

Regular Session, 2014

SENATE BILL NO. 91

BY SENATOR BROWN

CAPITAL OUTLAY. Provides an exception to the time limit on filing capital outlay requests for filings resulting from a declared disaster where there is an imminent public need for the project. (7/1/14) (2/3 - CA7s11(C))

1 AN ACT

2 To amend and reenact R.S. 39:112(C)(2) and to enact R.S. 39:112(C)(1)(d), relative to  
3 capital outlay; to provide for the submission of capital outlay budget requests for  
4 certain projects resulting from a national or state declared disaster; to provide for  
5 definitions; to provide for an effective date; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:112(C)(2) is hereby amended and reenacted and R.S.  
8 39:112(C)(1)(d) is hereby enacted to read as follows:

9 §112. Capital outlay act

10 \* \* \*

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

15 \* \* \*

16 **(d) The project is located in a designated disaster area and there is an**  
17 **imminent public need for the project because of a national or state declared**



1           Section 2. This Act shall become effective on July 1, 2014; if vetoed by the governor  
2 and subsequently approved by the legislature, this Act shall become effective on July 1,  
3 2014, or on the day following such approval by the legislature, whichever is later.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Martha S. Hess.

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#### DIGEST

Brown (SB 91)

Present law authorizes capital outlay budget requests submitted after November first to be included within the capital outlay act if the capital outlay budget request meets all applicable requirements except for time of submission and if any of the following conditions have been met:

- (1) The project is an economic development project recommended in writing by the secretary of the Department of Economic Development.
- (2) The project is an emergency project recommended in writing by the commissioner of administration.
- (3) The project is for a non-state entity, has a total project cost of less than one million dollars, and has been approved by the Joint Legislative Committee on Capital Outlay; however, no action to approve any such project may be taken by the Joint Legislative Committee on Capital Outlay after the first day of February.

Proposed law retains present law and adds a fourth exception to the November 1st deadline for submission of capital outlay requests:

- (4) The project is located in a designated disaster area, there is an imminent public need for the project because of a national or state declared disaster and the project has been approved by the Joint Legislative Committee on Capital Outlay, which approval may occur after the first day of February and which project may have a total project cost of one million dollars or more.

Present law provides for the definition of "economic development" and "emergency" for purposes of the exceptions to the November first deadline for submission of capital outlay requests.

Proposed law retains present law and adds definitions of "designated disaster area" and "disaster" for purposes of an exception to the November first deadline for submission of capital outlay requests.

Effective July 1, 2014.

(Amends R.S. 39:112(C)(2); adds R.S. 39:112(C)(1)(d))