

RÉSUMÉ DIGEST

ACT 612 (SB 400)

2018 Regular Session

Hewitt

Prior law provided 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. Prior law provided that no later than September 1, 2017, and every two years thereafter the committee shall provide for the dedicated fund review subcommittee.

New law retains prior law except that new law changes the requirement that the subcommittee meet from every two years to every year.

Prior law provided 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.

Prior law provided 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.

New law retains prior law except new 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.

Prior law provided that the subcommittee shall meet only on a day in which the JLCB is scheduled to convene. New law removes this provision of prior law.

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

New 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.

New 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

New law eliminates the following funds:

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| 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 |

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| 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 |

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| 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

New law changes the following from funds to accounts:

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| 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 Workers' 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

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| 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. 17:3138.4, 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. 51:2315, 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), Sec. 4(B) of Act 421 of 2013 R.S., as amended by Sec. 4(B) of Act 822 of 2014 R.S., and Sec. 7(A)(intro para) and (B) of Act 41 of 2006 1stES; adds R.S. 30:2015(C)(8); 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, Sec. 9 of Act 138 of 2005 R.S. as amended by Sec. 7 of Act 642 of 2006 R.S., Sec.(3)(D) and (6) of Act 41 of 2006 1st ES, Sec. 7 of Act 420 of 2013 R.S., Sec. (4)(B)(1) of Act 421 of 2013 R.S. as amended by Sec. (4)(B)(1) of Act 822 of 2014 R.S., and Sec. (4)(B)(2) of Act 421 of 2013 R.S.)