

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

BUDGETARY CONTROLS. Provides with respect to the development of the budget

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DIGEST

REVENUE ESTIMATING CONFERENCE

Present law sets forth requirements relative to the expenditure of state funds and establishes the Revenue Estimating Conference (REC) to prepare and publish initial and revised estimates of money to be received by the state general fund and dedicated funds for the current and next fiscal years which are available for appropriation, the most recent of which is called the official forecast. In each estimate, the REC must also designate money as nonrecurring. Money not designated as nonrecurring is designated recurring.

Proposed law retains present law and adds that the REC shall include a forecast of all funds as defined in Art. VII, §10(J) of the Const. of La., with an estimate of money available for appropriation from each dedicated fund. Proposed law also provides that the REC may designate as nonrecurring, money available for appropriation from any source that is defined in law as nonrecurring. (R.S. 39:2(27))

EXECUTIVE BUDGET

Present law requires the governor to prepare an executive budget to include recommendations for appropriations from the state general fund and dedicated funds which shall not exceed the official forecast of the REC. Proposed law retains present law and provides that the executive budget shall not include recommendations for appropriations from any fund in excess of the official forecast of money available for appropriation from that fund. (R.S. 39:34(A))

APPROPRIATION BILLS

Present law requires, after submitting his executive budget, that the governor then cause to be introduced a General Appropriation Bill (GAB) for the ordinary operating expenditures in conformity with the budget estimate. Proposed law retains this provision and provides that the general appropriation bill and other appropriation bills shall not appropriate any funds which are not part of the official REC forecast. (R.S. 39:51(A))

EXPENDITURE OF STATE FUNDS

Present law provides that appropriations from the state general fund and dedicated funds shall not exceed the official forecast. Proposed law retains present law and also specifies that unless otherwise provided by present law permitting the use and transfer of funds to avoid a projected deficit, the amount appropriated out of any fund shall not exceed the official forecast of money available for appropriation from that fund. (R.S. 39:54(A))

Proposed law provides that when utilizing prior year funds financing shall only be authorized in the amounts remaining after the satisfaction of remission of cash balances, liquidations of liabilities, and authorized withdrawals after the close of the year as provided by law. (R.S. 39:82)

Further provides that this proposed law shall take effect and become operative only if HB Nos. 434, 435, and 436 are concurred in by both houses of the legislature and if HB Nos. 456, 474, 571, 620, 653, and 696 of the 2012 Regular Session of the Legislature are enacted into law.

These provisions null, void, and of no effect on June 30, 2015.

Effective July 1, 2013.

(Amends R.S. 39:24(A), 34(A), 51(A), and 54(A))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

1. Added that to the extent the Revenue Estimating Conference estimate of money supporting appropriations consists of the balance in any dedicated fund, the conference estimate of such balance shall be certified by the treasurer.

House Floor Amendments to the engrossed bill.

1. Clarified the definition of nonrecurring funds to be used by the Revenue Estimating Conference in the determination of the recurring or nonrecurring nature of revenues. Provided that the conference shall designate as nonrecurring any money available for appropriation from any source that is not available for any three consecutive fiscal years.
2. Provided that this proposed law shall take effect and become operative only if HB Nos. 434, 435, and 436 are concurred in by both houses of the legislature and if HB Nos. 456, 474, 571, 620, 653, and 696 of the 2012 Regular Session of the Legislature are enacted into law.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the reengrossed bill

1. Deletes provision that the state treasurer certify the balance of any fund supporting appropriations estimated by the conference.
2. Authorizes the conference to designate as nonrecurring any money available for appropriation from any source defined as nonrecurring in statute.
3. Relative to limitations on appropriations, utilizing prior year funds shall be authorized in the amounts remaining after the satisfaction of the remission of cash balances, liquidation of liabilities, and authorized withdrawals after the close of the year as provided by law.
4. Makes these provisions null, void, and of no effect on June 30, 2015.