

2022 Regular Session

SENATE BILL NO. 87

BY SENATOR CATHEY

CAPITAL OUTLAY. Provides relative to the capital outlay process. (gov sig)

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AN ACT

To amend and reenact R.S. 39:112(C)(1)(b), and (E)(2)(a), and to enact R.S. 39:112(E)(3), relative to capital outlay; to provide for the approval of the Joint Legislative Committee on Capital Outlay of emergency projects; to provide for the reporting of projects that are exempt from providing a local match; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:112(C)(1)(b), and (E)(2)(a) is hereby amended and reenacted and R.S. 39:112(E)(3) is hereby enacted to read as follows:

§112. Capital outlay act

* * *

C.(1) Capital outlay budget requests submitted after November first may be included within the capital outlay act if the capital outlay budget request meets all of the applicable requirements as provided in R.S. 39:101 and 102 except for time of submission and if any of the following conditions have been met:

* * *

(b) The project is an emergency project recommended in writing by the

1 commissioner of administration: **and has been approved by the Joint Legislative**
2 **Committee on Capital Outlay.**

3 * * *

4 E.(1) * * *

5 (2) * * *

6 (a) A project deemed by the commissioner of administration to be an
7 emergency project: **and has been approved by the Joint Legislative Committee**
8 **on Capital Outlay.**

9 * * *

10 **(3) The commissioner of administration shall submit an annual report,**
11 **no later than the first day of February, to the Joint Legislative Committee on**
12 **Capital Outlay, the House Committee on Ways and Means, and the Senate**
13 **Committee on Revenue and Fiscal Affairs detailing the projects which have**
14 **been exempted from providing a local match.**

15 * * *

16 Section 2. This Act shall become effective upon signature by the governor or, if not
17 signed by the governor, upon expiration of the time for bills to become law without signature
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become
20 effective on the day following such approval.

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

SB 87 Original DIGEST 2022 Regular Session Cathey

Present law (R.S. 39:112(C)(1)) provides that capital outlay budget requests submitted after November 1st may be included in the capital outlay act if the request meets all of the requirements as provided for in R.S. 39:101 and 102 and if the following conditions have been met:

- (1) The project is an economic development project.
- (2) The project is determined to be an emergency by the commissioner of administration.
- (3) The project is for a nonstate entity, has a total cost of less than one million dollars,

and has been approved by the Joint Legislative Committee on Capital Outlay (JLCCO) by February 1st.

- (4) The project is located in a designated disaster area because of a national or state declared disaster.
- (5) The project is a state-owned and administered project, including a public post secondary education institution.

Proposed law retains present law and further requires that projects deemed to be an emergency by the commissioner of administration receive approval from the JLCCO.

Present law provides that nonstate projects shall require a local match of not less than 25% of the total amount of the project but provides for certain exceptions.

Proposed law retains present law and further requires that projects deemed to be an emergency and exempt from providing the 25% local match, by the commissioner of administration, must also receive approval from the JLCCO. The commissioner of administration shall provide an annual report, no later than February 1st, of projects exempt from providing a 25% local match, to the JLCCO, House Ways & Means, and Senate Revenue & Fiscal Affairs.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 39:112(C)(1)(b), and (E)(2)(a); adds R.S. 39:112(E)(3))