

DIGEST

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SB 400 Reengrossed

2018 Regular Session

Hewitt

Present law provides for the creation of the Dedicated Fund Review Subcommittee of the Joint Legislative Committee on the Budget (JLCB) to review special funds and dedications in the state treasury. Present law provides that no later than September 1, 2017, and every two years thereafter the committee shall provide for the dedicated fund review subcommittee.

Proposed law retains present law except that proposed law changes the requirement that the subcommittee meet from every two years to every year.

Present law provides that the division of administration shall establish a procedure to ensure that the activities supported by a special fund are subject to the same level of transparency and accountability as activities supported by the state general fund.

Present law provides that no later than October 1, 2017, and every two years thereafter, the division of administration shall submit a plan of special funds and dedications to the JLCB that specifies at least 50% of the special dedicated funds in law as of the date of the submission of the plan. The JLCB shall ensure that after two consecutive plans have been approved, all special funds established by law on the date of the submission of the second consecutive plan will have been approved in a plan at least once in the previous four years.

Proposed law retains present law except proposed law changes the time period that all special funds will have been approved in a plan from at least once in the previous four years to once in the previous two years.

Present law provides that the subcommittee shall meet only on a day in which the JLCB is scheduled to convene. Proposed law removes this provision of present law.

Proposed law abolishes certain funds in the state treasury, which funds are listed below.

Proposed law amends certain funds from being dedicated funds in the state treasury to being dedicated accounts in the state treasury, which funds are listed below.

Proposed law changes the Hunters for the Hungry Account to an escrow fund and changes the Louisiana Economic Development Fund to provide that the monies can be used only for the FastStart Program.

VARIOUS FUNDS ELIMINATED

Proposed law eliminates the following funds:

2013 Amnesty Collections Fund	§4(B)(1) of Act No. 421 of 2013 RS, as amended by §4(B)(1) of Act No. 822 of 2014 RS, §4(B)(2) of Act 421 of 2013 RS
Academic Improvement Fund	R.S. 17:354
Atchafalaya Basin Conservation Fund	R.S. 30:2000.12
Barrier Island Stabilization and Preservation Fund	R.S. 49:214.6.7(D) & (E)
Bogalusa Health Services Fund	R.S. 33:2740.18

Brownsfield Cleanup Revolving Loan Fund	R.S. 30:2551, 2552(A), (B), & (C)
Center for Excellence for Autism Spectrum Disorder	R.S. 39:100.122, R.S. 46:1301(A)(1)
Community Hospital Stabilization Fund	R.S. 46:2901
Competitive Core Growth Fund	R.S. 17:3138.2
Crescent City Amnesty Refund Fund	R.S. 9:154.3, R.S. 47:7019.2(B)(1)
Debt Service Assistance Fund	§3(D), 6, 7(A) & (B) of Act No. 41 of the 2006 1ES
Louisiana Department of Health's Facility Support Fund	R.S. 3:2(C), R.S. 40:16.2
Department of Revenue Alcohol and Tobacco Control Officers Fund	R.S. 11:544
Evangeline Parish Recreation District Support Fund	§9 of Act No. 138 of 2005 RS, as amended by §7 of Act 420 of 2013 RS
Fiscal Administrator Revolving Loan Fund	R.S. 39:1357
FMAP Stabilization Fund	§7 of Act No. 420 of 2013 RS
Health Care Redesign Fund	R.S. 39:100.51, R.S. 46:977.13
Health Trust Fund	R.S. 39:91(B)(2), R.S. 46:2731
Higher Education Financing Fund	R.S. 39:82(A), 100.146, 352
Higher Education Initiatives Fund	R.S. 17:3129.6
Incentive Fund	R.S. 39:87.5
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(H)(1), (2)(intro para), (N) & (S)
Louisiana Help Our Wildlife Fund	R.S. 56:70.3, 70.4(A)(1) & (2)
Marketing Fund	R.S. 47:318
MediFund	R.S. 51:2211-2215
New Orleans Urban Tourism and Hospitality Training in Economic Development Foundation Fund	R.S. 27:392(C)(4)
New Orleans Public Safety Fund	R.S. 40:1402
Payments Towards the UAL Fund	R.S. 39:82(A), 100.11, 352
Pet Overpopulation Fund	R.S. 47:463.60(F)
Reptile and Amphibian Research Fund	R.S. 56:633
Saltwater Fishery Enforcement Fund	R.S. 56:14

Science, Technology, Engineering, and Math (STEM) Upgrade Fund	R.S. 17:3138.3
Shrimp Trade Petition Account	R.S. 56:10(B)(1)(b), 302.3(B)(5)(c), 305(H), 494(E)(5) & (F)
Sickle Cell Fund	R.S. 39:100.123
SNAP Fraud and Abuse Detection and Prevention Fund	R.S. 46:290.1, R.S. 47:120.39
Tobacco Tax Medicaid Match Fund	R.S. 47:841.2
Unfunded Accrued Liability Account of the Unfunded Accrued Liability and Specialized Educational Institutions Support Fund	R.S. 39:100.136, R.S. 47:6351(G)
UNO Slidell Technology Park Fund	R.S. 17:3397.11
Workforce and Innovation for a Strong Economy Fund	R.S. 17:3138.2(A), 3138.3(A), & 3138.4

VARIOUS FUNDS AMENDED FROM FUNDS TO ACCOUNTS

Proposed law changes the following from funds to accounts:

Administrative Fund of the Department of Insurance	R.S. 22:1071(D)(3)(b) & (c)
Emergency Medical Technician Fund	R.S. 40:1135.10, R.S. 47:463.48(D)
Environmental Trust Fund	R.S. 30:2004(11), 2014(B), (D)(4)(a) & (b)(intro para), 2015(A), (B), (C)(intro para), (D)(intro para), (E), 2035(B)(1), 2054(B)(8), 2109(A) & (C), 2192(B)(4), 2195(B), (C) & (E), 2195.2(A)(4), 2195.4(C)(1) & (2), 2195.5, 2205(A)(1), R.S. 49:259(D), 308.3(B)(7) & (D)
Louisiana Alligator Resource Fund	R.S. 56:253(C)(2)(a), 278(A), 279(A), (C)(1), (2), (3), (D)(1) & (3)
Louisiana Bicycle and Pedestrian Safety Fund	R.S. 32:202, R.S. 47:463.148(E)
Motorcycle Safety, Awareness, and Operator Training Program Fund	R.S. 32:402.3(I), 412(C)(2), R.S. 49:308.3(D)
Municipal Fire and Police Civil Service Operating Account	R.S. 22:1476(A)(2)
Office of Worker's Compensation Administration Fund	R.S. 23:1170(A), 1172(A), 1172.1(C), 1172.2(D), 1178(D), 1291.1(C)(1) and (E), 1310.3(E), 1310.13(intro. para.)
Proprietary School Student Protection Fund	R.S. 17:3141.16(A), (B)(1), (2), (3), (7) & (8), (C)(1), (D)(1), (2), (5), (8), (9) & (10), (E)(1)(a) & (2), (F), (G)(1)

Sex Offender Registry Technology Fund	C.Cr.P Art. 895.1(F)(2), (3)(intro para), (3)(b) & (e)
Youthful Offender Management Account	R.S. 15:921

OTHER ACTIONS

Hunters for the Hungry Account	R.S. 47:463.167(E), R.S. 56:644(B), (C)(intro para), (D) & (E)
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1(A), (B) & (C), 2315, & 2341(F)

Sections 11 and 25 effective July 1, 2018; Section 23 effective January 1, 2019; Sections 1-10, 12-22, and 24, effective July 1, 2020.

(Amends R.S. 3:2(C), R.S. 9:154.3, R.S. 15:572.8(H)(1) and (2)(intro. para.), and 921, R.S. 17:3141.16(A), (B)(1), (2), (3), (7), and (8), (C)(1), (D)(1), (2), (5), (8), (9), and (10), (E)(1)(a) and (2), (F), and (G)(1), and 3138.4, R.S. 22:1071(D)(3)(b) and (c) and 1476(A)(2), R.S. 23:1170(A), 1172(A), 1172.1(C), 1172.2(D), 1178(D), 1291.1(C)(1) and (E), 1310.3(E), 1310.13, and 1514(D)(5), R.S. 24:653(N)(3), R.S. 30:2004(11), 2014(B), (D)(4)(a) and (b)(intro. para.), 2015(A), (B), (C)(intro. para.), (D)(intro. para.), and (E), 2035(B)(1), 2054(B)(8), 2109(A) and (C), 2192(B)(4), 2195 (B), (C), and (E), 2195.2(A)(4), 2195.4(C)(1) and (2), 2195.5, 2205(A)(1), and 2552(A), (B), and (C), R.S. 32:202, 402.3(I), and 412(C)(2), R.S. 39:82(A), 91(B), 100.136, and 352, R.S. 40:1135.10, R.S. 46:1301(A)(1), R.S. 47:318(D), 463.48(D), 463.60(F), 463.148(E), 463.167(E), 6351(G), and 7019.2(B)(1), R.S. 49:259(D), 308.3(B)(7) and (D), and 308.5(B)(3) and (4), R.S. 51:1927.1(A) and (C), 2315, and 2341(F), R.S. 56:10(B)(1)(b), 70.3, 70.4(A), 253(C)(2)(a), 278(A), 279(A), (C), and (D)(1) and (3), 494(E)(5) and (F), 644(B), (C)(intro. para.), (D) and (E), C.Cr.P. Art. 895.1(F)(2) and (3)(intro. para.), (b), and (e), §4(B) of Act No. 421 of the 2013 RS, as amended by §4(B) of Act No. 822 of the 2014 RS, and §7(A)(intro. para.) and (B) of Act 41 of the 2006 1ES; Repeals R.S. 11:544, R.S. 15:185.5, 572.8(N) and (S), R.S. 17:354, 3129.6, 3138.2, 3138.3, and 3397.11, R.S. 27:392(C)(4), R.S. 30:2000.12 and 2551, R.S. 33:2740.18, R.S. 39:87.5, 100.11, 100.51, 100.122, 100.123, 100.146, and 1357, R.S. 40:16.2 and 1402, R.S. 46:290.1, 977.13, 2731, 2742(D), and 2901, R.S. 47:120.39 and 841.2, R.S. 49:214.6.7(D) and (E), R.S. 51:2211 through 2216, R.S. 56:14, 302.3(B)(5)(c), 305(H), and 633, §9 of Act No. 138 of the 2005 RS as amended by §7 of Act 642 of the 2006 RS, §§(3)(D) and (6) of Act No. 41 of the 2006 1ES, §7 of Act No. 420 of the 2013 RS, §(4)(B)(1) of Act No. 421 of the 2013 RS as amended by §(4)(B)(1) of Act No. 822 of the 2014 RS, and §(4)(B)(2) of Act No. 421 of the 2013 RS)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Amends certain funds to change from being a dedicated fund in the state treasury to being a dedicated account in the state treasury.
2. Abolishes certain funds.
3. Changes the effective dates of sections of proposed law.

Senate Floor Amendments to engrossed bill

1. Restores Proprietary School Student Protection Fund.

2. Restores New Orleans Urban Tourism and Hospitality Training in Economic Development.
3. Restores requirement that the subcommittee on statutory dedications meet only on the day that JLCB meets.
4. Restores the Higher Education Initiatives Fund.
5. Makes Legislative Bureau technical amendments.

Summary of Amendments Adopted by House

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

1. Restore Medicaid Trust Fund for the Elderly.
2. Removed Pesticide Fund from funds converted to accounts.
3. Abolish the New Orleans Urban Tourism and Hospitality Training in Economic Development Fund and Higher Education Initiatives Fund.
4. Change the Proprietary School Student Protection *Fund* to the Proprietary School Student Protection *Account*.
5. Change the Office of Workers Compensation Administration *Fund* to the Office of Worker's Compensation Administration *Account*.
6. Eliminate the requirement that the subcommittee on statutory dedications meet only on the day that JLCB meets.