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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

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SB 201 Engrossed

DIGEST  
2016 Regular Session

Allain

Present constitution provides for the purposes of the budget estimate and enactment of the budget for the next fiscal year, when the official forecast of recurring revenues for the next fiscal year is at least 1% less than the official forecast for the current fiscal year, in order to avoid a budget deficit in the next fiscal year, an amount not to exceed 5% of the total appropriations or allocations for the current fiscal year from any statutory or constitutional fund shall be available for expenditure in the next fiscal year for a purpose other than as specifically provided by law or this constitution.

Proposed constitution revises present constitution to provide that when the official forecast of recurring revenues for the next fiscal year is at least 1% less than the official forecast for the current fiscal year, or when the official forecast of recurring revenues for the next fiscal year has been reduced by at least 1% from the most recently adopted estimate for the ensuing fiscal year either prior to the governor submitting the executive budget to the legislature or during the legislative session prior to the general appropriation act being enrolled and submitted to the governor, the following procedures may be employed to avoid a budget deficit in the next fiscal year:

- (i) An amount not to exceed 5% of the total appropriations or allocations for the current fiscal year from any fund established by law or this constitution shall be available for expenditure in the next fiscal year for a purpose other than as specifically provided by law or the constitution.
- (ii) An amount not to exceed 1% of the balance in the current fiscal year from any fund established by law or the constitution shall be available in the next fiscal year for a purpose other than as specifically provided by law for the constitution.

Present constitution provides that for purposes of this provision, an amount not to exceed 1% of the current fiscal year appropriation for Minimum Foundation Program expenditures shall be available for expenditures for other purposes in the next fiscal year.

Proposed constitution retains present constitution.

Present constitution further provides that monies made available as authorized under this provision may be transferred to a fund for which revenues have been forecast to be less than the revenues in the current fiscal year for such fund.

Proposed constitution retains present constitution and further provides that monies may also be transferred to a fund when the official forecast of recurring revenues for the next fiscal year has been reduced by at least 1% from the most recently adopted estimate for the ensuing fiscal year either prior to the governor submitting the executive budget to the legislature or during the legislative

session prior to the general appropriation act being enrolled and submitted to the governor.

Present constitution provides that monies transferred as a result of the budget actions authorized by present constitution are deemed available for appropriation and expenditure, but in no event shall the aggregate amount of any such transfers exceed the amount of the difference between the official forecast for the current fiscal year and the next fiscal year.

Proposed constitution retains present constitution regarding the monies transferred being deemed available for appropriation and expenditure, but provides that the aggregate amount of such transfers shall not exceed the projected deficit for the next fiscal year due to the reduction in the official forecast.

Specifies submission of the amendment to the voters at the statewide election to be held on November 8, 2016.

(Amends Const. Art. VII, Sec. 10(F)(2)(b))

#### Summary of Amendments Adopted by Senate

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

1. Changes authorization to use up to 5% of the total appropriations or allocations for the current fiscal year from any fund in the next fiscal year for a purpose other than as specifically provided by law from report of Legislative Fiscal Officer to the Joint Legislative Committee on the Budget that appropriations for either healthcare or higher education is an amount less than the appropriations in the existing operating budget for the current fiscal year to reduction in official forecast of recurring revenues for the next fiscal year by at least 1% prior to submission of executive budget to the legislature or enrollment and submission to governor of general appropriation bill.
2. Provides another procedure to avoid a budget deficit by making up to 1% of the balance in the current fiscal year from any fund established by law or the constitution, available in the next fiscal year for a purpose other than as specifically provided by law.
3. Changes aggregate amount of transfers pursuant to constitutional provision from the amount of the difference between the official forecasts for the current and next fiscal year to the amount of the projected deficit for the next fiscal year due to the reduction in the official forecast.