

2016 Regular Session

HOUSE BILL NO. 409

BY REPRESENTATIVE HENRY

FUNDS/FUNDING: Provides for the transfer, deposit, and use of monies among state funds

1 AN ACT

2 To amend and reenact Code of Criminal Procedure Article 895.1(F)(3)(e) and to enact R.S.  
3 17:1519.6(E), relative to state funds; to provide for the deposit of certain funds into  
4 the state treasury; to provide for outstanding fund transfers; to provide for the deposit  
5 of hospital lease payments; to provide for distributions out of the Sex Offender  
6 Registry Technology Fund; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 17:1519.6(E) is hereby enacted to read as follows:

9 §1519.6. Funding and budget

10 \* \* \*

11 E. Notwithstanding any provision of law to the contrary, the LSU Health  
12 Science Center - Health Care Services Division, the LSU Health Sciences Center -  
13 New Orleans, and the LSU Health Sciences Center - Shreveport are hereby  
14 authorized and directed to deposit into the state general fund all receipts of lease  
15 payments for the public/private partnership leases of state hospital buildings and  
16 equipment net of clinic and hospital lease payments made by the LSU Health  
17 Science Center - Health Care Services Division.

18 Section 2. Code of Criminal Procedure Article 895.1(F)(3)(e) is hereby amended and  
19 reenacted to read as follows:

1 Art. 895.1. Probation; restitution; judgment for restitution; fees

2 \* \* \*

3 F. When the court places the defendant on supervised probation, it shall  
4 order as a condition of probation the payment of a monthly fee of eleven dollars.  
5 The monthly fee established in this Paragraph shall be in addition to the fee  
6 established in Paragraph C of this Article and shall be collected by the Department  
7 of Public Safety and Corrections and shall be transmitted, deposited, appropriated,  
8 and used in accordance with the following provisions:

9 \* \* \*

10 (3) The monies in the Sex Offender Registry Technology Fund shall be  
11 appropriated as follows:

12 \* \* \*

13 (e) After providing for the allocations in Subsubparagraphs (a), (b), (c), and  
14 (d) of this Subparagraph, the remainder of the residual monies in the Sex Offender  
15 Registry Technology Fund shall, pursuant to an appropriation to the office of the  
16 attorney general, be distributed to the sheriff of each parish, based on the population  
17 of convicted sex offenders, sexually violent predators, and child predators who are  
18 residing in the parish and who are active sex offender registrants or active child  
19 predator registrants in the respective parishes according to the State Sex Offender  
20 and Child Predator Registry. These funds shall be used to cover the costs associated  
21 with sex offender registration and compliance. Population data necessary to  
22 implement the provisions of this Subparagraph shall be as compiled and certified by  
23 the undersecretary of the Department of Public Safety and Corrections on the first  
24 day of June of each year. No later than ~~June fifteenth of each year,~~ thirty days after  
25 the Revenue Estimating Conference recognizes the prior year fund balance, the  
26 office of the attorney general shall make these distributions, which are based on the  
27 data certified by the undersecretary of the Department of Public Safety and  
28 Corrections, to the recipient sheriffs who are actively registering offenders pursuant  
29 to this Paragraph.

1 Section 2. Notwithstanding any provision of law to the contrary, any outstanding  
2 fund transfers contained in Act 378 of the 2011 Regular Session of the Legislature, Act 597  
3 of the 2012 Regular Session of the Legislature, Act 420 of 2013 Regular Session of the  
4 Legislature, Act 646 of the 2014 Regular Session of the Legislature, Act 121 of the 2015  
5 Regular Session of the Legislature, and any fund transfers approved by the Joint Legislative  
6 Committee on the Budget as part of a mid-year reduction shall be considered null and void  
7 and of no further effect on July 1, 2016.

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

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#### 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)]

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HB 409 Reengrossed

2016 Regular Session

Henry

**Abstract:** Provides for deposits into the state general fund and other special treasury funds, nullifies prior fund transfers, and provides for the uses of certain special treasury funds.

#### HOSPITAL LEASE PAYMENTS

Proposed law directs the LSU Health Science Center - Health Care Services Division and the LSU Health Sciences Centers - New Orleans and Shreveport to deposit into the state general fund all public/private partnership hospital and hospital equipment lease payments net of clinic and hospital lease payments made by the division.

#### SEX OFFENDER REGISTRY TECHNOLOGY FUND

Present law requires the annual remaining balance in the Sex Offender Registry Technology Fund as of June 15 be distributed to the recipient sheriffs who are actively registering offenders.

Proposed law changes the date from June 15 to 30 days after the Revenue Estimating Conference (REC) recognizes the prior year-end balance.

## PRIOR YEAR FUND TRANSFERS

Proposed law nullifies any fund transfers that have not occurred by July 1, 2016 contained in the "fund transfer" bills of the 2011 through 2015 Regular Sessions and any fund transfers approved by the Joint Legislative Committee on the Budget as part of a mid-year deficit reduction.

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

(Amends C.Cr.P. Art. 895.1(F)(3)(e); Adds R.S. 17:1519.6(E))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Delete proposed law changes to the Sex Offender Registry Technology Fund.
2. Specify that hospital and hospital equipment lease payments are net of clinic and hospital lease payments made by the Health Care Services Division.
3. Provide for the transfer of \$4,000,000 from the La. Housing Corp. to the Overcollections Fund.

The House Floor Amendments to the engrossed bill:

1. Add proposed law regarding the Sex Offender Registry Technology Fund and change the date the fund balance is distributed to the recipient sheriffs.
2. Delete proposed transfer of \$4,000,000 from the La. Housing Corp.