

2016 Regular Session

HOUSE BILL NO. 257

BY REPRESENTATIVE IVEY

FUNDS/FUNDING: Excepts deposits in excess of expenditure limit from the temporary suspension of deposits into the Budget Stabilization Fund

1 AN ACT

2 To amend and reenact R.S. 39:94(C)(4)(b), relative to the Budget Stabilization Fund; to
3 except deposits in excess of the expenditure limit from the suspension of required
4 deposits into the Budget Stabilization Fund; to provide for an effective date; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:94(C)(4)(b) is hereby amended and reenacted to read as follows:

8 §94. Budget Stabilization Fund

9 * * *

10 C. The money in the fund shall not be available for appropriation except
11 under the following conditions:

12 * * *

13 (4)

14 * * *

15 (b) Notwithstanding any provision of this Section to the contrary, except
16 pursuant to a specific appropriation by the legislature, Paragraph (A)(1) of this
17 Section, or the annual deposit required by Paragraph (A)(3) of this Section, no
18 appropriation or deposit to the fund shall be made in the same fiscal year as an
19 appropriation, use or withdrawal is made from the fund or until such time as the
20 official forecast exceeds the actual collections of state general fund (direct) revenue

1 for Fiscal Year 2008. The provisions of this Subparagraph shall be null, void, and
2 of no effect on July 1, 2017.

3 Section 2. This Act shall become effective upon signature by the governor or, if not
4 signed by the governor, upon expiration of the time for bills to become law without signature
5 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
6 vetoed by the governor and subsequently approved by the legislature, this Act shall become
7 effective on the day following such approval.

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 257 Engrossed

2016 Regular Session

Ivey

Abstract: Removes temporary suspension of the requirement that money in excess of the expenditure limit be deposited into the Budget Stabilization Fund.

Present law provides for the following deposits into the Budget Stabilization Fund:

- (1) Money from the state general fund and dedicated funds in excess of the expenditure limit, except funds allocated by Const. Art. VII, §§4(D) and (E) regarding severance tax and royalty payments to parishes.
- (2) Annual mineral revenues in excess of \$950 million.
- (3) At least \$25 million per year from any source or 25% of nonrecurring money, whichever is greater.
- (4) Any money appropriated to the fund by the legislature including any appropriation to the fund from money designated as nonrecurring.

Present law, effective until July 1, 2017, further suspends deposits until such time as the official forecast exceeds the actual collections of state general fund (direct) revenue for FY 2008. Provides an exception for Paragraph (3), the greater of \$25 million per year from any source or 25% of nonrecurring revenue.

Proposed law adds an additional exception to the suspension in present law (see Paragraph (1) above) for deposits in excess of the expenditure limit.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:94(C)(4)(b))