

SENATE BILL NO. 149

BY SENATOR FOIL

1 AN ACT

2 To amend and reenact R.S. 39:1365(7) and (10) and to enact R.S. 17:3394.3(D)(6), relative
3 to the issuance and sale of general obligation bonds; to provide for bid requirements;
4 to provide relative to maturity dates; to provide relative to the issuance of bonds to
5 finance certain capital improvements within the Louisiana Community and Technical
6 College system; to provide relative to match requirements; to provide for an effective
7 date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 17:3394.3(D)(6) is hereby enacted to read as follows:

10 §3394.3. Authority of board to execute agreements related to the finance of capital
11 improvements and enhancements; nonprofit corporation;
12 administration and management of projects

13 * * *

14 D. * * *

15 **(6) Notwithstanding the provisions of Paragraph (2) of this Subsection**
16 **to the contrary, the Northshore Technical Community College-Hammond Area**
17 **Campus project shall not require a match in order to be financed in accordance**
18 **with this Section.**

19 Section 2. R.S. 39:1365(7) and (10) are hereby amended and reenacted to read as
20 follows:

21 §1365. Provisions for bond acts

22 Each act authorizing the issuance and sale of general obligation bonds by the
23 state or any of its agencies shall conform to the following provisions:

24 * * *

25 (7)(a) Each bid shall be either in writing, signed by the bidder and sealed, or
26 by facsimile or other electronic transmission device permitted by and pursuant to
27 procedures which may be established and authorized by the State Bond Commission.

1 ~~Each bid, except for bids by the federal government or the state of Louisiana or any~~
 2 ~~of their respective agencies or corporations, shall be accompanied by either a~~
 3 ~~certified check or cashier's check for two percent of the par value of the bonds~~
 4 ~~offered for sale, drawn on a bank or trust company authorized to transact business~~
 5 ~~in the state of Louisiana or in the state of New York, or a surety bond, in an amount~~
 6 ~~equal to two percent of the par value of the bonds offered for sale, in the form and~~
 7 ~~upon such terms and provisions and by such surety bond providers, permitted by and~~
 8 ~~approved pursuant to procedures which may be established and authorized by the~~
 9 ~~State Bond Commission, and such check or bond shall be payable to or in favor of~~
 10 ~~the state treasurer of Louisiana on behalf of the state of Louisiana.~~

11 **(b) Within the time frame established by the State Bond Commission for**
 12 **the sale, the winning bidder shall provide for an amount equal to two percent**
 13 **of the par value of the bonds offered for sale on one of the following:**

14 **(i) A wire transfer of funds through the Federal Reserve Bank wire**
 15 **service originated by a bank or trust company authorized to transact business**
 16 **in the state of Louisiana or in the state of New York.**

17 **(ii) A certified check or cashier's check drawn on a bank or trust**
 18 **company authorized to transact business in the state of Louisiana or in the state**
 19 **of New York.**

20 **(iii) A surety bond in the form and upon such terms and provisions**
 21 **approved and authorized by the State Bond Commission.**

22 **(c) Any check or bond issued by the winning bidder shall be payable to**
 23 **or in favor of the state treasurer of Louisiana on behalf of the state of Louisiana.**

24 **(d) The provisions of this Paragraph shall not apply to bids by the**
 25 **federal government or the state of Louisiana or any of their respective agencies**
 26 **or corporations.**

27 * * *

28 (10) The dates of maturity and the amount of bonds maturing at each date of
 29 maturity, or the date of sinking fund installments and the amount of each sinking
 30 fund installment shall be determined by the issuing agency. It shall not be necessary

1 that amounts maturing at each date of maturity, or amounts of mandatory sinking
 2 fund installments, either as to principal or principal and interest, be equal. ~~The~~
 3 ~~maturity dates and mandatory sinking fund installment dates shall be at annual or~~
 4 ~~semiannual intervals from date of bonds.~~

* * *

6 Section 3. This Act shall become effective upon signature by the governor or, if not
 7 signed by the governor, upon expiration of the time for bills to become law without signature
 8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 10 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____