Fannin (HB 594) **Act No. 380**

Provides relative to the Revenue Sharing Fund. Paragraphs (1) through (7) of this digest contain no changes from FY 2010-2011 and only restate the general provisions of last year's distribution; all changes for FY 2011-2012 are contained in Paragraphs (8) and (9) of this digest.

(1) Provides for the annual allocation and distribution of the state revenue sharing fund in the amount of $90,000,000 for FY 2011-2012. The parish allocation is determined by the parish's percentage of the total state population (80% of the revenue sharing fund) and the parish's percentage of the total number of homesteads in the state (20% of the revenue sharing fund).

(2) Requires the state treasurer to remit the total parish allocation in three allotments no later than Dec. 1, March 15, and May 15, and further requires the sheriff to distribute such funds to the tax recipient bodies within 15 days after receipt. Authorizes the sheriff to distribute the first payment based on the previous year pending receipt of the current tax rolls and requires adjustments on the final two payments.

(3) The constitution mandates payment, on a first priority basis from the parish allocation, of the sheriff's commission, retirement systems' deductions, and reimbursement to eligible tax recipient bodies for ad valorem taxes lost as a result of the homestead exemption; any monies remaining in the parish allocation after such payments are made are referred to as "excess funds" and are distributed on the basis of a local formula contained in the Act.

(4) Provides that in any parish which had excess funds in 1977, except East Carroll, the amount available for the reimbursement of homestead exemption losses shall be limited to the amount used for that purpose in 1977, adjusted by the percentage by which the number of homesteads in the parish increased from 1977 to 2010. Prohibits participation of new millages levied after Jan. 1, 1978, unless authorized to participate on the same pro rata basis by the local legislative delegation.

(5) Prohibits general obligation bond millages from participating in revenue sharing and restates the constitutional mandate that the issuing authority levy sufficient millage on all taxable property to pay annual debt requirements. Excepts Sabine Parish with operation and maintenance millages having first priority over bond millages, excepts Natchitoches Parish with maintenance and bond millages sharing pro rata, excepts the BREC Capital Improvement Tax in East Baton Rouge Parish, and excepts all bonds in Bossier Parish.

(6) Requires that all local distribution authorities file with the state treasurer all information necessary for the computation and verification of amounts due the eligible taxing bodies, and provides that no funds shall be distributed prior to receipt of such information. Directs the state treasurer and sheriff to pay to a recipient any earnings received from the investments of the parish allocation.

(7) Retains all prior authorized participations from Act No. 1037 of the 2010 R.S.

(8) Changes definition of "Population". Under the prior Act, population was determined by La. Tech's division of business and economic research, and submitted to the treasurer by Jan 15. Appeals could be filed by March 15, and the treasurer could affirm, modify, or set aside the determination by La. Tech. Under the new Act, the population determination shall be the most recent release by the U.S. Census Bureau prior to the current fiscal year.

(9) The listing below contains every parish with any change and includes all new tax recipient bodies and millages authorized to share in their respective parishes:

No changes

Effective August 15, 2011.