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2023 Regular Session

HOUSE BILL NO. 254

BY REPRESENTATIVE THOMAS

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

FUNDS/FUNDING: (Constitutional Amendment) Repeals provisions in the Louisiana Constitution related to various funds

A JOINT RESOLUTION

## 2 Proposing to repeal Article VII, Sections 4(D)(4)(b), 10.4, 10.10, and 10.12(B) and (C) and 3 Article IX, Sections 9 and 10 of the Constitution of Louisiana, relative to special 4 funds in the state treasury; to provide for the repeal of certain special funds; to 5 provide for the transfer of remaining balances of such special funds; to provide for submission of the proposed amendments to the electors; and to provide for related 6 7 matters. 8 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members 9 elected to each house concurring, that there shall be submitted to the electors of the state of 10 Louisiana, for their approval or rejection in the manner provided by law, a proposal to repeal 11 Article VII, Sections 4(D)(4)(b), 10.4, 10.10, and 10.12(B) and (C) of the Constitution of 12 Louisiana. 13 Section 2. Be it further resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of 14 15 the state of Louisiana, for their approval or rejection in the manner provided by law, a 16 proposal to repeal Article IX, Sections 9 and 10 of the Constitution of Louisiana. 17 Section 3. Be it further resolved that the state treasurer is hereby authorized and 18 directed to transfer any remaining balances in the funds repealed by this Joint Resolution to 19 the state general fund upon the adoption of the amendment contained in this Joint 20 Resolution.

1	Section 4. Be it further resolved that this proposed amendment shall be submitted
2	to the electors of the state of Louisiana at the statewide election to be held on October 14,
3	2023.
4	Section 5. Be it further resolved that on the official ballot to be used at the election,
5	there shall be printed a proposition, upon which the electors of the state shall be permitted
6	to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
7	follows:
8	Do you support an amendment to remove provisions of the Constitution of
9	Louisiana which created the following inactive special funds within the state
10	treasury: Atchafalaya Basin Conservation Fund, Higher Education Louisiana
11	Partnership Fund, Millennium Leverage Fund, Agricultural and Seafood
12	Products Support Fund, First Use Tax Trust Fund, Louisiana Investment
13	Fund for Enhancement and to provide for the transfer of any remaining
14	monies in such funds to the state general fund? (Repeals Article VII, Sections
15	4(D)(4)(b), 10.4, 10.10, and 10.12(B) and (C) and Article IX, Sections 9 and
16	10)

## 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 254 Re-Reengrossed

2023 Regular Session

Thomas

**Abstract:** Repeals certain funds provided for in the constitution.

<u>Present constitution</u> establishes the Atchafalaya Basin Conservation Fund and provides for deposits and uses of monies in such fund in Article VII, Section 4(D)(4)(b). The fund was established to fund projects under the Atchafalaya Basin Program within the Coastal Protection and Restoration Authority. Provides for implementation of the fund contingent upon certain conditions being met.

<u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.

<u>Present constitution</u> establishes the Higher Education Louisiana Partnership Fund and provides for deposits into and uses of monies in such fund in Article VII, Section 10.4.

<u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.

<u>Present constitution</u> establishes the Millennium Leverage Fund and provides for deposits into and uses of monies in such fund in Article VII, Section 10.10.

<u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.

<u>Present constitution</u> establishes the Agricultural and Seafood Products Support Fund and provides for deposits and uses of monies in such fund in Article VII, Section 10.12(B) and (C).

Proposed constitutional amendment repeals present constitution.

<u>Present constitution</u> establishes the First Use Tax Trust Fund and provides for deposits and uses of monies in such fund in Article IX, Section 9.

Proposed constitutional amendment repeals present constitution.

<u>Present constitution</u> establishes the Louisiana Investment Fund for Enhancement and provides for deposits into and uses of monies in such fund in Article IX, Section 10.

<u>Proposed constitutional amendment</u> repeals <u>present constitution</u>.

Provides for the transfer to the state general fund any remaining monies in the repealed funds upon the adoption of proposed constitutional amendment.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Oct. 14, 2023.

(Repeals Const. Art. VII, §§4(D)(4)(b), 10.4, 10.10, and 10.12(B) and (C) and Const. Art. IX, §§9 and 10)

## Summary of Amendments Adopted by House

The Committee Amendments Proposed by <u>House Committee on Civil Law and</u> Procedure to the engrossed bill:

1. Change the ballot language to specify that the special funds being removed from the constitution are inactive.

## The House Floor Amendments to the reengrossed bill:

- 1. Remove the language repealing Article VII, Section 10.12 and limit the repeal to Article VII, Section 10.12(B) and (C).
- 2. Add language authorizing the state treasurer to transfer to the state general fund any remaining balances in the repealed funds upon the adoption of the constitutional amendment.
- 3. Make technical changes.