

Regular Session, 2011

SENATE CONCURRENT RESOLUTION NO. 10

BY SENATOR BROOME

JOINT RULES. Requires a poverty impact statement in the fiscal note of legislation with significant fiscal effect.

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 5 of the Joint Rules of Order of the Senate and House of Representatives to provide for the inclusion of poverty impact statements in fiscal notes of legislation with significant fiscal effect.

BE IT RESOLVED by the Legislature of Louisiana that Joint Rule No. 5 of the Joint Rules of Order of the Senate and House of Representatives is adopted to read as follows:

Joint Rule No. 5. Poverty Impact Statements

A.(1) Any fiscal note, as defined in this Rule, shall include a poverty impact statement.

(2) The statement shall include:

(a) A projected ratio equal to the amount of fiscal effect of the bill or joint resolution that will benefit individuals and families below the poverty threshold over the total fiscal effect of the bill or joint resolution.

(b) A projection of the number of individual and family incomes that may decrease below the poverty threshold because of the bill or joint resolution and that may increase above the poverty threshold because of the bill or joint resolution.

1 (c) A projection as to how the legislation improves access to basic human
2 services, including health care, housing, and education.

3 (3) Unless the context requires otherwise, when used in this Rule:

4 (a) "Fiscal note" means the note provided for and prepared pursuant to
5 Joint Rule No. 4 for a legislative instrument with either (i) an estimated fiscal
6 cost of one hundred thousand dollars or more annually in any one of the three
7 ensuing fiscal years or with a fiscal cost which, although unspecified in the fiscal
8 note, is indicated in the fiscal note to likely exceed one hundred thousand dollars
9 annually in any of the three ensuing fiscal years, or (ii) an estimated net
10 decrease in taxes or fees or increase in taxes or fees of five hundred thousand
11 dollars or more annually in any one of the three ensuing fiscal years or with an
12 increase which, although unspecified in the fiscal note, is indicated in the fiscal
13 note to likely exceed five hundred thousand dollars annually in any of the three
14 ensuing fiscal years.

15 (b) "Poverty threshold" means an income level below two hundred
16 percent of the federal poverty line as defined in Section 673(2) of the
17 Community Services Block Grant Act.

18 (c) "Statement" means the poverty impact statement provided for in
19 this Rule.

20 (4) A poverty impact statement shall not constitute a part of the law
21 proposed by the measure to which it is attached.

22 (5) The poverty impact statement shall be factual, brief, and concise. The
23 statement shall not contain reference to the merits of the measure.

24 (6) The name of the agency or political subdivision or agency thereof
25 furnishing the information required shall appear at the end of the statement.
26 If a discrepancy exists between the statement and the information provided by
27 the agency pertaining to the statement, then the information as submitted by the
28 agency shall be included with the statement.

29 B. Whenever a measure requiring a poverty impact statement has been

reported by any committee of either house of the legislature without a statement, any member may, on third reading of such measure, offer a motion that the measure be returned to the calendar.

C. Agencies or political subdivisions and agencies thereof involved in the preparation of the required information for a poverty impact statement shall keep in strict confidence the subject matter of the proposed measure and the information contained in the poverty impact statement prior to the filing or prefiling of such measure with the chief clerical officer of the respective house.

D. A poverty impact statement shall not be required for the General Appropriation Bill and the Capital Outlay Bill, any bill which only appropriates funds to satisfy judgments against the state, or for any measure affecting funds for retirement purposes.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

Broome

SCR No.

Proposed Joint Rule provides for poverty impact statements.

Proposed rule provides that fiscal note for a bill and joint resolution include a poverty impact statement. Defines "fiscal note" for the purpose of proposed rule as the note provided for and prepared pursuant to Joint Rule No. 4 for a legislative instrument with either an estimated fiscal cost of \$100,000 or more annually in any one of the three ensuing fiscal years or with a fiscal cost which, although unspecified in the fiscal note, is indicated in the fiscal note to likely exceed \$100,000 annually in any of the three ensuing fiscal years, or with an estimated net decrease in taxes or fees or increase in taxes or fees of \$500,000 or more annually in any one of the three ensuing fiscal years or with an increase which, although unspecified in the fiscal note, is indicated in the fiscal note to likely exceed \$500,000 annually in any of the three ensuing fiscal years.

Proposed rule provides that the statement shall include:

- (1) A projected ratio equal to the amount of fiscal effect of the bill or joint resolution that will benefit individuals and families below the poverty threshold over the total fiscal effect of the bill or joint resolution.
- (2) A projection of the number of individual and family incomes that may decrease below the poverty threshold because of the bill or joint resolution and that may increase above the poverty threshold because of the bill or joint resolution. Defines "poverty threshold" as an income level below two hundred percent of the federal poverty line as defined in Section 673(2) of the Community Services Block Grant Act.
- (3) A projection as to how the legislation improves access to basic human services,

including health care, housing, and education.

Provides that a poverty impact statement shall not constitute a part of the law proposed by the measure to which it is attached. Requires that the statement be factual, brief, and concise. The statement shall not contain reference to the merits of the measure.

Provides that the name of the agency or political subdivision or agency thereof furnishing the information required shall appear at the end of the statement. If a discrepancy exists between the statement and the information provided by the agency pertaining to the statement, then the information as submitted by the agency shall be included with the statement.

Provides that whenever a measure requiring a poverty impact statement has been reported by any committee of either house of the legislature without a statement, any member may, on third reading of such measure, offer a motion that the measure be returned to the calendar.

Requires that agencies or political subdivisions and agencies thereof involved in the preparation of the required information for a poverty impact statement keep in strict confidence the subject matter of the proposed measure and the information contained in the poverty impact statement prior to the filing or prefiling of such measure with the chief clerical officer of the respective house.

Provides that a poverty impact statement shall not be required for the General Appropriation Bill and the Capital Outlay Bill, any bill which only appropriates funds to satisfy judgments against the state, or for any measure affecting funds for retirement purposes.

(Adds Jt. Rule 5)