

CONFERENCE COMMITTEE REPORT

HB 528

2015 Regular Session

Leger

June 10, 2015

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 528 by Representative Leger, recommend the following concerning the Reengrossed bill:

1. That Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 5, 2015, be rejected.
2. That Senate Committee Amendments Nos. 2 through 7 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 5, 2015, be adopted.
3. That the set of Senate Floor Amendments proposed by Senator Morrell and adopted by the Senate on June 6, 2015, be rejected.
4. That the following amendments to the Reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, line 19, after "waiver of" delete the remainder of the line and delete lines 20 through 22 in their entirety and insert "all or a uniform percentage of interest, collection costs, and penalties owed to the city of New Orleans on delinquent municipal fines, fees, and assessments."

AMENDMENT NO. 2

On page 2, line 1, after "B." and before "The" insert "(1)"

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

"(2) The rules and regulations adopted by the director of finance may authorize the city of New Orleans to issue requests for proposals in order to procure a third-party contractor to manage the program. The amount of fees paid to any such third-party contractor shall not exceed fifteen percent of the total amount of interest, collection costs, and penalties collected by the city at the conclusion of the program."

AMENDMENT NO. 4

On page 2, line 13, after "which" delete the remainder of the line and delete line 14 in its entirety and insert "interest, collection costs, and penalties were owed and, for each type of fine, fee, or assessment, the"

AMENDMENT NO. 5

On page 2, line 22, after "cooperate" and before "with the" insert "once every eight calendar years"

AMENDMENT NO. 6

On page 2, line 27, after "waiver of" delete the remainder of the line and delete line 28 in its entirety and on page 3, delete lines 1 and 2 in their entirety and insert "all or a uniform percentage of interest, collection costs, and penalties owed to the board and such political subdivisions on delinquent fines, fees, and assessments."

Respectfully submitted,

Representative Austin J. Badon, Jr.

Senator Robert Adley

Representative Walt Leger, III

Senator Edwin R. Murray

Representative Helena N. Moreno

Senator Neil Riser

 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)]

CONFERENCE COMMITTEE REPORT DIGEST
HB 528
2015 Regular Session
Leger
Keyword and oneliner of the instrument as it left the House

MUNICIPALITIES/NO: Authorizes the city of New Orleans to create a municipal revenue amnesty program

Report adopts Senate amendments to:

1. Limit the applicability of the program to the waiver of interest, collection costs, and penalties owed on delinquent fines, fees, and assessments.
2. Provide that the program cannot extend for a period of more than 60 calendar days.
3. Remove provisions requiring the finance director to submit an annual report to the mayor and instead require the finance director to submit a report to the mayor at the conclusion of the program.
4. Specify that both state and federal ongoing criminal prosecutions for failure to pay delinquent fees, fines, or assessments render a person ineligible to participate in the program.

Report rejects Senate amendments which would have:

1. Limited the implementation of the program to once every eight calendar years.

Report amends the bill to:

1. Limit the city's authority to allow participation in the program by the New Orleans Sewerage and Water Board and other political subdivisions to once every eight calendar years.
2. Authorize the city of New Orleans to issue RFPs in order to procure a third-party contractor to manage the program.

Digest of the bill as proposed by the Conference Committee

Proposed law authorizes the city of New Orleans, upon the initiative of the mayor, to establish a municipal revenue amnesty program. Provides that the program may provide for the waiver of all or a uniform percentage of interest, collection costs, and penalties owed to the city on delinquent fines, fees, and assessments.

Proposed law requires the director of finance for the city to administer the program and to adopt rules and regulations for the operation and administration of the program. Provides that the rules and regulations may authorize the city to issue RFPs in order to procure a third-party contractor to manage the program. Limits the amount of fees paid to the contractor to not more than 15% of the total amount of interest, collection costs, and penalties collected by the city. Provides that the program cannot extend for more than 60 calendar days.

Proposed law requires the director, at the conclusion of the program, to submit a report to the mayor, not later than March 1st of the year the program is implemented, relative to the amnesty provided to persons who participated in the program. Provides relative to the content of the report.

Proposed law prohibits persons who are under state or federal criminal prosecution for the failure to pay delinquent fines, fees, or assessments owed to the city, or the interest, collection costs, or penalties owed, from participating in the program.

Proposed law authorizes the city of New Orleans, through the mayor, to cooperate once every eight calendar years with the New Orleans Sewerage and Water Board and other political subdivisions in the city to allow the board and other political subdivisions to provide for the waiver of all or a uniform percentage of interest, collection costs, and penalties on delinquent fines, fees, and assessments owed to them.

(Adds R.S. 33:3101)