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The original instrument was prepared by Jay Lueckel. The following digest, which does not constitute a part of the legislative instrument, was prepared by J. W. Wiley.

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DIGEST

SB 221 Reengrossed

2015 Regular Session

Adley

Present law provides for the dedication and deposit of the avails of certain sales and use tax monies into the Transportation Trust Fund (TTF) beginning July 1, 2008. Provides for the uses of such monies for certain highway, port priority projects, and Transportation Mobility Fund projects as approved by the La. Transportation Authority.

Present law specifically provides for a phase-in of the avails, from the sale, use, lease, rental of motor vehicles which are taxable under the sales tax code, to be deposited into the Transportation Trust Fund as follows: beginning July 1, 2008, for Fiscal Year 2009, ten percent; for Fiscal Year 2010, twenty percent; for Fiscal Year 2011, thirty percent; for Fiscal Year 2012, fifty percent; for Fiscal Year 2013, seventy-five percent; for Fiscal Year 2014, eighty-five percent; for Fiscal Year 2015 and thereafter, all of the collections.

Proposed law provides that beginning in Fiscal Year 2017-2018 and each fiscal year thereafter, from the avails of certain sales and use taxes and inventory tax, the treasurer must deposit an amount equal to the increase in general fund revenues are certified by the Revenue Estimating Conference as being attributable to the provisions of the Act that originated as SB 122 of the 2015 R.S., but this amount cannot exceed \$100 million.

Present law provides for allocating the proceeds as follows: ninety-three percent to the Transportation Trust Fund and seven percent to the Transportation Mobility Fund. Monies in the TTF are to be distributed for the following - not less than thirty percent for capacity projects; seven percent for port priority projects; and the remainder of the monies shall be used exclusively for priority projects. Monies in the Transportation Mobility Fund shall be used for final design and construction and shall not be used for studies.

Proposed law provides that the first seventy million dollars of the monies shall be deposited into the TTF to be used exclusively for state highway pavement and bridge sustainability projects. Thereafter, ninety-three percent of the monies shall be deposited into the TTF to be allocated as follows: not less than thirty percent for highway priority program projects classified as capacity projects; twenty-five percent for port construction and development priority program projects; and the remaining monies for state highway pavement and bridge sustainability projects.

Proposed law provides that the remaining seven percent shall be deposited to the infrastructure bank as provided in the Act which originated as HB 767 for final design and construction and shall not be used for studies.

Proposed law provides that if the Act which originated as HB 767 fails to pass and is not enacted into law, the monies allocated to this Paragraph shall be deposited into the Transportation Trust Fund and

used exclusively for port construction and development priority program projects as provided in proposed law.

Present law provides that if a deficit for the current fiscal year is projected due to a decrease in the official forecast, the treasurer is directed to reduce the deposits required by these provisions until such time as the official forecast equals or exceeds the forecast in effect prior to the projected deficit, at which time the reduction shall cease.

Proposed law repeals the deficit reduction provisions.

Proposed law also repeals statutory provisions relative to the Transportation Mobility Fund.

Proposed law provides that it is declared by the Legislature that it is the legislative intent that a portion of the costs of implementation of the provisions of Section 1 of the Act shall be deemed to be offset by any monies derived from the increase in the base amount of mineral revenues received by the state prior to any deposit into the Budget Stabilization Fund, as provided in the Act which originated as Senate Bill No. 122 of the 2015 Regular Session of the Legislature.

Effective and becomes operative if and when the Act which originated as Senate Bill No. 122 of this 2015 Regular Session of the Legislature is enacted into law and becomes effective.

(Amends R.S. 48:77(A) and (B) and 2074(A); repeals R.S. 48:77(C), 2077(24), and 2111 through 2119)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Finance on the original bill

1. Substitutes state general fund revenues certified by the Revenue Estimating Conference as being attributable to an increase in the base amount of mineral revenues received by the state as provided by the provisions of the Act that originated as Senate Bill No. 122 of this 2015 Regular Session of the Legislature for vehicle sales and use taxes.
2. Limits the amount to the first one hundred million dollars of the funds recognized by the Revenue Estimating Conference Committee to be used for the purposes of the bill.
3. Provides for a statement of legislative intent that such funds shall be deemed to be offset by any monies derived from the increase in the base amount of mineral revenues received by the state prior to any deposit into the Budget Stabilization Fund.
4. Makes effective and operative if and when the Act which originated as Senate Bill No. 122 of this 2015 Regular Session of the Legislature is enacted into law and becomes effective.

Senate Floor Amendments to engrossed bill

1. Adds that beginning in Fiscal Year 2017-2018 and each fiscal year thereafter, from the avails of certain sales and use taxes and inventory tax, the treasurer must deposit amount equal to the increase in general fund revenues as certified by the Revenue Estimating Conference as being attributable to the provisions of the Act that originated as SB 122 of this 2015 R.S., but this amount may not exceed \$100 million.
2. Increases the amount, from seven to twenty-five to be used for port construction and development priority program projects.
3. Change provision relative to HB 618 of the 2015 R.S. to HB 767 of the 2015 R.S.
4. Provides a procedure for allocation of monies if the Act which originated as HB 767 fails to pass and is not enacted into law.
5. Makes technical corrections.