

2016 First Extraordinary Session

HOUSE BILL NO. 44

BY REPRESENTATIVES BROADWATER AND EDMONDS

FUNDS/FUNDING: Eliminates certain statutory dedications and eliminates certain dedications of certain funds (Item #7)

1 AN ACT

2 To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S.

3 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C) , 4019(C), and 5068(D)(3), R.S.

4 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5),

5 R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2)

6 and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S.

7 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E),

8 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and

9 (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361,

10 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 and

11 Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to

12 repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.

13 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2,

14 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised

15 Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1),(2), and (3), and

16 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6),

17 and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of

18 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.

19 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana

20 Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of

1 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,
2 comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title
3 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart
4 K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes
5 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle
6 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41,
7 Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
8 Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1
9 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
10 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the
11 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of
12 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of
13 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I
14 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126,
15 Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
16 Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of
17 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.
18 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3)
19 and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e),
20 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and
21 Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013
22 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997
23 Regular Session of the Legislature, relative to special treasury funds; to provide for
24 the elimination of certain special treasury funds; to eliminate certain dedications into
25 certain special treasury funds; to eliminate certain required expenditures from special
26 treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund,
27 Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund,
28 Indigent Parent Representation Program Fund, Innocence Compensation Fund,
29 Academic Improvement Fund, Support Education in Louisiana First Fund,

1 Workforce Training Rapid Response Fund, Higher Education Initiatives Fund,
2 Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund,
3 Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund,
4 Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement
5 Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health
6 Studies Program Fund, Southern University AgCenter Program Fund, Video Draw
7 Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund,
8 Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports
9 Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State
10 Emergency Response Fund, Louisiana Interoperability Communications Fund,
11 Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State
12 University Firemen Training Program Film Library Fund, Marketing Fund, Tobacco
13 Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response
14 Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program
15 Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty
16 Collections Fund, Workforce and Innovation for a Strong Economy Fund,
17 Competitive Core Growth Fund, Science, Technology, Engineering and Math
18 (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center
19 of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded
20 Accrued Liability and Specialized Educational Institutions Support Fund, MediFund,
21 Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency
22 Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need
23 of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of
24 Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund,
25 Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund,
26 Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid
27 Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New
28 Orleans Public Safety Fund; to provide for the deposits into the New Opportunities
29 Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the

1 Video Draw Poker Device Fund to authorize the transfer of balances between funds;
2 to provide for deposit of monies into the state general fund; and to provide for related
3 matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3) are hereby amended and
6 reenacted to read as follows:

7 §2. Creation, powers, and duties of Department of Agriculture and Forestry and the
8 commissioner of agriculture and forestry

9 * * *

10 C. All funds derived from the sale of timber on state lands under this Section
11 shall be deposited in the state treasury for deposit into the state general fund. ~~Monies~~
12 ~~derived from the sale of timber on state lands in the custody of the Department of~~
13 ~~Health and Hospitals shall be deposited into the Department of Health and Hospitals'~~
14 ~~Facility Support Fund as provided in R.S. 40:16.2.~~ The legislature shall annually
15 appropriate to the Department of Agriculture and Forestry the costs incurred by that
16 department under the provisions of this Section.

17 * * *

18 §277. Trust funds

19 Subject to the exceptions contained in Article VII, Section 9 of the
20 Constitution of Louisiana, all funds received by the authority shall be deposited
21 immediately upon receipt in the state treasury and shall be credited to the Bond
22 Security and Redemption Fund. ~~After a sufficient amount is allocated from the fund~~
23 ~~to pay all obligations secured by the full faith and credit of the state which become~~
24 ~~due and payable within any fiscal year, the state treasurer, prior to placing the~~
25 ~~remaining funds in the state general fund, shall pay an amount equal to the total~~
26 ~~amount of funds paid into the state treasury by the authority into a special fund~~
27 ~~which is hereby created in the state treasury and designated as the Louisiana~~
28 ~~Agricultural Finance Authority Fund. The monies in the Louisiana Agricultural~~
29 ~~Finance Authority Fund shall be used solely for the programs and purposes of the~~

1 ~~authority and only in the amount appropriated each year to the authority by the~~
 2 ~~legislature. All unexpended and unencumbered monies in the fund at the end of the~~
 3 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~
 4 ~~state treasurer in the same manner as monies in the state general fund. All interest~~
 5 ~~earned from the investment of the monies in the Louisiana Agricultural Finance~~
 6 ~~Authority Fund shall be deposited in that fund.~~

7 * * *

8 §4321. Forest protection assessment

9 * * *

10 B. The assessment shall be entered on the tax rolls by the assessor and shall
 11 be paid by the owner of such timberland to the sheriff and ex officio tax collector of
 12 the parish in which the timberland is located in the same manner as parish ad
 13 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~
 14 solely as provided in this Part for deposit into the state general fund.

15 * * *

16 §4411. Forestry Productivity Fund; disposition of funds

17 A. Funds equal to seventy-five percent of that portion of the severance tax
 18 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of
 19 Louisiana shall be deposited immediately upon receipt into the state treasury for
 20 deposit into the state general fund.

21 * * *

22 §4423. Definitions

23 As used in this Part, the following terms shall have the meanings ascribed
 24 below:

25 * * *

26 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax
 27 deduction, rebate, investment, contract, or grant made available by the state to
 28 directly support the purchase of forestry products. "Incentives" shall not mean any
 29 such benefit available under statutorily provided programs including Louisiana

1 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act
2 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax
3 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program
4 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and Tax
5 Equalization (R.S. 47:3201, et seq.), ~~Rapid Response Fund (R.S. 51:2361), and~~
6 ~~Mega-Project Development Fund (R.S. 51:2365).~~

7 Section 2. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as follows:

8 §5073. Certifications; directory; tax stamps

9 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this
10 state, whether directly or through a distributor, retailer, or similar intermediary or
11 intermediaries, shall execute and deliver on a form prescribed by the attorney general
12 a certification to the secretary and attorney general, no later than the thirtieth day of
13 April each year, certifying under penalty of perjury that, as of the date of such
14 certification, such tobacco product manufacturer either: is a participating
15 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all
16 installment payments required by R.S. 13:5075(J). For the initial certification
17 submitted no later than the thirtieth of April each year, a manufacturer shall pay to
18 the attorney general a fee of five hundred dollars. The fees generated pursuant to this
19 Section shall be deposited in the ~~Tobacco Settlement Enforcement Fund~~ state general
20 fund and used solely and exclusively for purposes of enforcement of the Master
21 Settlement Agreement, pursuant to R.S. 39:98.7.

22 * * *

23 Section 3. R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3) are hereby
24 amended and reenacted to read as follows:

25 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood
26 development and enrichment activity classes; financial assistance

27 * * *

28 B.

29 * * *

1 C. As provided in this Section, when a participating school receives privately
 2 funded scholarship funds on behalf of a student pursuant to this Section, the annual
 3 appropriation of state funds for the program shall be reduced by the amount of such
 4 private scholarship program funds so received. The commissioner of administration
 5 shall determine and specify the amount of the reduction from the source of the funds
 6 to provide the maximum benefit to the state from the privately funded scholarship
 7 program. The state treasurer shall deposit the amount of such reduction as specified
 8 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~
 9 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~
 10 ~~and created to be known as the "Program Participation Savings Account" state~~
 11 general fund.

* * *

13 §5068. Miscellaneous

* * *

15 D.

* * *

17 (3) As provided in this Subsection, if an eligible college or university
 18 receives privately funded scholarship funds on behalf of a student, the state funds for
 19 the Taylor Opportunity Program for Students shall be reduced by the amount of the
 20 private scholarship program funds so received. A reduction shall not affect the
 21 estimated nature of the Taylor Opportunity Program for Students appropriation as
 22 provided in the Act or Acts that contain such appropriations. The commissioner of
 23 administration shall determine and specify the amount of the reduction from the
 24 source of the funds to provide the maximum benefit to the state from the privately
 25 funded scholarship program. The state treasurer shall deposit the amount of such
 26 reduction as specified by the commissioner of administration into the
 27 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~

1 ~~within the fund hereby established and created to be known as the "Program~~
2 ~~Participation Savings Account"~~ state general fund.

3 * * *

4 Section 4. R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2) are
5 hereby amended and reenacted to read as follows:

6 §347. Disposition of tax money

7 A. Monies collected under R.S. 22:342 through 349, after being first credited
8 to the Bond Security and Redemption Fund in accordance with Article VII, Section
9 9(B) of the Constitution of Louisiana, shall be credited to a special fund hereby
10 established in the state treasury and known as the "Two Percent Fire Insurance Fund"
11 hereinafter the "fund". Any unexpended or unencumbered money remaining in the
12 fund at the end of each fiscal year shall be deposited into the state general fund.

13 Monies in the fund shall be available in amounts appropriated annually by the
14 legislature for the following purposes in the following order of priority:

15 * * *

16 §835. Fire marshal tax; Louisiana Fire Marshal Fund

17 * * *

18 B. All funds received by the commissioner of insurance pursuant to
19 Subsection A of this Section shall be deposited immediately upon receipt into the
20 state treasury for deposit into the state general fund.

21 * * *

22 §1476. Assessments against insurers; dedications

23 A.

24 * * *

25 (2) An amount equal to two and one-fourth hundredths of one percent of the
26 gross direct premiums received in this state, in the preceding year; two and thirty-
27 seven hundredths of one percent of the direct gross premiums received in this state,
28 in the year 2001; and two and one-half hundredths of one percent of the direct gross
29 premiums received in the state, in the year 2003 and every year thereafter by insurers

1 doing business in this state and subject to this Subpart, less returned premiums shall
 2 be deposited by the commissioner of insurance with the state treasurer to be credited
 3 to a special fund created in the state treasury entitled the ~~Municipal Fire and Police~~
 4 ~~Civil Service Operating Fund, hereinafter known as the "fund". Subject to an annual~~
 5 ~~appropriation by the legislature pursuant to the provisions of R.S. 33:2480 and 2540,~~
 6 ~~monies in the fund shall be used solely to support the operations of the office of state~~
 7 ~~examiner, Municipal Fire and Police Civil Service. Monies in the fund shall be~~
 8 ~~invested by the treasurer in the same manner as monies in the state general fund and~~
 9 ~~interest earned on investment of these monies shall be credited to the state general~~
 10 ~~fund. All unexpended and unencumbered monies in the fund at the end of the fiscal~~
 11 ~~year shall revert to the state general fund.~~

* * *

13 Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as follows:

14 §1514. Worker training fund; purpose; training programs; eligibility criteria;
 15 program administration

* * *

17 D.

* * *

19 (5) The administrator may annually set aside an amount up to ten percent of
 20 the amount appropriated to the fund by the state legislature for preemployment
 21 training in any year in which the legislature appropriates funds for training equal to
 22 or exceeding those funds appropriated in the previous year ~~to the Rapid Response~~
 23 ~~Fund created by R.S. 51:2361 or to the Louisiana Economic Development Fund~~
 24 ~~created by R.S. 51:2315. All preemployment training shall require an employer~~
 25 ~~matching contribution of not more than fifty percent, and job placement outcomes~~
 26 ~~at wage rates commensurate with training, as determined by the administrator~~
 27 ~~pursuant to duly promulgated rules and regulations.~~

* * *

1 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c)
2 and (2) and (C)(2), (3), and (4) are hereby amended and reenacted to read as follows:

3 §27.1. Uniform compulsive and problem gambling program

4 * * *

5 F. In any proceeding brought against any licensee, permittee or casino
6 gaming operator and any employee thereof for a willful violation of the self-
7 exclusion rules of the board, the board may order the forfeiture of any money or
8 thing of value obtained by the licensee or the casino gaming operator from any self-
9 excluded person. Any money or thing of value so forfeited shall be deposited into
10 the ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ state
11 general fund.

12 * * *

13 §92. Collection and disposition of fees

14 * * *

15 B.

16 * * *

17 (2) After complying with the provisions of Paragraph (1) of this Subsection,
18 the state treasurer shall, each fiscal year, credit the following amounts to the
19 following funds:

20 (a)(i) ~~One percent, not to exceed five hundred thousand dollars, to the~~
21 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

22 (ii) The amounts of winnings withheld and remitted in accordance with R.S.
23 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~
24 ~~Fund provided for in R.S. 28:842~~ state general fund.

25 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ The franchise
26 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

27 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~
28 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~

1 ~~pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education~~
2 ~~in Louisiana First Fund as provided in R.S. 17:421.7.~~

3 (ii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2) which
4 is attributable to any riverboat gaming licensee which pays additional franchise fees
5 pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the ~~Support Education~~
6 ~~in Louisiana First Fund as provided in R.S. 17:421.7~~ state general fund.

7 (iii) The franchise fees paid pursuant to R.S. 27:91(C)(2) through (4) to the
8 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ state general
9 fund.

10 (c) ~~To a special fund, which is hereby created in the state treasury and~~
11 ~~entitled the Riverboat Gaming Enforcement Fund,~~ the state general fund an amount
12 equal to the revenues received by the state pursuant to this Chapter, less any monies
13 credited to other funds pursuant to the provisions of Subparagraphs (a) and (b) of this
14 Paragraph.

15 * * *

16 §249. Compulsive gambling; posting information

17 A. The corporation shall include the cost of the transfer of its monies to the
18 state treasurer for deposit into the ~~Compulsive and Problem Gaming Fund as~~
19 ~~required by R.S. 27:270(A)(2)~~ state general fund as a budgeted item and expense of
20 the corporation.

21 * * *

22 §270. Deposit of revenues; expenditures and investments authorized; transfer of
23 revenues to state treasury; corporation operating account; audit of
24 corporation books and records; audits

25 A.

26 * * *

27 (2)(a) Quarterly, the corporation shall transfer to the state treasury one
28 percent of its operating account, not to exceed five hundred thousand dollars per
29 fiscal year. These monies shall first be credited to the Bond Security and

1 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution
2 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the
3 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general
4 fund.

5 (b) Quarterly, the corporation shall transfer to the state treasury for deposit
6 into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state
7 general fund the amount of revenues withheld and remitted in accordance with R.S.
8 27:260(D).

9 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit
10 into certain funds in the treasury, as provided in this Paragraph, the amount of net
11 revenues which the corporation determines are surplus to its needs. After first being
12 credited to the Bond Security and Redemption Fund in accordance with Article VII,
13 Section 9(B) of the Constitution of Louisiana, and after satisfying any other
14 requirements of the Constitution and laws of Louisiana, such net revenues shall be
15 deposited as follows:

16 (i) In each year for which the Joint Legislative Committee on the Budget
17 disapproves or does not act upon the amount of the casino support services contract
18 as provided in R.S. 27:247 ~~and~~ no monies are deposited in and credited to the Casino
19 Support Services Fund: ₂

20 ~~(aa) Ten percent shall be deposited in and credited to the Support Education~~
21 ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~
22 ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

23 ~~(bb) Ninety percent shall be deposited in and credited to the Support~~
24 ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

25 (ii) In each year for which the Joint Legislative Committee on the Budget
26 approves the amount of the casino support services contract as provided in R.S.
27 27:247: ₂

28 ~~(aa) The first one million eight hundred thousand dollars shall be deposited~~
29 ~~in and credited to the Casino Support Services Fund.~~

1 ~~(bb) The next sixty million dollars shall be deposited in and credited to the~~
2 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

3 ~~(cc) After satisfying the requirements of Subitems (aa) and (bb) of this Item,~~
4 ~~monies shall be deposited into the Casino Support Services Fund until the casino~~
5 ~~support services contract is fully funded for that year.~~

6 ~~(dd) After satisfying the requirements of Subitem (cc) of this Item, the~~
7 ~~remainder of the monies shall be deposited in and credited to the Support Education~~
8 ~~in Louisiana First Fund as provided for in R.S. 17:421.7.~~

9 * * *

10 §437. Video Draw Poker Device Fund; distribution and expenditure

11 * * *

12 B.(1)

13 * * *

14 (c) Thereafter, the state treasurer shall, each fiscal year, credit to a special
15 fund, which is hereby created in the state treasury and entitled the Video Draw Poker
16 Device Fund, an amount equal to all revenues received by the division pursuant to
17 the provisions of this Chapter, except those funds specified by the provisions of R.S.
18 27:435(D)(4), ~~which shall be deposited as provided by R.S. 27:439 and those funds~~
19 ~~withheld pursuant to R.S. 27:443(A)(2) which shall be remitted for deposit to the~~
20 ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842.~~

21 (2) After complying with the provisions of Paragraph (1) of this Subsection,
22 the state treasurer shall, each fiscal year, ~~credit the following amounts to the~~
23 ~~following special funds:~~

24 ~~(a) One percent, not to exceed five hundred thousand dollars, to the~~
25 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

26 ~~(b) To~~ to a special fund, which is hereby created in the state treasury and
27 entitled the Video Draw Poker Device Fund, an amount equal to all revenues
28 received by the division pursuant to the provisions of this Section, less any monies

1 credited to another fund pursuant to the provisions of Subparagraph (a) of this
2 Paragraph.

3 C.

4 * * *

5 ~~(2) An amount shall be allocated to the Department of Public Safety and~~
6 ~~Corrections and to the Department of Justice, pursuant to legislative appropriation,~~
7 ~~for regulatory, administrative, investigative, enforcement, legal, and such other~~
8 ~~expenses as may be necessary to carry out the provisions of this Chapter and for~~
9 ~~activities associated with enforcement of laws and regulations governing video draw~~
10 ~~poker devices.~~

11 ~~(3)~~ (2) Any monies in the fund not required to meet the purposes provided
12 for in ~~Paragraphs (1) and (2)~~ Paragraph (1) shall be credited to and deposited in the
13 state general fund as they become available. Any unexpended or unencumbered
14 monies remaining in the Video Draw Poker Device Fund at the end of the fiscal year
15 shall revert to the state general fund.

16 ~~(4)~~ (3) An amount equal to all franchise payments exempted pursuant to R.S.
17 27:321 shall be considered to be part of the Video Draw Poker Device Fund for
18 purposes of calculating the distribution of the fund pursuant to ~~Paragraphs (1) and~~
19 ~~(2)~~ Paragraph (1).

20 Section 7. R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3) are hereby amended
21 and reenacted to read as follows:

22 §9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and
23 Gaming Control Assistance District

24 * * *

25 E. Tax.

26 * * *

27 (3) The district is specifically authorized to transfer to the state such amounts
28 as are necessary to address the policies established by this Chapter and Chapter 7 of
29 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state
 2 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
 3 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
 4 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~
 5 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~
 6 ~~amount~~ into the state general fund; however, five percent of the total proceeds
 7 transferred to the state shall be deposited in the St. Landry Parish Excellence Fund
 8 created by R.S. 27:392(B)(3)(b).

9 * * *

10 §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and
 11 Gaming Control Assistance District

12 * * *

13 E. Tax.

14 * * *

15 (3) The district is specifically authorized to transfer to the state such amounts
 16 as are necessary to address the policies established by this Chapter and Chapter 7 of
 17 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically (a) the~~ The district
 18 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state
 19 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
 20 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
 21 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~
 22 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~
 23 ~~amount~~ into the state general fund; however, five percent of the total proceeds
 24 transferred to the state shall be deposited in the Bossier Educational Excellence
 25 Fund.

26 * * *

27 §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and
 28 Gaming Control Assistance District

29 * * *

1 E. Tax.

2 * * *

3 (3) The district is specifically authorized to transfer to the state such amounts
4 as are necessary to address the policies established by this Chapter and Chapter 7 of
5 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: the~~ The district
6 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state, and the state
7 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~
8 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~
9 ~~in R.S. 27:392(B)(1) and (2); and the district shall transfer three-fourths of the net~~
10 ~~proceeds of such tax to the state, and the state treasurer is directed to deposit any~~
11 ~~such amount~~ into the state general fund. However, five percent of the total proceeds
12 transferred to the state shall be deposited in the Calcasieu Parish Excellence Fund
13 created by R.S. 27:392(B)(3)(c).

14 * * *

15 Section 8. R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2)
16 are hereby amended and reenacted to read as follows:

17 §82. Remission of cash balances to the state treasurer; authorized withdrawals of
18 state monies after the close of the fiscal year

19 A. All cash balances occurring from appropriations made by legislative act
20 or by the Interim Emergency Board regardless of date of passage to any state agency
21 for which no bona fide liability exists on the last day of each fiscal year shall be
22 remitted to the state treasurer by the fifteenth day following the last day of the fiscal
23 year. Any appropriations including those made by the Interim Emergency Board of
24 the preceding fiscal year remaining at the end of the fiscal year against which bona
25 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the
26 state treasury during the forty-five day period after the last day of the fiscal year only
27 as such liabilities come due for payment. Prior to placing monies associated with
28 such unexpended appropriations into the state general fund, the state treasurer shall
29 transfer all cash balances identified and reported by the commissioner of

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 administration as being from unexpended and unencumbered state general fund
 2 (direct) ~~and Overcollections Fund~~ appropriations for professional, personal, and
 3 consulting service contracts not approved by the Joint Legislative Committee on the
 4 Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for
 5 deposit in and credit to the ~~Higher Education Financing Fund~~ as are necessary to
 6 satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the
 7 ~~Payments Towards the UAL Fund~~ as are necessary to satisfy the requirements of
 8 R.S. 39:100.11 state general fund.

9 * * *

10 §100.61. New Opportunities Waiver Fund

11 * * *

12 B.(1) The source of monies in the fund shall be ~~as follows~~:

13 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~
 14 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~
 15 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~
 16 ~~Official Forecast at the beginning of the current fiscal year into the New~~
 17 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~
 18 ~~used for appropriation in the ensuing fiscal year.~~

19 (b) ~~Monies designated for the fund and~~ monies received by the state treasurer
 20 ~~from donations, gifts, grants, appropriations, or other revenue pursuant to the~~
 21 provisions of R.S. 47:120.171.

22 * * *

23 §352. Cancellation of unexpended portions of appropriations; exceptions

24 Whenever any specific appropriation is made to meet any item of expenditure
 25 which occurs annually by provision of law or for contingent expense, and any
 26 portion of it remains unexpended at the end of the year for which the specific
 27 appropriation was made, after all legal claims against it for the year have been paid,
 28 the commissioner of administration shall cancel any balance of the appropriation,
 29 and each succeeding year he shall open a new account for the appropriation which

1 administration, in consultation with the state chief procurement officer, does not
2 resubmit the contract to the Joint Legislative Committee on the Budget within thirty
3 days after the committee recommends revisions to the contract, the contract shall be
4 deemed to be rejected and funds otherwise proposed for this purpose shall be
5 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~
6 state general fund.

7 B.(1)

8 * * *

9 (2) Following each determination required pursuant to the provisions of this
10 Subsection, the commissioner of administration shall report to the state treasurer the
11 amount of state general fund (direct) and Overcollections Fund monies appropriated
12 for professional, personal, and consulting service contracts that are expected to
13 remain unexpended and unencumbered at the end of the fiscal year as a result of
14 implementation of this Section. These monies shall be available for deposit in and
15 credit to the ~~Higher Education Financing Fund as provided for in R.S. 39:100.146~~
16 state general fund.

17 * * *

18 Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6)(b) are hereby amended and
19 reenacted to read as follows:

20 §1582. Emergency elevator access; master key; substitute emergency measures;
21 enforcement; penalty; rulemaking authority

22 * * *

23 E. The office of state fire marshal shall enforce this Section. Any person
24 who fails to comply with the requirements of this Section is subject to an
25 administrative fine of not more than one thousand dollars, in addition to any other
26 penalty provided by law. All administrative fines shall be deposited into the
27 ~~Louisiana Fire Marshal Fund~~ state general fund.

28 * * *

1 §1593. Volunteer firefighters; medical and life insurance

2 The state fire marshal is authorized to negotiate for and to purchase ~~out of~~
3 ~~funds available for such purpose in the Two Percent Fire Insurance Fund provided~~
4 ~~for in R.S. 22:347(A)~~ a group insurance policy to provide medical benefits, death
5 benefits, and burial benefits for volunteer firefighters of the state suffering injury or
6 death while engaged in the scope of their duties as volunteer firefighters. Such
7 policy shall cover all bona fide volunteers starting the day upon which their
8 membership begins without any prior certification to the state fire marshal's office
9 or to the insurer. The state fire marshal shall deliver to each volunteer unit a printed
10 notice concerning the policy requirements as to written notice of claim and written
11 proof of loss including the period in which such must be filed. The volunteer unit
12 shall post such notice in a conspicuous place at its facilities.

13 * * *

14 §2845. Board; functions, powers, and duties

15 A. The board shall:

16 * * *

17 (6) Establish and maintain a statewide trauma registry to collect and analyze
18 data on the incidence, severity, and causes of trauma, including traumatic brain
19 injury. The registry shall be used to improve the availability and delivery of pre-
20 hospital or out-of-hospital care and hospital trauma care services.

21 * * *

22 (b) Required reporting to the state trauma registry is contingent on LERN
23 providing adequate financial support ~~through the Louisiana Emergency Response~~
24 ~~Network Fund~~ to cover administrative costs.

25 * * *

26 Section 10. R.S. 42:262(B) is hereby amended and reenacted to read as follows:

27 §262. Special attorney or counsel

28 * * *

1 Section 13. R.S. 51:1927.1, 2211 (A), 2332(3), 2341(F), 2361, 2362(A)(introductory
2 paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 are hereby amended and reenacted
3 to read as follows:

4 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~
5 ~~Louisiana Economic Development Fund~~

6 A. Following a decertification of a pool that was certified on or after January
7 1, 1999, and for which insurance premium tax credits were granted, an independent
8 certified public accountant shall perform a review of all distributions other than tax
9 distributions and management fees from such pool to the equity holders of the pool
10 to determine if such distributions produce an annual internal rate of return to the
11 equity holders of the pool of at least fifteen percent calculated on the original amount
12 of certified capital contributed to such pool as well as any additional capital
13 contributed to such pool. Within thirty days following the issuance of the
14 accountant's report, the certified capital company shall remit to the ~~Louisiana~~
15 ~~Economic Development Fund~~ state general fund twenty-five percent of all
16 distributions in excess of the amount required to produce an annual internal rate of
17 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ state
18 general fund shall have received an amount equal to the amount of tax credits
19 granted for the pool. Thereafter, the certified capital company shall remit to the
20 ~~Louisiana Economic Development Fund~~ state general fund five percent of such
21 excess distributions.

22 B. Following a decertification of a pool that was certified on or after January
23 1, 2002, and for which income tax credits or insurance premium tax credits were
24 granted, an independent certified public accountant shall annually perform a review
25 of all distributions, other than tax distributions and management fees, from such pool
26 to the equity holders of the pool to determine if such distributions produce a rate of
27 return to the equity holders of the pool of at least ten percent calculated on the
28 original amount of certified capital contributed to such pool as well as any additional
29 capital contributed to such pool. Within thirty days following the issuance of the

1 accountant's annual report, the certified capital company shall remit twenty-five
2 percent of all distributions in excess of the amount required to produce a rate of
3 return of ten percent to the ~~Louisiana Economic Development Fund~~ state general
4 fund.

5 C. The calculation of internal rate of return shall include all cash
6 distributions to equity investors out of the certified capital company's investment
7 pool, except for tax distributions and management fees. Management fees shall not
8 exceed two and one-half percent per annum of the total certified capital of the pool
9 without the prior approval of the secretary. Notwithstanding any other provisions
10 in this Chapter to the contrary, for all certified capital pools formed after December
11 31, 2001, if a certified Louisiana capital company does not place (1) forty percent of
12 the investment pool in qualified investments within three years after the investment
13 date, (2) sixty percent of the investment pool in qualified investments within five
14 years of the investment date, and (3) upon the certified Louisiana capital company's
15 option either (a) one hundred percent of the investment pool in qualified investments
16 within seven years of the investment date or (b) one hundred and ten percent of the
17 investment pool in qualified investments within eight years of the investment date,
18 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall
19 remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five
20 percent of all distributions, other than tax distributions and management fees, until
21 the ~~Louisiana Economic Development Fund~~ state general fund shall have received
22 one hundred percent of the tax credits granted for such pool and thereafter the
23 company shall remit ten percent of all distributions, other than tax distributions and
24 management fees to the ~~Louisiana Economic Development Fund~~ state general fund.
25 If a certified Louisiana capital company has not decertified an investment pool
26 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years
27 from the investment date, such company shall remit to the ~~Louisiana Economic~~
28 ~~Development Fund~~ state general fund fifty percent of all distributions until the
29 ~~Louisiana Economic Development Fund~~ state general fund shall have received one

1 hundred percent of the tax credits granted for such pool, and thereafter the company
2 shall remit twenty percent of all distributions to the ~~Louisiana Economic~~
3 ~~Development Fund~~ state general fund.

4 D. Notwithstanding any other provision of this Chapter to the contrary and
5 considering the adverse impact of Hurricanes Katrina and Rita, all investment
6 deadlines required by this Section which would have fallen between August 25,
7 2005, and December 30, 2005, shall be extended to March 31, 2006.

8 * * *

9 §2211. Purpose and goals

10 A. The provisions of this Chapter ~~establish the MediFund as a special fund~~
11 ~~within the state treasury~~ shall be to support advancement of biosciences, biomedical,
12 and medical centers of excellence in Louisiana. The MediFund governing board
13 shall endeavor to achieve this purpose by coordinating and deploying public and
14 private resources to strategically develop and enhance this state's competitiveness in
15 biosciences, biomedical, and medical centers of excellence.

16 * * *

17 §2332. Definitions

18 As used in this Chapter, the following terms shall have the following
19 definitions:

20 * * *

21 (3) "Fund" means the ~~Louisiana Economic Development Fund~~ state general
22 fund.

23 * * *

24 §2341. Economic Development Award Program

25 * * *

26 F. The legislature shall make an annual appropriation to EDAP ~~for deposit~~
27 ~~in the Louisiana Economic Development Fund under the terms and conditions as~~

1 (b) Outcomes.

2 (c) Numbers of jobs created and retained.

3 (d) Overall payroll generated.

4 ~~(4)~~ (2) The department shall make available upon request the economic
5 impact analysis on an economic development project which receives monies ~~from~~
6 ~~the fund~~.

7 C. At the same time as the secretary submits to the official journal for the
8 state a notice containing general information regarding active negotiations for an
9 economic development project which is eligible for funding ~~from the fund~~, which
10 active negotiations the secretary desires to keep confidential as provided in R.S.
11 44:22, upon request by a member of the legislature in whose legislative district a
12 project is located, the secretary may provide information regarding the project if the
13 member submits his signature under oath that all information shall remain
14 confidential and privileged.

15 §2362. Accountability requirements; legal agreements; Rapid Response ~~Fund~~
16 projects

17 A. All legal agreements for Rapid Response ~~Fund~~ projects shall include all
18 of the following:

19 * * *

20 §2363. Accountability requirements; reports; Rapid Response ~~Fund~~ projects

21 A. The secretary of the Department of Economic Development shall develop
22 a uniform accountability report for economic development created by the Rapid
23 Response ~~Fund~~ projects. The secretary shall also develop a formula for measuring
24 the return on investment for each Rapid Response ~~Fund~~ project.

25 B. The Department of Economic Development shall compile and make
26 available a list of the cooperative endeavor agreements, the name of the entity
27 receiving funds, and the amount of the incentive received for all Rapid Response
28 ~~Fund~~ projects in both written and electronic form.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 PART VI-B. LOUISIANA MEGA-PROJECT DEVELOPMENT FUND

2 §2365. Louisiana Mega-Project Development Fund

3 A. ~~The Louisiana Mega-Project Development Fund, hereinafter referred to~~
4 ~~as the "fund", is hereby created as a special fund within the state treasury.~~5 ~~B. The state treasurer is hereby authorized and directed to transfer one~~
6 ~~hundred fifty million dollars from the Louisiana Economic and Port Development~~
7 ~~Infrastructure Fund to the Louisiana Mega-Project Development Fund on June 29,~~
8 ~~2007. The legislature may appropriate additional monies to the fund if it deems~~
9 ~~necessary to accomplish the purposes of the fund.~~10 ~~C. Monies in the fund shall be invested by the treasurer in the same manner~~
11 ~~as monies in the state general fund and any interest earned on the investment of~~
12 ~~monies in the fund shall be credited to the fund. All unexpended and unencumbered~~
13 ~~monies in the fund at the end of the fiscal year shall remain in the fund.~~14 ~~D.(1) Monies in the fund shall be~~ (1) The legislature may make available for
15 ~~appropriation for general purposes and for use by~~ to the Department of Economic
16 ~~Development, hereinafter referred to as the "department".~~ ~~Such appropriations~~
17 monies that shall be used by the secretary of the department for immediate funding
18 of all or a portion of economic development mega-projects which may be necessary
19 in order to successfully secure the creation or retention of jobs by a business entity
20 or a qualified major event under such circumstances as established by this Part.21 (2) The secretary shall report to the Joint Legislative Committee on the
22 Budget twice yearly, on the first day of October and the first day of April, with
23 respect to all actual expenditures of monies ~~appropriated from the fund~~. The reports
24 shall be available electronically, and the secretary shall include in these reports any
25 other information which the committee may require with respect to use of monies
26 appropriated from the fund, including but not limited to the following information
27 on each economic development project which receives funding:

28 (a) Performance targets.

29 (b) Outcomes.

1 (c) Numbers of jobs created and retained.

2 (d) Overall payroll generated.

3 (3) The department shall make available upon request the economic impact
4 analysis on an economic development project which receives monies ~~from the fund~~.

5 This Subparagraph shall not apply to a mega-project which is a qualified major event
6 as defined in R.S. 51:2365.1.

7 ~~E. B.~~ B. Monies ~~in the fund~~ shall be expended only upon recommendation by
8 the secretary and concurrence by the governor. Any such recommendation shall be
9 implemented pursuant to a cooperative endeavor agreement executed in accordance
10 with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative
11 Committee on the Budget.

12 ~~F. C.~~(1) For purposes of this Section, "mega-project" means:

13 (a) A project which will provide the following:

14 (i) Either five hundred new direct jobs to the state or a minimum initial
15 investment of five hundred million dollars by the private sector or the United States
16 Government through the creation of a new facility or the expansion of an existing
17 facility.

18 (ii) A substantial return on the investment by the state as measured by
19 projected tax revenues.

20 (b) A project for a military or federal installation which is important to the
21 Louisiana economy and that may be subject to base realignment and closure, or for
22 the purchase of land for a mega-project.

23 (c) A project resulting in re-creating or saving at least five hundred direct
24 jobs in this state, through the transfer of ownership of a facility that has been closed
25 or a facility that is at risk of closure due to conditions arising out of or relating to a
26 proceeding under Title 11 of the United States Code.

27 (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets
28 all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

1 ~~(4) Subject to legislative appropriation and the approval of the Joint~~
2 ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~
3 ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~
4 ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

5 C.(1) B.(1) Subject to legislative appropriation and the approval of the Joint
6 Legislative Committee on the Budget, the secretary of the Department of Economic
7 Development is hereby authorized to enter into a contract with a local organizing
8 committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire
9 for Louisiana any qualified event that will have a significant positive impact on
10 economic development in the state. The contract shall provide for a financial
11 commitment to the local organizing committee, endorsing parish, or endorsing
12 municipality which shall be subject to legislative appropriation.

13 (2) The amount of the incremental increase in certain state tax receipts
14 generated within the designated area by the occurrence of the qualified event during
15 a specified period shall be determined by the secretary. ~~The secretary shall notify the~~
16 ~~Joint Legislative Committee on the Budget and the treasurer of his determination~~
17 ~~and, upon the direction of the Joint Legislative Committee on the Budget, the~~
18 ~~treasurer shall transfer the amount of the incremental increase to the subfund. Such~~
19 ~~state tax receipts shall be limited to excise tax and sales and use taxes, excluding~~
20 ~~state hotel and motel occupancy taxes.~~ The amount of the incremental increase shall
21 not include local tax receipts.

22 D. C. An event not included in the definition of qualified event is ineligible
23 for funding under R.S. 51:2365. A qualified event may receive funding under R.S.
24 51:2365 only if all of the following conditions are met:

25 (1) After considering through a highly competitive selection process one or
26 more sites that are not located in this state, a site selection organization selects a site
27 located in this state for an event to be held once, or for an event scheduled to be held
28 annually for a period of years under an event contract.

1 (2) A site selection organization selects a site in this state as the sole site for
2 the event.

3 (3) The event is held not more frequently than annually.

4 §2366. Accountability requirements; Mega-Project Development Fund

5 A. The secretary of the Department of Economic Development shall develop
6 a uniform accountability report for economic development created by the ~~Louisiana~~
7 ~~Mega-Project Development Fund~~ Louisiana mega-projects. The secretary shall also
8 develop a formula for measuring the return on investment for each mega-project.

9 B. The Department of Economic Development shall compile and make
10 available a list of the cooperative endeavor agreements, the name of the entity
11 receiving funds, and the amount of the incentive received for all Louisiana Mega-
12 Project Development Fund projects in both written and electronic form.

13 Section 14. Section 4(B) of Act No. 421 of the 2013 Regular Session of the
14 Legislature is hereby amended and reenacted to read as follows:

15 * * *

16 Section 4.

17 * * *

18 B.(1) After satisfaction of the requirements of Subsection A of this
19 Section, all remaining monies collected pursuant to this Act shall be paid into
20 the state treasury. After compliance with the requirements of Article VII,
21 Section 9(B) of the Constitution of Louisiana relative to the Bond Security
22 and Redemption Fund ~~and prior to any monies being placed into the state~~
23 ~~general fund or any other fund~~, an amount equal to the remaining collections
24 shall be credited by the state treasurer to a ~~special fund hereby created in the~~
25 ~~state treasury to be known as the 2013 Amnesty Collections Fund, hereinafter~~
26 ~~referred to as "fund". The monies in the fund shall be available for~~
27 ~~appropriation for any public purpose.~~ the state general fund.

28 (2) ~~Monies in the fund shall be invested by the state treasurer in the~~
29 ~~same manner as those in the state general fund and interest earned on such~~

1 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E),
 2 R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and
 3 6351(G)(3) and (4), R.S. 49:259, and R.S. 51:2212(3), 2213, and 2315, Code of Criminal
 4 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the
 5 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature
 6 are hereby repealed in their entirety.

7 Section 16. The state treasurer is hereby authorized and directed to transfer any
 8 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through
 9 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year
 10 2015-2016.

11 Section 17. This Act shall become effective on July 1, 2016.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 44 Engrossed 2016 First Extraordinary Session Broadwater

Abstract: Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain funds.

VARIOUS FUNDS

Proposed law eliminates the following funds:

2013 Amnesty Collections Fund	§4(B) of Act No. 421 of the 2013 R.S. of the Legislature
Academic Improvement Fund	R.S. 17:354
Center for Excellence for Autism Spectrum Disorder	R.S. 39:100:122
Competitive Core Growth Fund	R.S. 17:3138.2
Compulsive and Problem Gaming Fund	R.S. 27:27.1(F), 92(B)(2)(a), 249(A), 270(A)(2), 392(B)(2)(a) and 437, R.S. 28:842, and R.S. 47:9029(B)
Community Water Enrichment Fund	R.S. 39:100.81
Department of Health and Hospitals Facility Support Fund	R.S. 40:16.2 and R.S. 3:2(C)
Department of Justice Legal Support Fund	R.S. 49:259 and R.S. 42:262(B)
Department of Revenue Alcohol and Tobacco Control Officers Fund	R.S. 11:544
DNA Testing Post-Conviction Relief for Indigents Fund	CCrP. Art. 926.1(K) and R.S. 15:147(B)(14)
Equine Health Studies Program Fund	R.S. 27:392(B)(6)(a)
FEMA Reimbursement Fund	R.S. 39:100.26 and 100.31
Fiscal Administrator Revolving Loan Fund	R.S. 39:1357

FMAP Stabilization Fund	§7 of Act No. 420 of the 2013 R.S. of the Legislature
Forest Productivity Fund	R.S. 3:4411
Forest Protection Fund	R.S. 3:4321(C) through (D)
Fund for Louisianians in Need of Civil Legal Assistance	§3 of Act No. 1065 of the 1997 R.S. of the Legislature
Health Care Redesign Fund	R.S. 39:100.51 and R.S. 46:977.13
Higher Education Initiatives Fund	R.S. 17:3129.6
Higher Education Financing Fund	R.S. 39:100.146, 352, and 1590(A)(2)(b) and (c) and (B)(2)
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(N)
Legislative Capitol Technology Enhancement Fund	R.S. 24:39
Louisiana Agricultural Finance Authority Fund	R.S. 3:277, and R.S. 27:392(B)(4)
Louisiana Asbestos Detection and Abatement Fund	R.S. 39:97.3
Louisiana Charter School Start-Up Loan Fund	R.S. 17:4001
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1, 2315, 2332(3), and 2341
Louisiana Emergency Response Network Fund	R.S. 40:2845(A)(6), (D)(2) and (3), and (E)
Louisiana Fire Marshal Fund	R.S. 22:835 and R.S. 40:1582(E)
Louisiana Interoperability Communications Fund	R.S. 39:100.41
Louisiana Mega-Project Development Fund	R.S. 51:2365 and 2366, R.S. 3:4423(3)
Louisiana Public Defender Fund	R.S. 15:167
Louisiana State Police Salary Fund	R.S. 22:831(B)
Louisiana State University Firemen Training Program Film Library Fund	R.S. 40:1547
Major Events Fund	R.S. 39:100.126
Major Events Incentive Program Subfund	R.S. 51:2365.1
Marketing Fund	R.S. 47:318
MediFund	R.S. 51:2211-13
Municipal Fire and Police Civil Service Operating Fund	R.S. 22:1476(A)(2)
New Orleans Public Safety Fund	R.S. 40:1402
Overcollections Fund	R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)
Pari-Mutuel Live Racing Facility Gaming Control Fund	R.S. 27:392(B)(2), and R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3)
Payments Towards the UAL Fund	R.S. 39:100.11, R.S. 39:82(A) and 352
Rapid Response Fund	R.S. 51:2361, 2362, 2363, R.S. 3:4423(3), R.S. 23:1514(D)(5)
Riverboat Gaming Enforcement Fund	R.S. 27:92(B)(2)(c) and (C)
Sickle Cell Fund	R.S. 39:100.123
Southern University AgCenter Program Fund	R.S. 27:392(B)(6)(b)
Sports Facility Assistance Fund	R.S. 39:100.1, and R.S. 47:1602.1 and 1520(A)(1)(e)
State Emergency Response Fund	R.S. 39:100.26(A) and 100.31
Status of Grandparents Raising Grandchildren Fund	R.S. 46:2913

Science, Technology, Engineering, and Math (STEM) Upgrade Fund	R.S. 17:3138.3
Support Education in Louisiana First Fund	R.S. 17:421.7, R.S. 27:92(B)(2), 270(A)(3)
Telecommunications for the Deaf Fund	R.S. 47:301.1(F) and 1061
Tobacco Regulation Enforcement Fund	R.S. 47:841(G)
Tobacco Settlement Enforcement Fund	R.S. 13:5073(A)(1), and R.S. 39:98.7
Tobacco Tax Health Care Fund	R.S. 47:841.1
Tobacco Tax Medicaid Match Fund	R.S. 47:841.2
Unfunded Accrued Liability and Specialized Educational Institutions Support Fund	R.S. 39:100.136; and R.S. 47:6351(G)(3) and (4)
Video Draw Poker Device Purse Supplement Fund	R.S. 27:439
Workforce and Innovation for a Strong Economy	R.S. 17:3138.2, 3138.3, and 3138.4
Workforce Training Rapid Response Fund	R.S. 17:1874

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.

- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

VIDEO DRAW POKER DEVICE FUND (R.S. 27:437)

Present law provides for the collection of taxes, fees, fines and penalties related to video draw poker devices.

Present law creates the Video Draw Poker Device Fund and, after the deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Video Draw Poker Device Fund. Monies in the fund are dedicated as follows:

- (1) 25% of the monies in the fund are distributed as follows:
- (a) Compensation for district attorneys and assistant district attorneys, not to exceed \$5.4 million.
 - (b) Governing authorities of municipalities in which video draw poker devices are operated.
 - (c) Sheriff of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices.
- (3) Monies in the fund that are not required to meet the other dedications as required in present law are deposited into the state general fund.

Proposed law eliminates the allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices. Proposed law further requires the deposit of any unexpended or unencumbered money at the end of the fiscal year into the state general fund.

Effective July 1, 2016.

(Amends R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro. para.), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(intro. para.), 2363, 2365, 2365.1(B)-(D), and 2366 and §4(B) of Act No. 421 of the 2013 R.S.; Repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and R.S. 17:4001, R.S.22:347(A)(1),(2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146 and 1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), §7 of Act No. 420 of the 2013 R.S. of the Legislature, and §3 of Act No. 1065 of the 1997 R.S.)