

**ACT No. 431**

2015 Regular Session

HOUSE BILL NO. 767

BY REPRESENTATIVES ST. GERMAIN AND ARMES AND SENATORS ADLEY,  
BROWN, BUFFINGTON, NEVERS, AND GARY SMITH

1 AN ACT

2 To amend and reenact R.S. 48:77(B)(2) and to enact R.S. 36:769(M) and Subpart B of Part  
3 V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be  
4 comprised of R.S. 48:81 through 90.1, relative to providing funds to certain entities  
5 for transportation related projects; to create the Louisiana State Transportation  
6 Infrastructure Bank; to provide for a board of directors; to provide for membership,  
7 duties, and authority of the board; to provide for the adoption of bylaws, rules, and  
8 regulations by the board; to create the Louisiana State Transportation Infrastructure  
9 Fund; to provide for the receipt, administration, and expenditure of monies allotted  
10 for the fund; to provide for the investment and disposition of the monies of the fund;  
11 to authorize the bank to incur debt and issue bonds, notes, or other evidences of  
12 indebtedness and to guarantee the debt of other entities; to authorize loans from the  
13 fund to certain entities; to provide procedures to enter into such indebtedness; to  
14 exempt evidence of indebtedness from taxation; to exempt any debt of or obligation  
15 entered into by the bank from being used in the calculation of net state tax supported  
16 debt; and to provide for related matters.

17 Be it enacted by the Legislature of Louisiana:

18 Section 1. R.S. 36:769(M) is hereby enacted to read as follows:

19 §769. Transfer of boards, commissions, departments, and agencies to Department  
20 of the Treasury

21 \* \* \*

1           M. The Louisiana State Transportation Infrastructure Bank (R.S. 48:81 et  
2           seq.) is placed within the Department of the Treasury and shall perform and exercise  
3           its powers, duties, functions, and responsibilities in the manner provided by law.

4           Section 2. R.S. 48:77(B)(2) is hereby amended and reenacted and Subpart B of Part  
5           V of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S.  
6           48:81 through 90.1 is hereby enacted to read as follows:

7           §77. Transportation Trust Fund; dedication and uses of certain monies for  
8           transportation purposes

9   \*       \*       \*

10           B. The avails of the taxes dedicated pursuant to Subsection A of this Section  
11           shall be deposited for the purposes specified:

12   \*       \*       \*

13           (2) Seven percent to the ~~Transportation Mobility Fund~~ Louisiana State  
14           Transportation Infrastructure Fund, established in R.S. 48:86. Unless otherwise  
15           approved by the Louisiana Transportation Authority, the avails deposited in the  
16           Transportation Mobility Fund pursuant to Subsection A of this Section shall be used  
17           exclusively for final design and construction and shall not be used for studies.

18   \*       \*       \*

19                                   SUBPART B. LOUISIANA STATE TRANSPORTATION  
20                                   INFRASTRUCTURE BANK

21           §81. Louisiana State Transportation Infrastructure Bank; purposes; establishment

22           A. There is hereby established within the Department of the Treasury the  
23           Louisiana State Transportation Infrastructure Bank, which shall be allocated to the  
24           Department of the Treasury as an agency of the state.

25           B. The purpose of the Louisiana State Transportation Infrastructure Bank is  
26           to select and assist in financing eligible transportation projects by providing loans  
27           and other financial assistance to municipalities, parishes, publicly operated ports,  
28           harbors, or terminal districts, publicly operated airports, publicly operated ferries, or  
29           publicly operated transit systems in the state for planning, constructing, and  
30           improving transportation facilities necessary for public purposes.

1           C. Any loan or other financial assistance provided pursuant to this Subpart  
 2           shall be made pursuant to a cooperative endeavor agreement between the Louisiana  
 3           State Transportation Infrastructure Bank and a qualified borrower. Any such  
 4           cooperative endeavor agreement shall meet the following requirements:

5                     (1) The loan or other financial assistance shall be for a public purpose that  
 6                     comports with the governmental purpose that the Louisiana State Transportation  
 7                     Infrastructure Bank and the qualified borrower have the legal authority to pursue and  
 8                     the loan or other financial assistance comports with the requirements of this Subpart.

9                     (2) The loan or other financial assistance is not gratuitous.

10                    (3) The Louisiana State Transportation Infrastructure Bank has a  
 11                    demonstrable, objective, and reasonable expectation of receiving at minimum the  
 12                    equivalent value in exchange for the loan or other financial assistance.

13           §82. Definitions

14                    The following terms as used in this Subpart shall have the following  
 15                    meanings:

16                    (1) "Bank" means the Louisiana State Transportation Infrastructure Bank.

17                    (2) "Board" means the board of directors of the Bank.

18                    (3) "Department" means the Department of Transportation and  
 19                    Development.

20                    (4) "Eligible costs" means:

21                    (a) For an eligible transportation project to be financed from the federal  
 22                    roadway account or federal nonroadway account, the costs that are permitted under  
 23                    applicable federal laws, requirements, procedures, and guidelines in regard to  
 24                    establishing, operating, and providing assistance from the Bank.

25                    (b) For an eligible transportation project to be financed from the state and  
 26                    local roadway account, the costs of preliminary engineering, traffic and revenue  
 27                    studies, environmental studies, right-of-way acquisition, legal and financial services  
 28                    associated with development of the eligible transportation project, construction,  
 29                    construction management, facilities, and other costs necessary for the eligible  
 30                    transportation project.

1           (c) As applied to an eligible transportation project to be financed from the  
2 state nonroadway account, the costs that include preliminary engineering, traffic and  
3 revenue studies, environmental studies, right-of-way acquisition, legal and financial  
4 services associated with development of the eligible transportation project,  
5 construction, construction management, equipment, facilities, and other nonoperating  
6 costs necessary for the eligible transportation project.

7           (5) "Eligible transportation project" means any transportation facility which  
8 has been approved by the department and selected by the Bank to receive a loan or  
9 other financial assistance from the Bank to defray an eligible cost.

10          (6) "Financing agreement" means any agreement entered into between the  
11 Bank and a qualified borrower pertaining to a loan or other financial assistance. The  
12 term "financing agreement" includes, without limitation, a loan agreement, trust  
13 indenture, security agreement, reimbursement agreement, guarantee agreement, bond  
14 or note, ordinance or resolution, or similar instrument.

15          (7) "Governmental unit" means a parish, municipality, publicly operated  
16 port, harbor, or terminal district, publicly operated airport, publicly operated ferry,  
17 or publicly operated transit system.

18          (8) "Loan" means an obligation subject to repayment which is provided by  
19 the Bank to a qualified borrower for all or part of the eligible costs of an eligible  
20 transportation project. A loan may be disbursed in anticipation of reimbursement for  
21 or direct payment of eligible costs of an eligible transportation project.

22          (9) "Loan obligation" means a bond, note, or other evidence of an obligation  
23 issued by a qualified borrower.

24          (10) "Other financial assistance" means but is not limited to credit  
25 enhancement, capital or debt reserves for bonds or debt instrument financing, interest  
26 rate subsidies, provision of letters of credit and credit instruments, provisions of  
27 bond or other debt financing instrument security, and other lawful forms of financing  
28 and methods of leveraging funds that are approved by the board, and in the case of  
29 federal funds, as allowed by federal law or regulation.

1           (11) "Project revenues" means all rates, rents, fees, assessments, charges, and  
2           other receipts derived or to be derived by a qualified borrower from an eligible  
3           transportation project or made available from a special source, and as provided in an  
4           applicable financing agreement, derived from any system of which the eligible  
5           transportation project is a part or from any other revenues producing facility under  
6           the ownership or control of the qualified borrower, including, without limitation,  
7           proceeds of grants, gifts, appropriations and loans, including the proceeds of loans  
8           made by the Bank, investment earnings, reserves for capital and current expenses,  
9           proceeds of insurance or condemnation, and proceeds from the sale or other  
10           disposition of property and from any other special source as may be provided by the  
11           qualified borrower.

12           (12) "Qualified borrower" means any governmental unit authorized by the  
13           board to construct, operate, or own an eligible transportation project.

14           (13) "Revenues" means, when used with respect to the Bank, any receipts,  
15           fees, income, or other payments received or to be received by the Bank, including,  
16           without limitation, receipts and other payments deposited in the Bank and investment  
17           earnings on its funds and accounts.

18           (14) "Transportation facility" means any public road, highway, bridge,  
19           airport, port, ferry, or transit facility or system that provides access or benefits to the  
20           state highway system and benefits the public by either enhancing mobility or safety,  
21           promoting economic development, or increasing the quality of life and general  
22           welfare of the public. "Transportation facility" also includes mass transit including,  
23           but not limited to, monorail and monobeam mass transit systems.

24           §83. Louisiana State Transportation Infrastructure Bank; board of directors

25           A. The Louisiana State Transportation Infrastructure Bank shall be governed,  
26           administered, and operated by a board of directors composed of the following  
27           members:

28           (1) The secretary of the Department of Transportation and Development, or  
29           his designee.

30           (2) The state treasurer, or his designee.

1                   (3) The chairman of the Senate Committee on Transportation, Highways and  
 2                   Public Works, or his designee.

3                   (4) The chairman of the House Committee on Transportation, Highways and  
 4                   Public Works, or his designee.

5                   (5) One member appointed by a majority of the other members enumerated  
 6                   in this Subsection from among three persons who shall be nominated by the  
 7                   Louisiana Bankers Association and who shall possess no less than five years'  
 8                   experience in commercial lending or investment banking practices.

9                   (6) One member appointed by the board members of the State Board of  
 10                   Certified Public Accountants of Louisiana and who shall possess no less than five  
 11                   years' experience in professional accounting and auditing standards for financial  
 12                   accounting, management, and reporting.

13                   (7) One member appointed by the board of directors of the Louisiana Good  
 14                   Roads and Transportation Association and who shall possess no less than five years'  
 15                   experience in transportation program planning.

16                   (8) The members appointed pursuant to Paragraphs (5) through (7) of this  
 17                   Subsection shall serve three-year terms.

18                   B.(1) Any vacancy of an appointed member of the board shall be filled in the  
 19                   manner provided for the original appointment for the remainder of the three-year  
 20                   term.

21                   (2) In the event that the entity responsible for the appointment of a member  
 22                   fails to fill a vacancy within thirty days or appoint a board member within thirty  
 23                   days of the expiration of a three-year term, then the remaining members of the board  
 24                   shall appoint an interim successor to serve until the position is filled by the  
 25                   appointing entity.

26                   C. The board shall adopt bylaws for its own internal organization and  
 27                   government. Such bylaws shall provide for the election of officers and conduct of  
 28                   meetings in accordance with the Louisiana Open Meetings Law, R.S. 42:11, et seq.

1           D. The state treasurer or his designee shall serve as chairman of the board  
2           and the board may select such other officers as may be required by the board's  
3           bylaws.

4           E. The board shall be staffed by the Department of the Treasury.

5           §84. Louisiana State Transportation Infrastructure Bank; board of directors; powers  
6           and duties

7           A. In addition to the powers contained elsewhere in this Subpart, the board  
8           shall have all the power necessary, useful, or appropriate to fund, operate, and  
9           administer the Bank, and to perform its other functions including, but not limited to  
10          the following:

11           (1) Have perpetual succession.

12           (2) To sue, only after obtaining the written approval of the attorney general,  
13           and be sued in the name of the Bank.

14           (3) To adopt an official seal and alter the same at its pleasure, although the  
15           failure to affix the seal does not affect the validity of an instrument executed on  
16           behalf of the Bank.

17           (4) Pursuant to a cooperative endeavor agreement, make loans to qualified  
18           borrowers to finance the eligible costs of eligible transportation projects and to  
19           acquire, hold, and sell loan obligations at prices and in a manner as the board  
20           determines advisable.

21           (5) Pursuant to a cooperative endeavor agreement, provide qualified  
22           borrowers with other financial assistance necessary to defray eligible costs of an  
23           eligible transportation project.

24           (6) Pursuant to a cooperative endeavor agreement, enter into contracts,  
25           arrangements, and agreements with qualified borrowers and other persons and  
26           execute and deliver all financing agreements and other instruments necessary or  
27           convenient to the exercise of the powers granted in this Subpart.

28           (7) Establish rules and regulations, in accordance with the Administrative  
29           Procedure Act, R.S. 49:950, et. seq., regarding review, consideration, and approval  
30           or rejection of Bank loans or other financial assistance. Notwithstanding the

1 provisions of R.S. 49:968(B)(15)(a), the House Committee on Transportation,  
2 Highways and Public Works and the Senate Committee on Transportation, Highways  
3 and Public Works shall exercise oversight and approval of any rules or regulations  
4 to be promulgated pursuant to this Subpart.

5 (8) Establish fiscal controls and accounting procedures to ensure proper  
6 accounting and reporting by the Bank and qualified borrowers.

7 (9) Enter into agreements with a department, agency, or instrumentality of  
8 the United States, this state, or another state for the purpose of providing financing  
9 for eligible transportation projects.

10 (10) Procure insurance, guarantees, letters of credit, and other forms of  
11 collateral or security or credit support from any public or private entity or  
12 instrumentality of the United States for the payment of any bonds issued by it,  
13 including the power to pay premiums or fees on any insurance, guarantees, letters of  
14 credit, and other forms of collateral, security, or credit support.

15 (11) Collect or authorize the trustee under any trust indenture securing any  
16 bonds to collect amounts due under any loan obligations owned by it, including  
17 taking the action required to obtain payment of any sums in default.

18 (12) Unless restricted under any agreement with holders of bonds, consent  
19 to any modification with respect to the rate of interest, time, and payment of any  
20 installment of principal or interest, or any other term of any loan obligations owned  
21 by it.

22 (13) Borrow money through the issuance of bonds and other forms of  
23 indebtedness as provided by this Subpart.

24 (14) Expend funds to obtain accounting, management, legal, financial  
25 consulting, and other professional services necessary for the operation of the Bank.

26 (15) Expend funds credited to the Bank as the board determines necessary  
27 for the costs of administering the operations of the Bank.

28 (16) Establish advisory committees as the board determines appropriate,  
29 which may include individuals from the private sector with banking and financial  
30 expertise.

1                   (17) Collect fees and charges in connection with its loans or other financial  
 2                   assistance.

3                   (18) Apply for, receive, and accept from any source, aid, grants, or  
 4                   contributions of money, property, labor, or other things of value to be used to carry  
 5                   out the purposes of this Subpart, subject to the conditions upon which the aid, grants,  
 6                   or contributions are made.

7                   (19) Enter into contracts or agreements for the servicing and processing of  
 8                   financial agreements.

9                   (20) Accept and hold, with or without payment of interest, funds deposited  
 10                  with the Bank by the state, governmental units in the state, or private entities.

11                  (21) Do all other things necessary or convenient to exercise the powers  
 12                  granted or reasonably implied by this Subpart.

13                  B. Following the close of each state fiscal year, the board shall submit an  
 14                  annual report of its activities to the governor and the legislature no later than  
 15                  September first of each year. The Bank shall submit an annual report to any  
 16                  appropriate federal agency in accordance with the requirements of any federal  
 17                  program.

18                  §85. Use of the word "Bank"

19                  A. The Bank is not authorized or empowered to be or to constitute a bank or  
 20                  trust company within the jurisdiction or under the control of the state of Louisiana,  
 21                  or any agency of the state, the Office of the Comptroller of the Currency, the United  
 22                  States Department of the Treasury, a bank, a banker, or a dealer in securities within  
 23                  the meaning of, or subject to the provisions of, any securities, securities exchange,  
 24                  or securities dealers' law of the United States or this state.

25                  B. All deposits taken by the Bank shall contain a notice stating that the  
 26                  deposits are not insured by the Federal Deposit Insurance Corporation.

27                  §86. Louisiana State Transportation Infrastructure Fund; creation; sources of  
 28                  monies; establishment of accounts

29                  A.(1) There is hereby created, as a special fund in the state treasury, the  
 30                  Louisiana State Transportation Infrastructure Fund, hereinafter referred to as the

1           "fund". The fund shall be maintained and operated by the board of the Bank to  
 2           administer a revolving fund for eligible transportation projects and to use sums on  
 3           deposit in, credited to, or otherwise received by the Bank for the purposes provided  
 4           for in this Subpart.

5           B. Monies in the fund shall be used exclusively by the Bank to provide  
 6           assistance to qualified borrowers pursuant to a cooperative endeavor agreement for  
 7           eligible transportation projects as may be permitted by federal law or regulations and  
 8           by this Subpart.

9           C.(1) Money needed for the operation of the Bank or otherwise dedicated  
 10          shall be invested by the state treasurer as provided by law for the investment of other  
 11          state funds, except as may be limited by federal law or the terms and conditions of  
 12          any grant, related to money deposited in the revolving loan fund.

13          (2) Revenues used to capitalize the fund shall include but are not limited to  
 14          the following:

15                 (a) Investments by the state treasurer as provided by law for the investment  
 16                 of other state funds.

17                 (b) Monies deposited into the fund pursuant to R.S. 48:77.

18                 (c) Grants, gifts, and donations received by the state for the purposes of this  
 19                 Subpart.

20                 (d) Any other revenues, whether local, state, or federal, as may be provided  
 21                 by law.

22                 (e) Any monies which may be appropriated by the legislature to the fund.

23          D.(1) The Bank shall establish and maintain at least the four following  
 24          accounts in the fund:

25                 (a) State and local roadway account.

26                 (b) State and local nonroadway account.

27                 (c) Federal roadway account.

28                 (d) Federal nonroadway account.

1                   (2) Earnings on balances in the federal roadway account and federal  
 2                   nonroadway account shall be credited and invested according to applicable federal  
 3                   law.

4                   (3) Earnings on the state and local roadway account and state and local  
 5                   nonroadway account shall be credited to the account that generates the earnings.

6                   (4) Accounts may be established within each account as necessary to  
 7                   effectuate the purposes of this Subpart or to meet the requirements of any state or  
 8                   federal program.

9                   (5) The Bank shall comply with all applicable federal laws and regulations  
 10                  prohibiting the commingling of certain federal funds deposited in the fund.

11                  E. All unexpended and unencumbered monies in the fund and its accounts  
 12                  shall remain in the fund and its accounts at the end of each fiscal year as authorized  
 13                  by this Subpart, except as may be limited or required by federal law or the terms and  
 14                  conditions of any grant, related to money deposited in the fund.

15                  F. No monies in the fund may be expended or otherwise used, nor any bonds  
 16                  or other evidences of indebtedness or other obligations issued or insured for any  
 17                  eligible transportation project or for any payment, expenditure, commitment, pledge,  
 18                  loan, letter of credit, guarantee, subsidy, or other activity related to eligible  
 19                  transportation projects or the financing thereof without the prior written approval of  
 20                  the State Bond Commission.

21                  §87. Applications for funding; project eligibility limitations

22                  A. Notwithstanding any provision of the law to the contrary, and in addition  
 23                  to the authority to lend or borrow money or to incur or guarantee indebtedness  
 24                  provided by any other provisions of the law, the Bank may provide loans and other  
 25                  financial assistance pursuant to a cooperative endeavor agreement from sums on  
 26                  deposit in and credited to the fund to a qualified borrower for all or part of the  
 27                  eligible costs of an eligible transportation project. However, this Subpart shall not  
 28                  be deemed to be the exclusive authority under which a governmental unit may  
 29                  borrow money or incur indebtedness for eligible transportation projects.

1           B. The board shall determine the form and content of loan applications,  
2           financing agreements, and loan obligations including but not limited to the term and  
3           rate or rates of interest on a financing agreement. A financing agreement may  
4           contain, in addition to financial terms, provisions relating to the regulation and  
5           supervision of an eligible transportation project, or other provisions as the board may  
6           determine appropriate. The terms and conditions of a loan or other financial  
7           assistance from federal accounts shall comply with applicable federal requirements.

8           C.(1) Following approval of a project by the department, the board shall  
9           determine which projects are eligible transportation projects from all applications  
10          submitted.

11          (2) In selecting eligible transportation projects, the board shall consider the  
12          projected feasibility of the project, the amount and degree of risk to be assumed by  
13          the Bank, and the level of local financial support for the eligible transportation  
14          project as evidenced by resolutions of the governing bodies in the area the project  
15          will be located.

16          (3) In addition, the board may consider the following non-exclusive criteria  
17          in making its determination that a proposed project is an eligible transportation  
18          project:

19           (a) In-kind contributions to the project.

20           (b) The maximum economic benefit, enhancement of mobility, enhancement  
21           of public safety, acceleration of project completion, and enhancement of  
22           transportation services.

23           (c) The ability of the governmental unit to repay a loan according to the  
24           terms and conditions established pursuant to this Subpart, consideration of which  
25           may include, at the option of the board, the existence of its current investment grade  
26           rating on existing debt of the applicant secured by the same revenues to be pledged  
27           to secure repayment under the loan repayment agreement.

1           §88. Interest rates; payment schedules; terms

2                   A. Any loan from the Bank shall bear interest at or below market interest  
3                   rates, as determined by the board. Any such rate or rates of interest may be at fixed,  
4                   variable, or adjustable rates.

5                   B. The repayment schedule for any loan or other financial assistance from  
6                   the Bank shall be determined by the board; however, repayment of any loan or  
7                   financial assistance from the Bank shall commence not later than five years after the  
8                   eligible transportation project has been completed or, in the case of a highway  
9                   project, the facility has opened to traffic, whichever is later.

10                  C. The term of a loan shall not exceed thirty years after the date of the first  
11                  payment on the loan.

12                  D. The Bank may require the government unit to enter into a financing  
13                  agreement in connection with its loan obligation or other financial assistance.

14           §89. Submission of resolution authorizing qualified borrower to enter into loan or  
15           financing agreement

16                   A. Prior to executing a loan or financing agreement, the board shall require  
17                   submission of a resolution of the governing body of the qualified borrower  
18                   authorizing the borrower to enter into such loan or financing agreement.

19                   (1) Such resolution shall prescribe the form and details of the public purpose  
20                   of the eligible transportation project, the cooperative endeavor agreement, the loan  
21                   or financing agreement, including the terms, security for, manner of execution and  
22                   repayment schedule, and such resolution may authorize an officer of such governing  
23                   body to execute contracts relating to a credit enhancement device, indenture of trust,  
24                   loan or pledge agreement, or any other agreement and authorize that officer to  
25                   approve changes, additions, and deletions to such documents as, in the sole opinion  
26                   of the officer, may be appropriate under the circumstances.

27                   (2) Any such resolution shall include a statement as to the maximum  
28                   principal amount of any such obligation, the maximum interest rate to be incurred  
29                   or borne by said obligation or guaranteed by said obligation, the maximum

1           redemption premium, if any, and the maximum term in years for such obligation,  
2           guarantee, or pledge.

3           B. Any evidence of indebtedness authorized pursuant to this Subpart shall  
4           bear a rate or rates of interest that shall not exceed the rate or rates set forth in the  
5           resolution authorizing and providing for the issuance thereof.

6           C. Any resolution authorizing an infrastructure bank loan or financing  
7           agreement pursuant to this Section shall be published once in the official journal of  
8           the qualified borrower incurring such loan or seeking to accept financial assistance.  
9           It shall not be necessary to publish exhibits to any such resolution, but such exhibits  
10          shall be made available for public inspection at the offices of the governing authority  
11          of the qualified borrower at reasonable times, and such fact shall be stated in the  
12          publication within the official journal. For a period of thirty days after the date of  
13          such publication, any person in interest may contest the legality of the resolution  
14          authorizing such evidence of indebtedness or other infrastructure bank loan and any  
15          provision thereof made for the security and payment thereof. After the thirty-day  
16          period, no one shall have any cause or right of action to contest the regularity,  
17          formality, legality, or effectiveness of the resolution and the provisions thereof or of  
18          the bonds, notes, or other evidence of indebtedness or other infrastructure bank loan  
19          or financing agreement, or the legality thereof, and all of the provisions of the  
20          resolutions and such evidence of indebtedness shall be conclusively presumed to be  
21          executed in accordance with applicable law or regulation, and no court shall have  
22          authority or jurisdiction to inquire into any such matter.

23          §90. Exempt from taxation; not secured by full faith and credit of the state; not  
24          used in the calculation of net state tax supported debt

25          A. Bonds, notes, or other evidence of indebtedness issued or any  
26          infrastructure bank loan or financing assistance granted pursuant to the authority of  
27          this Subpart shall be exempt from all taxation for state, parish, municipal, or other  
28          purposes. Such bonds, notes, or other evidence of indebtedness or infrastructure  
29          bank loans may be used for deposit with any officer, board, municipality, or other

1 governmental unit in the state, in any case where, by present or future laws, deposit  
2 of security is required for state funds.

3 B. Such bonds, notes, or other evidence of indebtedness, such guarantees,  
4 and such pledges issued and delivered pursuant to this authority shall constitute  
5 special and limited obligations of the Bank and shall not be secured by the full faith  
6 and credit of the state or any source of revenue of the state other than those sums on  
7 deposit in, credited to, or to be received by the Bank, including payments to be made  
8 pursuant to letters of credit.

9 C. In no event shall any bond, note, or other evidence of indebtedness, or  
10 guarantee, pledge, or other obligation of any type whatsoever entered into by the  
11 Bank be used in the calculation of net state tax supported debt as provided by Article  
12 VII, Section 6(F) of the Constitution of Louisiana.

13 §90.1. Public purpose only

14 Funds expended pursuant to the provisions of this Subpart shall be  
15 exclusively used for public purposes to fund eligible transportation projects within  
16 the state.

17 Section 3. In the case of any conflict between the provisions of R.S. 48:77 as  
18 amended by this Act and the provisions of the Act which originated as Senate Bill No. 221  
19 of the 2015 Regular Session of the Legislature, the provisions of the Act which originated  
20 as Senate Bill No. 221 of the 2015 Regular Session of the Legislature shall supercede and  
21 control regardless of the order of enactment.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_