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## DIGEST

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Leger

HB No. 222

**Abstract:** Prohibits supplanting of state funding for higher education in years where the tuition and mandatory fees increase and prohibits reductions of state funding for higher education below the appropriation for Fiscal Year 2013-2014 without certain legislative approval.

Proposed constitutional amendment provides that in any fiscal year which the fees and self-generated revenues appropriated for higher education from tuition and mandatory fees are greater than the appropriation of such funds in the prior fiscal year, the additional fees and self-generated revenues shall not displace, replace, or supplant the amount appropriated for higher education from the state general fund and dedicated funds. Further defines mandatory fees as higher education fees that are subject to legislative approval.

Proposed constitutional amendment provides that the total appropriation from the sum of the state general fund and dedicated funds for higher education may not be reduced below the appropriation for Fiscal Year 2013-2014, except the governor may reduce the appropriation to higher education if either of the following occur:

- (1) If the legislature is in session, the reduction is consented to in writing by two-thirds of the elected members of each house in a manner provided by law.
- (2) If the legislature is not in session, the reduction is approved by two-thirds of the members of the Joint Legislative Committee on the Budget, or its successor.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 4, 2014.

Effective July 1, 2016.

(Amends Const. Art. VIII, §12)

### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Deleted mandatory fee amounts from inclusion in the amount required to trigger the

nonsupplant requirements.

2. Added an exception for a decrease of state funds up to 5% of the tuition increase if there is a projected deficit in the year prior to the increase in tuition.
3. Added an effective date.

Committee Amendments Proposed by House Committee on Civil Law and Procedure to the engrossed bill.

1. Changed the ballot language to provide a more detailed explanation of the proposed constitutional amendment.

House Floor Amendments to the reengrossed bill.

1. Added mandatory fee amounts for inclusion in the amount required to trigger the nonsupplant requirements and defined mandatory fees.
2. Deleted exception for a decrease of state funds up to 5% of the tuition increase if there is a projected deficit in the year prior to the increase in tuition.
3. Added that state appropriations for higher education may not be reduced below the appropriation for Fiscal Year 2013-2014 without certain legislative approval.