

Regular Session, 2014

HOUSE BILL NO. 1041

BY REPRESENTATIVE HOLLIS

FUNDS/FUNDING: Creates the Louisiana Healthcare Freedom Legal Fund to be used for litigation related to the state's decisions regarding the Affordable Care Act

1 AN ACT

2 To enact R.S. 49:260, relative to the Louisiana Healthcare Freedom Legal Fund; to create
3 the Louisiana Healthcare Freedom Legal Fund as a special treasury fund; to provide
4 for deposit, use, and investment of money in the fund; to provide for definitions; and
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:260 is hereby enacted to read as follows:

8 §260. Louisiana Healthcare Freedom Legal Fund

9 A. The Louisiana Healthcare Freedom Legal Fund, hereafter referred to as
10 the "fund", is hereby created as a special fund in the state treasury. The source of
11 monies deposited into the fund may include but shall not be limited to any
12 appropriation by the legislature, including federal funds; any public or private
13 donations, gifts, or grants from individuals, corporations, nonprofit organizations,
14 or other business entities; and any other monies which may be provided by law.

15 B. After satisfying the requirements of Article VII, Section 9(B) of the
16 Constitution of Louisiana relative to the Bond Security and Redemption Fund, the
17 treasurer shall deposit into the fund all monies appropriated or donated to the fund
18 as provided for in Subsection A of this Section.

19 C. The monies in the fund shall be invested by the state treasurer in the same
20 manner as monies in the state general fund. Interest earned on the investment of

1 monies in the fund shall be credited to the fund following compliance with the
2 requirements of Article VII, Section 9(B) of the Constitution of Louisiana. All
3 unexpended and unencumbered monies in the fund at the end of each fiscal year shall
4 remain in the fund.

5 D. The monies in the fund shall be appropriated to the Department of Justice
6 to be used solely to defend the state's healthcare policy decisions regarding
7 implementation, enforcement, and alternatives to the Affordable Care Act.

8 E. As used in this Section, the "Affordable Care Act" means the following
9 acts of congress, collectively:

10 (1) The Patient Protection and Affordable Care Act, which originated as H.R.
11 3590 in the One Hundred Eleventh United States Congress and became Public Law
12 111-148.

13 (2) The Health Care and Education Reconciliation Act, which originated as
14 H.R. 4872 in the One Hundred Eleventh United States Congress and became Public
15 Law 111-152.

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)]

Hollis

HB No. 1041

Abstract: Creates the La. Healthcare Freedom Legal Fund to be used by the Department of Justice to defend the state's healthcare policy decisions regarding implementation, enforcement, and alternatives to the Affordable Care Act.

Proposed law creates the La. Healthcare Freedom Legal Fund as a special treasury fund and further provides that the source of monies for the fund may include any appropriation by the legislature, including federal funds; any public or private donations, gifts, or grants from individuals, corporations, nonprofit organizations, or other business entities; and any other monies which may be provided by law.

Proposed law provides that monies in the fund shall be appropriated to the Dept. of Justice to defend the state's healthcare policy decisions regarding implementation, enforcement, and alternatives to the Affordable Care Act.

(Adds R.S. 49:260)