

Regular Session, 2011

SENATE BILL NO. 132

BY SENATOR ERDEY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

ROADS/HIGHWAYS. Provides for the application of the latest federal decennial census in determining population classes regarding certain transportation funding and maintenance of certain highways and DOTD facilities. (7/1/11)

AN ACT

To amend and reenact R.S. 48:261(A)(2) and 756(A)(1) and to repeal R.S. 48:756(A)(4), to add application of the latest federal decennial census to determine population relative to contracts for maintenance work and distribution of monies in the Parish Transportation Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:261(A)(2) and 756(A)(1) are hereby amended and reenacted to read as follows:

§261. Maintenance work by department employees; exceptions

A. \* \* \*

(2) At the request of the governing authority of a municipality, a parish having a municipal type government, or a parish located within a standard metropolitan statistical area having a population of one million or more as determined by the latest federal decennial census or by the division of business and economic research of Louisiana Tech University under the most recent federal-state cooperative program for local population estimates, **whichever is most recent,** the work may be contracted out to such municipality or parish, but all such

1 maintenance costs not to exceed the previous year's pro rata mileage cost of each  
2 category of state highway maintenance, shall be paid for by the state, provided that  
3 the state shall not be responsible for the maintenance of sewers, street lighting, gas  
4 and water mains, and other public utilities.

5 \* \* \*

6 §756. Distribution formula

7 A.(1) The monies in the Parish Transportation Fund shall be distributed to the  
8 several parish governing authorities on a per capita basis in population categories,  
9 based on the population as determined by **the latest federal decennial census or by**  
10 the division of business and economic research of Louisiana Tech University under  
11 the most recent federal-state cooperative program for local population estimates,  
12 **whichever is most recent,** as follows:

	Parish	Per Capita
<u>Class</u>	<u>Population</u>	<u>Distribution</u>
15 1	1 to 16,000	\$13.32
16 2	16,001 to 45,000	10.82
17 3	45,001 to 100,000	8.32
18 4	100,001 to 200,000	7.32
19 5	200,001 to 400,000	5.57
20 6	400,001 and over	4.65

21 \* \* \*

22 Section 2. R.S. 48:756(A)(4) is hereby repealed.

---

The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Sharon F. Lyles.

---

DIGEST

Erdey (SB 132)

Present law provides that population is determined by the division of business and economic research of Louisiana Tech University under the most recent federal-state cooperative program for local population estimates relative to contracting of maintenance work on state highways by the Department of Transportation and Development to municipalities and parishes and relative to distribution of monies in the Parish Transportation Fund.

Proposed law amends present law to add determination of population by the latest federal

decennial census as an alternative population from the Louisiana Tech University population estimates, whichever is most recent.

Present law provides that notwithstanding the formula in present law monies credited to the Parish Transportation Fund prior to the 2010 federal decennial census shall be distributed to parishes on a per capita basis based upon the July 1, 2005 Louisiana Tech University population estimates.

Proposed law repeals present law.

Effective August 15, 2011.

(Amends R.S. 48:261(A)(2) and 756(A)(1); repeals R.S. 48:756(A)(4))