

2020 Regular Session

SENATE BILL NO. 285

BY SENATOR MCMATH

FUNDS/FUNDING. Provides relative to the dedication and use of certain monies to be deposited into the Transportation Trust Fund. (8/1/20)

1 AN ACT

2 To amend and reenact R.S. 48:77(B)(2), and to repeal R.S. 48:77(B)(3), relative to the
3 dedication and use of certain monies derived from certain general fund revenues for
4 various Transportation Trust Fund and other transportation uses; to provide for and
5 revise the allocation of certain monies derived from certain general fund revenues
6 upon deposit in the Transportation Trust Fund; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 48:77(B)(2) is hereby amended and reenacted to read as follows:

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

11 * * *

12 B. The monies dedicated pursuant to Subsection A of this Section shall be
13 deposited to the funds specified for the following purposes:

14 (1) * * *

15 (2) After compliance with the provisions of Paragraph (1) of this Subsection,
16 ~~ninety-three percent~~ of the remaining monies shall be deposited into the
17 Transportation Trust Fund to be appropriated and expended as follows:

1 (a) Not less than ~~thirty~~ **sixty** percent shall be dedicated to highway priority
2 program projects classified as capacity projects in accordance with the Department
3 of Transportation and Development definitions of such projects.

4 (b) ~~Twenty-five~~ **Thirty** percent shall be used exclusively for port
5 construction and development priority program projects as provided in Chapter 47
6 of Title 34 (R.S. 34:3451 through 3463).

7 ~~(c) The remainder of the monies after compliance with Subparagraphs (2)(a)~~
8 ~~and (b) of this Paragraph shall be used exclusively for highway priority projects.~~
9 ~~Such projects shall be specifically for state highway pavement and bridge~~
10 ~~sustainability in accordance with the Department of Transportation and Development~~
11 ~~definitions of such projects.~~

12 ~~(3) After compliance with the provisions of Paragraph (1) of this Subsection,~~
13 ~~seven~~ **Ten** percent of the remaining monies shall be deposited into the Transportation
14 Trust Fund. The monies deposited in the Transportation Trust Fund pursuant to this
15 ~~Paragraph~~ **Subparagraph** shall be used exclusively for final design and construction
16 and shall not be used for studies.

17 * * *

18 Section 2. R.S. 48:77(B)(3) is hereby repealed in its entirety.

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

DIGEST

SB 285 Original

2020 Regular Session

McMath

Present law provides, beginning July 1, 2017, that the treasurer shall deposit, from the avails of certain sales and use taxes and inventory tax, into the Transportation Trust Fund (TTF) an amount equal to the increase in general fund revenues that are certified by the Revenue Estimating Conference as being attributable to the provisions of Act 257 of the 2015 RS, however, this amount cannot exceed \$100 million. Act 257 of the 2015 RS increased the base from mineral revenues of the Budget Stabilization Fund from \$850 million to \$950 million.

Proposed law retains present law.

Present law provides that of the monies dedicated to the Transportation Trust Fund from certain sales and use taxes and inventory tax, the money shall be deposited to the following funds and for the following purposes:

- (1) The first \$70 million is to be deposited into the TTF to be used exclusively for state

- highway pavement and bridge sustainability projects.
- (2) After compliance with Paragraph (1), 93% shall be deposited into the TTF to be appropriated as follows:
- (a) Not less than 30% shall be dedicated to highway priority program projects to be classified as capacity projects.
 - (b) 25% to be used for port construction and development priority program projects.
 - (c) The remainder of the monies after compliance with Subparagraphs (2)(a) and (b) shall be used exclusively for highway priority projects, specifically for state highway pavement and bridge sustainability.
- (3) After compliance with Paragraph (1), 7% of the remaining monies are to be deposited into the TTF to be used exclusively for final design and construction and shall not be used for studies.

Proposed law does not revise the provision that allocates the first \$70 million to be used for state highway pavement and bridge sustainability projects. Proposed law changes the deposit of funds into the TTF after the first \$70 million is deposited into the TTF for highway pavement and bridge sustainability projects from 97% of the remaining monies to all of the remaining monies.

Proposed law changes the dedication of monies deposited into the TTF after the first \$70 million is deposited into the TTF for highway priority program projects classified as capacity projects from 30% to 60%, and changes the percentage to be used for port construction and development priority program projects from 25% to 30%. Ten percent shall be deposited into the TTF to be used exclusively for final design and construction and shall not be used for studies.

Proposed law deletes the provision in present law which provides that the remainder of monies, after the deposits for the highway priority program projects classified as capacity projects and the port construction and development priority program projects, shall be used exclusively for state highway pavement and bridge sustainability.

Effective August 1, 2020.

(Amends R.S. 48:77(B)(2); repeals R.S. 48:77(B)(3))