The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

## DIGEST 2015 Regular Session

Claitor

<u>Present law</u> establishes the Budget Stabilization Fund in the state treasury and provides the following revenues are to be deposited into the fund:

- (1) Monies available for appropriation in excess of the expenditure limit.
- (2) All mineral revenues received by the state in each fiscal year in excess of the base, which, by legislative act, was increased to \$850 million.
- (3) Annually, the greater of \$25 million from any source, or 25% of any money designated in the official forecast as nonrecurring.
- (4) Any other monies appropriated to the fund by the legislature including any monies declared to be nonrecurring.

<u>Proposed law</u> retains <u>present law</u>, except deletes the requirement of an annual deposit into the fund of \$25 million from any source.

<u>Present law</u> permits up to 1/3 of the Budget Stabilization Fund, subject to 2/3 approval of each house of the legislature, to be incorporated in the next fiscal year's official forecast if revenue estimates for the next fiscal year are less than the official forecast for the current fiscal year. <u>Present law</u> further permits up to 1/3 of the Budget Stabilization Fund, subject to 2/3 approval of each house of the legislature, to be appropriated for the current fiscal year budget if a deficit for the current fiscal year is projected due to a decrease in the official forecast. Proposed law retains present law.

<u>Present law</u> provides that appropriations or deposits to the fund shall not be made if such would cause the balance in the fund to exceed 4% of total state revenue receipts for the previous fiscal year. <u>Proposed law</u> retains <u>present law</u> but provides that the maximum amount in the fund shall not exceed \$1 billion.

<u>Present law</u> provides that except pursuant to a specific appropriation by the legislature, no appropriation or deposit to the fund shall be made in the same fiscal year as an appropriation, use or withdrawal is made from the fund or until such time as the official forecast exceeds the actual collections of state general fund (direct) revenue for Fiscal Year 2008. The provisions of this Subparagraph shall be null, void, and of no effect on July 1, 2017. <u>Proposed law</u> retains <u>present law</u>.

<u>Proposed law</u> further provides that no deposit of mineral revenues shall be made in the fiscal year for which money in the fund is appropriated or used as provided in <u>present law</u> nor in the ensuing fiscal year, except by specific appropriation by the legislature. Thereafter, deposits to the fund from

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mineral revenues shall resume on an incremental basis not to exceed \$75 million dollars per fiscal year, except by specific appropriation by the legislature.

Effective if and when the proposed amendment of Article VII, Section 10.3 of the Constitution of Louisiana contained in the Act which originated as SB \_\_\_\_\_ of the 2015 RS is adopted at the statewide election to be held on October 24, 2015, and becomes effective.

(Amends R.S. 39:94(A)(3) and (C)(4); adds R.S. 39:94(C)(5))