

SENATE BILL NO. 181

BY SENATOR HEWITT AND REPRESENTATIVE EDMONDS

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

1 AN ACT

2 To amend and reenact R.S. 13:998(B) and (C), 1141(B), and 1414(B), R.S. 15:1224(A), (B),  
3 and (C), R.S. 17:1519.6(A), R.S. 23:1514(D)(5) as amended by Section 7 of Act No.  
4 612 of the 2018 Regular Session of the Legislature, R.S. 39:100.31(B) and 1357,  
5 R.S. 47:120.71(B), R.S. 47:318(D) as amended by Section 15 of Act No. 612 of the  
6 2018 Regular Session of the Legislature, R.S. 49:308.5(B)(3) and (4) and (C)(1), the  
7 introductory paragraph of (C)(3)(a), and (E), R.S. 51:2315(A) as amended by Section  
8 17 of Act No. 612 of the 2018 Regular Session of the Legislature, R.S. 56:279(C)(1)  
9 and (2) as amended by Section 18 of Act No. 612 of the 2018 Regular Session of the  
10 Legislature, Code of Criminal Procedure Art. 895.1(E) as amended by Section 1 of  
11 Act No. 260 of the 2017 Regular Session of the Legislature and by Act No. 137 of  
12 the 2018 Regular Session of the Legislature, Code of Criminal Procedure Art.  
13 895.1(F)(2) as amended by Section 19 of Act No. 612 of the 2018 Regular Session  
14 of the Legislature, and Sections 1 and 24 of Act No. 612 of the 2018 Regular Session  
15 of the Legislature, and to repeal R.S. 24:653(N)(3) as amended by Section 8 of Act  
16 No. 612 of the 2018 Regular Session of the Legislature, R.S. 39:100.26 and 100.41,  
17 and R.S. 49:308.5(B) as amended by Section 16 of Act No. 612 of the 2018 Regular  
18 Session of the Legislature, relative to certain funds in the state treasury and the  
19 review of those funds; to provide for the reclassification of funds in the state  
20 treasury; to provide for the elimination of certain treasury funds and the creation of  
21 certain statutorily dedicated fund accounts containing fees and self-generated  
22 revenues; to provide relative to monies deposited and credited into certain statutorily  
23 dedicated fund accounts in the state treasury; to provide that statutorily dedicated

1 fund accounts shall be presented as a distinct means of finance in the executive  
 2 budget; to provide relative to the investment of monies in certain treasury funds and  
 3 statutorily dedicated fund accounts; to provide relative to the plan of review of  
 4 certain special funds, dedications, and statutorily dedicated fund accounts; to provide  
 5 for the review of certain special funds and dedications in the state treasury, including  
 6 those containing fees and self-generated revenues, by the Dedicated Fund Review  
 7 Subcommittee of the Joint Legislative Committee on the Budget; to provide for  
 8 meetings of the subcommittee; to provide for effective dates; and to provide for  
 9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. Sections 1 and 24 of Act No. 612 of the 2018 Regular Session of the  
 12 Legislature is hereby amended and reenacted to read as follows:

13 Section 1. The conversion of certain dedicated funds to ~~special agency~~  
 14 **special statutorily dedicated fund** accounts in the state treasury contained herein,  
 15 shall cause the special ~~statutorily dedicated fund~~ agency accounts to be classified  
 16 as fees and self-generated revenues to be used only for the purposes of identifying  
 17 ~~the~~ **accounts containing fees and self-generated revenues, hereinafter referred**  
 18 **to as special agency accounts or accounts,** means of finance in the executive  
 19 budget **shall be categorized as fees and self-generated revenue for the sole**  
 20 **purpose of reporting related to the executive budget, supporting documents,**  
 21 **and general appropriations bills.** The conversion of certain dedicated funds to  
 22 special agency accounts shall not change the purpose for which the monies were  
 23 dedicated unless the use of the monies is specifically amended herein. Unless  
 24 specifically provided for in the statute establishing the agency account, all funds  
 25 transferred to agency accounts shall not revert to the state general fund at the end of  
 26 the fiscal year. **Unless specifically provided otherwise in the statute establishing**  
 27 **the agency account, the monies in the accounts shall be invested by the treasurer**  
 28 **in the same manner as the state general fund, and interest earnings shall be**  
 29 **deposited into the accounts following compliance with the requirements of**  
 30 **Article VII, Section 9(B) of the Louisiana Constitution relative to the Bond**

1           **Security and Redemption Fund, and shall not revert to the state general fund.**

2           The revenues in the accounts shall remain in the accounts. All monies in the accounts  
3           shall require an appropriation to be withdrawn from the account. No funds shall be  
4           transferred in or out of an account without an annual appropriation or favorable  
5           action of the Joint Legislative Committee on the Budget through a budget adjustment  
6           for the statutory purpose of those revenues.

7   \*       \*       \*

8                       Section 24. The state treasurer is hereby authorized and directed to transfer  
9           any unencumbered balances remaining in the funds repealed and abolished in  
10          Sections 1 through ~~14~~ **23** of this Act to the state general fund after satisfying the  
11          appropriations for Fiscal Year 2019-2020. **This Section shall not apply to any fund**  
12          **converted to a statutorily dedicated fund account or escrow account in this Act.**

13   \*       \*       \*

14          **Section 2. The conversion of certain dedicated funds to special statutorily**  
15          **dedicated fund accounts containing fees and self-generated revenues, hereinafter**  
16          **referred to as agency accounts or accounts, in the state treasury contained herein, shall**  
17          **cause the special agency accounts to be categorized as fees and self-generated revenue**  
18          **for the sole purpose of reporting related to the executive budget, supporting**  
19          **documents, and general appropriations bills. The conversion of certain dedicated**  
20          **funds to special agency accounts shall not change the purpose for which the monies**  
21          **were dedicated unless the use of the monies is specifically amended herein. Unless**  
22          **specifically provided for in the statute establishing the agency accounts, all funds**  
23          **transferred to agency accounts shall not revert to the state general fund at the end of**  
24          **the fiscal year. Unless specifically provided otherwise in the statute establishing the**  
25          **agency account, the monies in the accounts shall be invested by the treasurer in the**  
26          **same manner as the state general fund, and interest earnings shall be deposited into the**  
27          **account following compliance with the requirements of Article VII, Section 9(B) of the**  
28          **Louisiana Constitution relative to the Bond Security and Redemption Fund, and shall**  
29          **not revert to the state general fund. The revenues in the accounts shall remain in the**  
30          **accounts. All monies in the account shall require an appropriation to be withdrawn**

1 from the account. No funds shall be transferred in or out of an account without an  
 2 annual appropriation or favorable action of the Joint Legislative Committee on the  
 3 Budget through a budget adjustment for the statutory purpose of those revenues.

4 Section 3. R.S. 13:998(B) and (C), 1141(B), and 1414(B) are hereby amended and  
 5 reenacted to read as follows:

6 §998. Nonrefundable fee; assessment and disposition

7 \* \* \*

8 B. The clerks of the respective district courts, within thirty days of the close  
 9 of each fiscal year, shall remit all funds collected pursuant to this Section to be  
 10 deposited in the state treasurer's account for credit to a special ~~fund~~ **statutorily**  
 11 **dedicated fund account** after meeting the requirements of Article VII, Section 9 of  
 12 the Constitution of Louisiana. The monies in this ~~fund~~ **account** shall be invested by  
 13 the state treasurer in the same manner as monies in the state general fund, and  
 14 interest earned on the investment of these monies shall be credited to the ~~fund~~  
 15 **account** following compliance with the requirement of Article VII, Section 9(B)  
 16 relative to the Bond Security and Redemption Fund. Disbursement of funds shall be  
 17 made by the office of children and family services in the Department of Children and  
 18 Family Services, or its successor, in accordance with Paragraph (E)(2) of this Section  
 19 and only in amounts appropriated by the legislature. **Monies deposited into this**  
 20 **account shall be categorized as fees and self-generated revenue for the sole**  
 21 **purpose of reporting related to the executive budget, supporting documents,**  
 22 **and general appropriations bills and shall be available for annual**  
 23 **appropriations by the legislature.**

24 C. The monies appropriated by the legislature and disbursed from this special  
 25 ~~fund~~ **account** shall not displace, replace, or supplant appropriations from the general  
 26 fund. This Paragraph shall mean that no appropriation for any fiscal year from the  
 27 special account shall be made for any purpose for which a general fund appropriation  
 28 was made in the previous year unless the total appropriations for that fiscal year from  
 29 the state general fund for such purpose exceed general fund appropriations for the  
 30 previous year.

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§1141. Domestic Relations Section; nonrefundable fee; assessment and disposition

\* \* \*

B. The clerk of the civil district court, within thirty days of the close of each fiscal year, shall remit all costs collected pursuant to this Section to be deposited in the state treasurer's account for credit to a special **statutorily dedicated** fund **account** after meeting the requirements of Article VII, Section 9 of the Constitution of Louisiana. The monies in this ~~fund~~ **account** shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the ~~fund~~ **account** following compliance with the requirement of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund. Disbursement of funds shall be made by the office of children and family services in the Department of Children and Family Services, or its successor, in accordance with Paragraph ~~E~~**(E)**(2) of this Section and only in amounts appropriated by the legislature. **Monies deposited into this account shall be categorized as fees and self-generated revenue for the sole purpose of reporting related to the executive budget, supporting documents, and general appropriations bills and shall be available for annual appropriation by the legislature.**

\* \* \*

§1414. Nonrefundable fee; assessment and disposition

\* \* \*

B. The clerk of the 19th Judicial District Court, within thirty days of the close of each fiscal year, shall remit all costs collected pursuant to this Section to be deposited in the state treasurer's account for credit to a special **statutorily dedicated** fund **account** after meeting the requirements of Article VII, Section 9 of the Constitution of Louisiana. The monies in this ~~fund~~ **account** shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the ~~fund~~ **account** following compliance with the requirement of Article VII, Section 9(B) relative to

1 the Bond Security and Redemption Fund. Disbursement of funds shall be made by  
 2 the office of children and family services in the Department of Children and Family  
 3 Services, or its successor, in accordance with Paragraph (E)(2) of this Section and  
 4 only in amounts appropriated by the legislature. Monies deposited into this account  
 5 shall be categorized as fees and self-generated revenue for the sole purpose of  
 6 reporting related to the executive budget, supporting documents, and general  
 7 appropriations bills and shall be available for annual appropriations by the  
 8 legislature.

9 \* \* \*

10 Section 4. R.S. 15:1224 (A), (B), and (C) are hereby amended and reenacted to read  
 11 as follows:

12 §1224. Drug Abuse Education and Treatment **Dedicated** Fund **Account**; creation;  
 13 purpose

14 A. The Drug Abuse Education and Treatment **Dedicated** Fund **Account**,  
 15 hereafter referred to as the "**fund account**", is hereby created as a special **statutorily**  
 16 **dedicated** fund **account** in the state treasury, which shall be the depository for all  
 17 fees collected under the provisions of C.Cr.P. Art. 895.1(E).

18 B. After compliance with the requirements of Article VII, Section 9(B) of  
 19 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
 20 and prior to monies being placed in the state general fund, an amount equal to that  
 21 deposited as required by Subsection A **hereof of this Section** shall be credited to the  
 22 **fund account**. The monies in the **fund account** shall be used solely as provided by  
 23 Subsection C of this Section and only in the amounts appropriated by the legislature.  
 24 The monies in this **fund account** shall be invested by the state treasurer in the same  
 25 manner as monies in the state general fund, and interest earned on the investment of  
 26 these monies shall be credited to the **fund account**, again following compliance with  
 27 the requirement of Article VII, Section 9(B) relative to the Bond Security and  
 28 Redemption Fund. Monies deposited into the account shall be categorized as fees  
 29 and self-generated revenue for the sole purpose of reporting related to the  
 30 executive budget, supporting documents, and general appropriations bills and

1 shall be available for annual appropriation by the legislature.

2 C. The monies available in the ~~fund~~ account shall be used exclusively by the  
3 Louisiana Commission on Law Enforcement to administer a grant program to assist  
4 local public and private nonprofit agencies involved in drug abuse prevention and  
5 treatment in developing drug abuse and treatment programs. In addition, the  
6 commission shall allocate from the ~~fund~~ account such monies as are necessary in  
7 administering this grant program.

8 \* \* \*

9 Section 5. R.S. 17:1519.6(A) is hereby amended and reenacted to read as follows:  
10 §1519.6. Funding and budget

11 A. The health care services division shall be an organizational unit within the  
12 LSU HSC-NO and shall be budgeted as a single appropriation separate and distinct  
13 from the appropriation or budget for any other institution or school under the  
14 supervision and management of the board. ~~The appropriation for the health care~~  
15 ~~services division shall only indicate the amount of state general fund dollars~~  
16 ~~appropriated to this schedule and shall exclude state general funds for Medicaid and~~  
17 ~~Medicaid-Uncompensated Care. All other funds generated by hospital operations~~  
18 ~~shall be deposited directly into the Health Care Services Fund without appropriation.~~  
19 Funds from other institutions, schools, or divisions under the management of the  
20 board shall not be used to offset any deficit which may occur within the health care  
21 services division, and, conversely, funds from the health care services division shall  
22 not be used to offset any deficit which may occur within other institutions, schools,  
23 or divisions under the management of the board.

24 \* \* \*

25 Section 6. R.S. 23:1514(D)(5) as amended by Section 7 of Act No. 612 of the 2018  
26 Regular Session is hereby amended and reenacted to read as follows:

27 §1514. Worker training fund; purpose; training programs; eligibility criteria;  
28 program administration

29 \* \* \*

30 D.(1) \* \* \*

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

12 Section 7. R.S. 39:100.31(B) is hereby amended and reenacted to read as follows:

13 §100.31. State Emergency Response Fund

14 \* \* \*

15 B. Monies in the fund shall be appropriated and used to provide a source of  
 16 funds to pay expenses incurred as a result of activities associated with the  
 17 preparation for and response to an emergency or declared disaster. The expenditure  
 18 for such a purpose from another source may be eligible to be repaid from the fund  
 19 if the using agency has certified the necessity of such action to the commissioner of  
 20 administration. Monies in the fund may also be utilized to provide bridge funding in  
 21 anticipation of reimbursements from the federal government or other source. Any  
 22 reimbursement received for expenses paid from the fund shall be returned to and  
 23 deposited into the fund. Transfers of monies from the fund may be made from one  
 24 agency to another prior to obtaining approval by the Joint Legislative Committee on  
 25 the Budget in the event of an emergency and if certified by the commissioner of  
 26 administration to the governor that any delay in the expenditure of such monies  
 27 would be detrimental to the welfare and safety of the state and its citizens. The Joint  
 28 Legislative Committee on the Budget shall be notified in writing of such declaration  
 29 and shall meet to consider such action, but if it is found by the committee that such  
 30 funds were not needed for an emergency expenditure, such approval may be



1 withdrawn and any balance remaining shall not be expended. ~~Monies in the fund~~  
2 ~~may also be transferred to the FEMA Reimbursement Fund by the commissioner of~~  
3 ~~administration with the approval of the Joint Legislative Committee on the Budget.~~

4 \* \* \*

5 Section 8.(A) R.S. 39:1357 is hereby amended and reenacted to read as follows:

6 §1357. Fiscal Administrator Revolving Loan Fund

7 A. There is hereby established a revolving fund in the state treasury to be  
8 known as the "Fiscal Administrator Revolving Loan Fund", hereinafter referred to  
9 as the "fund", which shall be maintained and operated by the Department of the  
10 Treasury. The source of monies deposited in and credited to the fund shall be all  
11 grants, gifts, and donations received by the state for the purpose of funding fiscal  
12 administrators; any money appropriated by the legislature to the fund; the repayment  
13 of principal of and interest on loans and other obligations made to political  
14 subdivisions financed from the fund; and other revenues as may be provided by law.

15 B. Money in the fund shall be invested by the state treasurer in the same  
16 manner as money in the state general fund. Interest earned on the investment of the  
17 money in the fund shall be credited to the fund after compliance with the  
18 requirements of Article VII, Section 9(B) relative to the Bond Security and  
19 Redemption Fund. All unexpended and unencumbered money in the fund at the end  
20 of a fiscal year shall remain in the fund.

21 C. Notwithstanding any provisions of law to the contrary, and in addition to  
22 the authority to borrow money or incur debt under any other provisions of law, any  
23 political subdivision for which a fiscal administrator is in the process of being  
24 appointed or which has been appointed as provided in this Chapter, is hereby  
25 authorized to borrow money from and incur debt payable to the fund in accordance  
26 with the provisions of this Section. Such borrowing shall be subject to the approval  
27 of:

- 28 (1) The legislative auditor, the attorney general, and the state treasurer.
- 29 (2) The fiscal administrator, if one has been appointed by the court.
- 30 (3) The district court having jurisdiction over the fiscal administration.

1 (4) The State Bond Commission.

2 D. The monies in the fund shall be appropriated and used only for the  
3 purpose of providing financial assistance to a political subdivision for which a court  
4 has appointed a fiscal administrator as provided in this Chapter by providing a source  
5 of funds from which the political subdivision may borrow in order to pay the costs  
6 and expenses associated with the independent fiscal administration of the political  
7 subdivision, including but not limited to all costs and expenses incurred by the fiscal  
8 administrator, the legislative auditor, the attorney general, the state treasurer, and any  
9 other persons engaged in connection with the independent fiscal administration.

10 E. Each loan shall be evidenced by a bond, note, or other evidence of  
11 indebtedness of the borrower issued to represent an obligation to repay a loan from  
12 the fund and shall be authorized and issued pursuant to a resolution or ordinance of  
13 the governing authority of such entity, which shall prescribe the form and details  
14 thereof, including the terms, security for, manner of execution, repayment schedule,  
15 and redemption features thereof. Any such resolution or ordinance shall set forth the  
16 maximum principal amount, the maximum interest rate, which shall be at an interest  
17 rate that is less than or equal to the market interest rate, as determined by the  
18 Department of the Treasury, the maximum redemption premium, if any, and the  
19 maximum term of such indebtedness.

20 F. All resolutions or ordinances authorizing the issuance of bonds, notes, or  
21 other evidence of indebtedness of a political subdivision hereunder shall be  
22 published once in the official journal of the borrower. It shall not be necessary to  
23 publish exhibits to such resolution or ordinance, but such exhibits shall be made  
24 available for public inspection at the offices of the governing authority of the  
25 borrower at reasonable times and such fact shall be stated in the publication. For a  
26 period of thirty days after the date of such publication, any persons in interest may  
27 contest the legality of the resolution or ordinance authorizing such evidence of  
28 indebtedness and any provisions thereof made for the security and payment thereof.  
29 After such thirty-day period, no one shall have any cause or right of action to contest  
30 the regularity, formality, legality, or effectiveness of the resolution or ordinance and

1 the provisions thereof or of the bonds, notes, or other evidence of indebtedness  
2 authorized thereby for any cause whatsoever. If no suit, action, or proceeding is  
3 begun contesting the validity of the bonds, notes, or other evidence of indebtedness  
4 authorized pursuant to the resolution or ordinance within the thirty days prescribed  
5 in this Subsection, the authority to issue the bonds, notes, or other evidence of  
6 indebtedness, or to provide for the payment thereof, and the legality thereof, and all  
7 of the provisions of the resolution or ordinance and the evidence of indebtedness  
8 shall be conclusively presumed, and no court shall have authority or jurisdiction to  
9 inquire into any such matter.

10 G. The Department of the Treasury may by suit, action, mandamus, or other  
11 proceedings, protect and enforce any covenant relating to and the security provided  
12 in connection with any indebtedness issued pursuant to this Section, and may by suit,  
13 action, mandamus, or other proceedings enforce and compel performance of all of  
14 the duties required to be performed by the governing body and officials of any  
15 borrower hereunder and in any proceedings authorizing the issuance of such bonds  
16 or other evidences of indebtedness.

17 H. Monies in, credited to the account of, or to be received by the Fiscal  
18 Administrator Revolving Loan Fund shall be expended in a manner consistent with  
19 the terms and conditions of the loans made from the fund.

20 I. The repayment of principal of and interest on loans and other obligations  
21 made to political subdivisions financed from the Fiscal Administrator Revolving  
22 Loan Fund shall be deposited into the Fiscal Administrator Revolving Loan Fund  
23 and may be used to finance loans and obligations to other political subdivisions for  
24 which a fiscal administrator is appointed pursuant to this Chapter, provided that  
25 reserves for expenditures for the administration of the fund that the Department of  
26 the Treasury deems necessary and prudent may be retained in the fund.

27 J. The Department of the Treasury shall be authorized to enter into contracts  
28 and other agreements in connection with the operation of the fund and the  
29 department is authorized to adopt rules and regulations in accordance with the  
30 Administrative Procedure Act to implement the provisions of this Section.

1 (B) Notwithstanding the provisions of Section 22 of Act 612 of the 2018  
2 Regular Session of the Legislature, the provisions of Subsection A of this Section  
3 shall become effective on July 1, 2020.

4 Section 9. R.S. 47:120.71(B) is hereby amended and reenacted to read as follows:  
5 §120.71. Income tax checkoff; donation for Louisiana Pet Overpopulation Advisory

6 Council; creation; use of monies

7 \* \* \*

8 B. Upon receipt of any taxpayer's current-year income tax return upon which  
9 the designation of a donation has been made, the secretary shall, after having  
10 deducted the donation from the amount to be refunded, remit the donation for  
11 deposit, as provided in R.S. 3:2364(E), directly into the Louisiana Animal Welfare  
12 **Fund Escrow Account** within the state treasury no more than one hundred twenty  
13 days from the due date of the return.

14 Section 10. R.S. 47:318(D) as amended by Section 15 of Act No. 612 of the 2018  
15 Regular Session is hereby amended and reenacted to read as follows:

16 §318. Disposition of collections

17 \* \* \*

18 D. After satisfying the requirements of Subsection B of this Section, the  
19 remaining portion of the amount determined pursuant to Subsection A of this Section  
20 shall be deposited in the Louisiana Economic Development Fund created by R.S.  
21 51:2315 dedicated exclusively to ~~the Louisiana FastStart Program~~ **Louisiana**  
22 **Economic Development - Debt Service and State Commitments.**

23 Section 11. R.S. 49:308.5(B)(3) and (4), (C)(1), the introductory paragraph of  
24 (C)(3)(a), and (E) are hereby amended and reenacted to read as follows:

25 §308.5. Legislative review and recommendation on special funds and dedication of  
26 money

27 \* \* \*

28 B.(1) \* \* \*

29 (3)(a) No later than ~~October~~ **August 1, 2017**, and every two years thereafter,  
30 **2019**, the division of administration shall submit a plan of **all** special funds and

1           dedications that contain fees and self-generated revenues of the special dedicated  
 2           funds in law as of the date of the submission of the plan to the Joint Legislative  
 3           Committee on the Budget ~~that specifies at least fifty percent of the special dedicated~~  
 4           ~~funds in law as of the date of the submission of the plan. The Joint Legislative~~  
 5           Committee on the Budget shall review the plan and may add special funds to the plan  
 6           submitted by the division of administration prior to approval by the committee. The  
 7           Dedicated Fund Review Subcommittee of the Joint Legislative Committee on  
 8           the Budget, hereinafter referred to as "the subcommittee", shall meet and  
 9           review each dedicated fund that contains fees and self-generated revenues prior  
 10          to January 15, 2020.

11                   (b) On or before February 1, 2020, and every four years thereafter, the  
 12          state treasurer's office shall submit a list of all dedicated funds and statutorily  
 13          dedicated fund accounts in law as of the date of the submission of the list, to the  
 14          Joint Legislative Committee on the Budget.

15                   (c) The Joint Legislative Committee on the Budget shall review each  
 16          submitted list and may add special funds and statutorily dedicated fund  
 17          accounts to the lists submitted by the state treasurer's office.

18                   (d) The Joint Legislative Committee on the Budget shall ensure that after two  
 19          ~~consecutive plans have been approved, all special funds established by law date of~~  
 20          ~~the submission of the second consecutive plan will have been on the,~~ including ~~will~~  
 21          ~~have been approved in a plan at least once in the previous four years.~~ all statutorily  
 22          dedicated fund accounts, will have been included in the list and reviewed at least  
 23          once every four years.

24                   (4) ~~Once the plan for review of special funds is approved by the Joint~~  
 25          ~~Legislative Committee on the Budget, the Dedicated Fund Review Subcommittee of~~  
 26          ~~the Joint Legislative Committee on the budget, hereinafter referred to as "the~~ The  
 27          Joint Legislative Committee on the Budget shall devise a plan for the  
 28          subcommittee to review. The subcommittee", shall conduct a review of the special  
 29          ~~funds and dedications~~ funds, dedications, and statutorily dedicated fund accounts  
 30          specified in each such plan, resulting in a recommendation for each specified fund,



1 Section 12. R.S. 51:2315(A) as amended by Section 17 of Act No. 612 of the 2018  
2 Regular Session is hereby amended and reenacted to read as follows:

3 §2315. Louisiana Economic Development Fund

4 A. There is hereby established within the state treasury a fund to be known  
5 as the "Louisiana Economic Development Fund". All monies received by the  
6 corporation shall be deposited to the account of the Louisiana Economic  
7 Development Fund. Monies received by the corporation pursuant to R.S. 47:318(A)  
8 shall be used solely for ~~the Louisiana FastStart Program~~ **Louisiana Economic**  
9 **Development - Debt Service and State Commitments.**

10 \* \* \*

11 Section 13. R.S. 56:279(C)(1) and (2) as amended by Section 18 of Act No. 612 of  
12 the 2018 Regular Session of the Legislature is hereby amended and reenacted to read as  
13 follows:

14 §279. Louisiana Alligator Resource **Dedicated Fund** Account

15 \* \* \*

16 C.(1) Except as otherwise provided by law, all revenues received by the state  
17 from the sale of licenses as provided in R.S. 56:251(A)(2), from tag fees imposed on  
18 alligator hunters, alligator farmers, alligator shipping label fees on the sale of  
19 alligators, all revenues derived from the sale of alligators, alligator skins, or alligator  
20 eggs harvested from department-administered lands, all fees derived from alligator  
21 lottery harvest programs on department-administered lands and public waters, and  
22 all revenues derived from any other alligator-related fees and from the severance tax  
23 on alligator skins provided for in R.S. 56:256 shall be credited by the state treasurer  
24 to a special account designated as the "Louisiana Alligator Resource **Dedicated**  
25 **Fund** Account" after those revenues have been deposited in the Bond Security and  
26 Redemption Fund. Out of the funds remaining in the Bond Security and Redemption  
27 Fund after a sufficient amount is allocated from that fund to pay all obligations  
28 secured by the full faith and credit of the state that become due and payable within  
29 each fiscal year, the treasurer ~~shall classify and consider as fees and self-generated~~  
30 ~~revenues available for appropriation as recognized by the Revenue Estimating~~

1 Conference, and, prior to placing such funds in the state general fund, shall pay into  
 2 the Louisiana Alligator Resource Account, a special agency account to be retained  
 3 for future appropriation as provided in this Subpart, an amount equal to the revenues  
 4 generated from collection from those sources provided for in this Section and other  
 5 sources as provided by law. **Monies deposited into this account shall be**  
 6 **categorized as fees and self-generated revenue for the sole purpose of reporting**  
 7 **related to the executive budget, supporting documents, and general**  
 8 **appropriations bills and shall be available for annual appropriation by the**  
 9 **legislature.**

10 (2) **The state treasurer shall invest the monies in this statutorily**  
 11 **dedicated fund account in the same manner as monies in the state general fund.**

12 Any surplus monies remaining to the credit of the account, after all appropriations  
 13 of the preceding fiscal year have been made, shall remain to the credit of the account.

14 The state treasurer shall prepare and submit to the department on a quarterly basis  
 15 a printed report showing the amount of money contained in the account from all  
 16 sources. **Any amounts earned through investment of the monies in the account**  
 17 **shall remain to the credit of the account and shall not revert to the state general**  
 18 **fund.**

19 \* \* \*

20 Section 14. Code of Criminal Procedure Article 895.1(E) as amended by Section 1  
 21 of Act No. 260 of the 2017 Regular Session of the Legislature and as amended by Act No.  
 22 137 of the 2018 Regular Session of the Legislature is amended and reenacted to read as  
 23 follows:

24 Art. 895.1. Probation; restitution; judgment for restitution; fees

25 \* \* \*

26 E. When the court places any defendant convicted of a violation of the  
 27 Uniform Controlled Dangerous Substances Law, R.S. 40:966 through 1034, on any  
 28 type of probation, it shall order as a condition of probation a fee of not less than fifty  
 29 nor more than one hundred dollars, payable to the Louisiana Commission on Law  
 30 Enforcement and Administration of Criminal Justice to be credited to the Drug



1 Abuse Education and Treatment Fund **Dedicated Fund Account** and used for the  
2 purposes provided in R.S. 15:1224.

3 \* \* \*

4 Section 15. Code of Criminal Procedure Article 895.1(F)(2) as amended by Section  
5 19 of Act No. 612 of the 2018 Regular Session of the Legislature is hereby amended and  
6 reenacted to read as follows:

7 Art. 895.1. Probation; restitution; judgment for restitution; fees

8 \* \* \*

9 F. When the court places the defendant on supervised probation, it shall order  
10 as a condition of probation the payment of a monthly fee of eleven dollars. The  
11 monthly fee established in this Paragraph shall be in addition to the fee established  
12 in Paragraph C of this Article and shall be collected by the Department of Public  
13 Safety and Corrections and shall be transmitted, deposited, appropriated, and used  
14 in accordance with the following provisions:

15 \* \* \*

16 (2) After compliance with the requirements of Article VII, Section 9(B) of  
17 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
18 and prior to monies being placed in the state general fund, the treasurer shall ~~classify~~  
19 ~~and consider as fees and self-generated revenues available for appropriation as~~  
20 ~~recognized by the Revenue Estimating Conference;~~ **credit** an amount equal to that  
21 deposited as required by Subparagraph (1) of this Paragraph ~~shall be credited~~ to a  
22 special agency account to be retained for future appropriation as provided in this  
23 Article which is hereby created in the state treasury to be known as the "Sex  
24 Offender Registry Technology Account". The monies in this account shall be used  
25 solely as provided in Subparagraph (3) of this Paragraph and only in the amounts  
26 appropriated by the legislature. **Monies deposited into this account shall be**  
27 **categorized as fees and self-generated revenue for the sole purpose of reporting**  
28 **related to the executive budget, supporting documents, and general**  
29 **appropriations bills and shall be available for annual appropriations by the**  
30 **legislature.**

\* \* \*

Section 16. The provisions of R.S. 24:653(N)(3), as amended by Section 18 of Act No. 612 of the Regular Session of the Legislature, and R.S. 49:308.5(B) as amended by Section 16 of Act No. 612 of the Regular Session of the Legislature are hereby repealed in their entirety.

Section 17. The provisions of R.S. 39:100.26 and 100.41 are hereby repealed in their entirety.

**Section 18. The state treasurer is hereby authorized and directed to transfer any unencumbered balances remaining in the funds repealed and abolished in Section 17 of this Act to the state general fund after satisfying the appropriations for Fiscal Year 2019-2020. This Section shall not apply to any fund converted to a statutorily dedicated fund account or escrow account in this Act.**

**Section 19. (A) Notwithstanding the provisions of Act No. 612 of the 2018 Regular Session, the following funds which were converted to accounts in Act No. 612 of the 2018 Regular Session shall be considered as statutorily dedicated fund accounts containing fees and self-generated revenues, as follows:**

**(1) The Administrative Fund of the Department of Insurance created in R.S. 22:1071, shall be renamed the Administrative Dedicated Fund Account of the Department of Insurance.**

**(2) The Emergency Medical Technician Fund created in R.S. 40:1135.10, shall be renamed the Emergency Medical Technician Dedicated Fund Account.**

**(3) The Environmental Trust Fund created in R.S. 30:2015 shall be renamed the Environmental Trust Dedicated Fund Account.**

**(4) The Louisiana Alligator Resource Fund created in R.S. 56:279 shall be renamed the Louisiana Alligator Resource Dedicated Fund Account.**

**(5) The Louisiana Bicycle and Pedestrian Safety Fund created in R.S. 32:202 shall be renamed the Louisiana Bicycle and Pedestrian Safety Dedicated Fund Account.**

**(6) The Motorcycle Safety, Awareness, and Operator Training Program Fund created in R.S. 32:412 shall be renamed the Motorcycle Safety, Awareness, and Operator Training Program Dedicated Fund Account.**

1           **(7) The Municipal Fire and Police Civil Service Operating Fund created in R.S.**  
2           **22:1476 shall be renamed the Municipal Fire and Police Civil Service Operating**  
3           **Dedicated Fund Account.**

4           **(8) The Proprietary School Student Protection Fund created in R.S. 17:3141.16**  
5           **shall be renamed the Proprietary School Student Protection Dedicated Fund Account.**

6           **(9) The Sex Offender Registry Technology Fund created in Code of Criminal**  
7           **Procedure Article 895.1 shall be renamed the Sex Offender Registry Technology**  
8           **Dedicated Fund Account.**

9           **(10) The Youthful Offender Management Fund created in R.S. 15:921 shall be**  
10          **renamed the Youthful Offender Management Dedicated Fund Account.**

11          **(B) The Louisiana State Law Institute is hereby directed, pursuant to its**  
12          **authority in R.S. 24:253, to correct any reference in any Code or the Louisiana Revised**  
13          **Statutes of 1950 to reflect the changes to the funds and accounts listed in Subsection A**  
14          **of this Section.**

15               Section 20. The provisions of this Section and Sections 11 and 17 shall become  
16               effective on July 1, 2019; if vetoed by the governor and subsequently approved by the  
17               legislature, this Section and Sections 11 and 17 shall become effective on July 1, 2019. The  
18               provisions of Sections 1 through 10, 12 through 16, 18, and 19 of this Act shall become  
19               effective on July 1, 2020. If vetoed by the governor and subsequently approved by the  
20               legislature, Sections 1 through 10, 12 through 16, 18, and 19 of this Act shall become  
21               effective on July 1, 2020.

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_