

2015 Regular Session

HOUSE BILL NO. 720

BY REPRESENTATIVE ADAMS

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

COLLEGES/UNIVERSITIES: Authorizes the Board of Supervisors of the Community and Technical College System to enter into contracts with private nonprofit corporations for certain services.

1 AN ACT

2 To enact R.S. 17:3394.4, relative to public postsecondary education; to authorize the Board
3 of Supervisors of the Community and Technical College System to enter into
4 contractual agreements with private nonprofit corporations for certain services; to
5 provide with respect to the purposes relative to such contractual agreements; to
6 provide for the terms and conditions of such contractual agreements; to provide for
7 the organization of the private nonprofit corporations party to such contractual
8 agreements; to provide for the distribution of excess profits or revenues generated
9 by private nonprofit corporations as a result of such contractual agreements; and to
10 provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 17:3394.4 is hereby enacted to read as follows:

13 §3394.4. Board of Supervisors of Community and Technical Colleges relationship
14 with private nonprofit corporations relative to operation of enterprise services
15 A. It is the intent of the legislature to ensure that the institutions of the
16 Louisiana Community and Technical College System are responsive to the
17 workforce needs of this state. The authorities granted to the Board of Supervisors
18 of the Louisiana College and Technical College System pursuant to this Section are
19 intended to facilitate and promote operational and financial efficiencies through a

1 collaborative endeavor for its member institutions with private nonprofit
2 corporations. The authorities granted under this Section are intended to be in
3 addition to and not in any way limiting any other authorities granted to the Board of
4 Supervisors of the Louisiana Community and Technical College System pursuant to
5 applicable provisions of law.

6 B. In exercising the authority and responsibilities granted to it pursuant to
7 applicable provisions of law, including but not limited to the provisions of R.S.
8 17:1871, R.S. 17:3351, and R.S. 17:3361 et seq., the Board of Supervisors of the
9 Louisiana Community and Technical College System may enter into contractual
10 agreements with a private non-profit corporation as may be beneficial to provide for
11 the efficient operation of its member institutions for any of the following purposes:

12 (1) Food services and vending operations.

13 (2) Bookstore services.

14 (3) Janitorial, custodial, or grounds keeping services.

15 (4) Physical plant operations.

16 (5) Information technology and telecommunication operations.

17 (6) Student housing operations.

18 (7) Parking and garage operations.

19 (8) Accounting and financial aid services.

20 (9) Any other operations or functions central to the mission of the colleges that
21 could be more efficiently provided under the provisions of this Section.

22 (10) The financing, construction, procurement, maintenance, and management of
23 facilities relative to the foregoing.

24 C. The contractual agreement between the Board of Supervisors of the
25 Louisiana Community and Technical College System and the private nonprofit
26 corporation shall not exceed a term of thirty years and may provide for the
27 management, operation, procurement, maintenance, lease, lease back, sublease or
28 financing of any of the operations, services or related facilities authorized by this
29 Section.

1 D. The private, nonprofit corporation shall be organized for the purposes of
2 supporting the Board of Supervisors of the Louisiana Community and Technical
3 College System or any combination of its member institutions. The corporation shall
4 be subject to other provisions of law applicable thereto, including but not limited to
5 the provisions of R.S. 17:3390.

6 E. Any profit or excess revenues realized by a private nonprofit corporation
7 which was authorized to enter into a contractual agreement pursuant to this Section
8 may be distributed only to other nonprofit corporations or foundations created to
9 support the Louisiana Community and Technical College System with the condition
10 that all such distributed funds must be used for the sole purpose of financially
11 supporting the mission of the Louisiana Community and Technical College System
12 institutions supported by such nonprofit corporation or foundation.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 720 Original

2015 Regular Session

Adams

Abstract: Authorizes the Board of Supervisors of the Community and Technical College System to enter into contracts with private nonprofit corporations to obtain certain services.

Proposed law authorizes the Board of Supervisors of the Community and Technical College System (the board) to enter into contractual agreements with private non-profit corporations. Provides that the authorities granted to the board pursuant to proposed law are intended to facilitate and promote operational and financial efficiencies. Also provides that the authorities granted to the board by proposed law are intended to be in addition to and not in any way limiting any other authorities granted to the board pursuant to applicable provisions of present law.

Proposed law provides that, as a result of the authority and responsibilities granted to it pursuant to present law (R.S. 17:1871, R.S. 17:3351, and R.S. 17:3361, et. seq.), the board may enter into such contractual agreements for any of the following purposes to benefit its member institutions:

- (1) Food services and vending operations.
- (2) Bookstore services.
- (3) Janitorial, custodial, or grounds keeping services.
- (4) Physical plant operations.

- (5) Information technology and telecommunication operations.
- (6) Student housing operations.
- (7) Parking and garage operations.
- (8) Accounting and financial aid services.
- (9) Any other operations or functions central to the mission of the colleges that could be more efficiently provided under the provisions of proposed law.
- (10) The financing, construction, procurement, maintenance, and management of facilities relative to proposed law.

Proposed law provides that the contractual agreement between the board and the private nonprofit corporation shall not exceed a term of 30 years. Further provides that such agreement may provide for the management, operation, procurement, maintenance, lease, lease back, sublease or financing of any of the operations, services or related facilities authorized by proposed law.

Proposed law provides that the private, nonprofit corporation shall be organized for the purposes of supporting the board or any combination of its member institutions. Further requires that the corporation be subject to other provisions of present law applicable thereto.

Proposed law provides that any profit or excess revenues realized by a private nonprofit corporation which was authorized to enter into a contractual agreement pursuant to proposed law may be distributed only to other nonprofit corporations or foundations created to support the Community and Technical College System with the condition that all such distributed funds must be used for the sole purpose of financially supporting the mission of the system's member institutions supported by such nonprofit corporation or foundation.

(Adds R.S. 17:3394.4)