disorder	R.S. 39:100:122

Community and Family Support System Fund	R.S. 28:826
Community Hospital Stabilization Fund	R.S. 46:2901
Community Water Enrichment Fund	R.S. 39:100.81
Competitive Core Growth Fund	R.S. 17:3138.2
Compulsive and Problem Gaming Fund	R.S. 27:27.1(F), 92(B)(2)(a), 249(A), 270(A)(2), 392(B)(2)(a) and 437, R.S. 28:842, and R.S. 47:9029(B)
Louisiana Department of Health's Facility Support Fund	R.S. 40:16.2 and R.S. 3:2(C)
Deepwater Horizon Economic Damages Collection Fund	R.S. 39:91
Department of Justice Legal Support Fund	R.S. 49:259 and R.S. 42:262(B)
Department of Revenue Alcohol and Tobacco Control Officers Fund	R.S. 11:544
DNA Testing Post-Conviction Relief for Indigents Fund	C.Cr.P. Art. 926.1(K) and R.S. 15:147(B)(14)
Employment Security Administration Account	R.S. 23:1515
Equine Health Studies Program Fund	R.S. 27:392(B)(6)(a)
Evangeline Parish Recreational District Support Fund	§9 of Act No. 138 of the 2005 R.S. of the Legislature
FEMA Reimbursement Fund	R.S. 39:100.26 and 100.31
Fiscal Administrator Revolving Loan Fund	R.S. 39:1357
FMAP Stabilization Fund	§7 of Act No. 420 of the 2013 R.S. of the Legislature
Forest Productivity Fund	R.S. 3:4411
Forest Protection Fund	R.S. 3:4321(C) through (D)
Fraud Detection Fund	R.S. 46:114.4
Fund for Louisianians in Need of Civil Legal Assistance	§3 of Act No. 1065 of the 1997 R.S. of the Legislature
Hazardous Waste Cleanup Fund	R.S. 30:2205
Health Care Redesign Fund	R.S. 39:100.51 and R.S. 46:977.13
Health Trust Fund	R.S. 46:2731
Higher Education Initiatives Fund	R.S. 17:3129.6
Higher Education Financing Fund	R.S. 39:82(A), 100.146, 352
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(N)
Insurance Fraud Investigation Fund	R.S. 40:1428(A)(4) and (C)
Legislative Capitol Technology Enhancement Fund	R.S. 24:39
Louisiana Asbestos Detection and Abatement Fund	R.S. 39:97.3
Louisiana Charter School Start-Up Loan Fund	R.S. 17:4001
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1, 2315, 2332(3), and 2341
Louisiana Emergency Response Network Fund	R.S. 40:2845(A)(6), (D)(2) and (3), and (E)
Louisiana Fire Marshal Fund	R.S. 22:835 and R.S. 40:1582(E)
Louisiana Interoperability Communications Fund	R.S. 39:100.41
Louisiana Mega-Project Development Fund	R.S. 51:2365 and 2366, R.S. 3:4423(3)
Louisiana Public Defender Fund	R.S. 15:167
Louisiana State Police Salary Fund	R.S. 22:831(B)
Louisiana State University Firemen Training Program Film Library Fund	R.S. 40:1547
Major Events Fund	R.S. 39:100.126

Major Events Incentive Program Subfund	R.S. 51:2365.1
Marketing Fund	R.S. 47:318
Medicaid Assistance Program Fraud Detection Fund	R.S. 46:440.1
MediFund	R.S. 51:2211-13
Mineral and Energy Operation Fund	R.S. 30:136.3
Municipal Fire and Police Civil Service Operating Fund	R.S. 22:1476(A)(2)
Natural Resource Restoration Trust Fund	R.S. 30:2480.2
New Orleans Public Safety Fund	R.S. 40:1402
Office of Workers' Compensation Administrative Fund	R.S. 23:1291.1(E)
Overcollections Fund	R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)
Pari-mutuel Live Racing Facility Gaming Control Fund and all recipient funds	R.S. 27:392
Payments Towards the UAL Fund	R.S. 39:100.11 and 467(G), R.S. 39:82(A) and 352
Rapid Response Fund	R.S. 51:2361, 2362, 2363, R.S. 3:4423(3), R.S. 23:1514(D)(5)
Riverboat Gaming Enforcement Fund	R.S. 27:92(B)(2)(c) and (C)
Sickle Cell Fund	R.S. 39:100.123
Southern University AgCenter Program Fund	R.S. 27:392(B)(6)(b)
Sports Facility Assistance Fund	R.S. 39:100.1 and 467(G), and R.S. 47:1602.1 and 1520(A)(1)(e)
State Emergency Response Fund	R.S. 39:100.26(A) and 100.31
Science, Technology, Engineering, and Math (STEM) Upgrade Fund	R.S. 17:3138.3
Support Education in Louisiana First Fund	R.S. 17:421.7, R.S. 27:92(B)(2), 270(A)(3)
Telecommunications for the Deaf Fund	R.S. 47:301.1(F) and 1061
Tobacco Regulation Enforcement Fund	R.S. 47:841(G)
Tobacco Settlement Enforcement Fund	R.S. 13:5073(A)(1), and R.S. 39:98.7
Tobacco Tax Health Care Fund	R.S. 47:841.1
Tobacco Tax Medicaid Match Fund	R.S. 47:841.2
Two Percent Fire Insurance Fund	R.S. 22:437
Unfunded Accrued Liability and Specialized Educational Institutions Support Fund	R.S. 39:100.136; and R.S. 47:6351(G)(3) and (4)
UNO Slidell Technology Park Fund	R.S. 17:3397.11
Video Draw Poker Device Fund	R.S. 27:437(B)(2) and (C)
Video Draw Poker Device Purse Supplement Fund	R.S. 27:439
Workforce and Innovation for a Strong Economy	R.S. 17:3138.2, 3138.3, and 3138.4
Workforce Training Rapid Response Fund	R.S. 17:1874

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.

- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

Present law (R.S. 47:302.2-302.55, 322.1-322.48, and 332.1-322.54) dedicates certain state sales and use tax revenues for deposit into certain special treasury funds for local entities. Proposed law repeals all such dedications and eliminates all such funds.

Effective July 1, 2017.

(Amends R.S. 3:2(C), 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro para), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a), and 437(B)(1), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 467(G), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4), and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), 2341(F), 2361, 2362(A)(intro para), 2363, 2365, 2365.1(B) and (C), and 2366, and Section 4(B) of Act No. 421 of 2013 R.S.; repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, 3397.11, and 4001, R.S. 22:347(A)(1), (2), and (3), 437(A) through (E), 831(B), and 835(C), (D), and (F), 1071(D)(3)(b) and (c), and 2134, R.S. 24:39, 1291.1(E), and 1515, R.S. 27:92(C), 392(B)(2)(b) through (C), 437(B)(2) and (C), and 439, R.S. 28:826 and 842, R.S. 30:136.3, 2205, and 2480.2, R.S. 39:91, 97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146, 467(G), and 1357, R.S. 40:16.2, 1402, 1428(A)(4) and (C), 1547, and 2845(D)(2) and (3) and (E), R.S. 46:114.4, 440.1, 2731, and 2901, R.S. 47:301.1(F), 302.2 through 302.55, 318, 322.1 through 322.43, 322.45 through 322.48, 332.1 through 332.15, 332.16 through 332.49, 332.51 through 332.54, 841(G), 841.1, 841.2, 1061(B), 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:214.6.7(D) and (E) and 259, R.S. 51:2212(3), 2213, 2315, and 2365.1(D), and C.Cr.P. Art. 926.1(K), Section 7 of Act No. 420 of 2013 R.S., Section 9 of Act No. 138 of the 2005 R.S., and Section 3 of Act No. 1065 of the 1997 R.S.)