

2016 First Extraordinary Session

HOUSE BILL NO. 44

BY REPRESENTATIVE BROADWATER

FUNDS/FUNDING: Eliminates certain statutory dedications and eliminates certain dedications of certain funds (Item #7)

1 AN ACT

2 To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S.

3 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C) , 4019(C), and 5068(D)(3), R.S.

4 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5),

5 R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2)

6 and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S.

7 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E),

8 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and

9 (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361,

10 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 and

11 Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to

12 repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.

13 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2,

14 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised

15 Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1),(2), and (3), and

16 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6),

17 and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of

18 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.

19 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana

20 Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of

1 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
2 comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title  
3 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart  
4 K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
5 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle  
6 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41,  
7 Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
8 Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1  
9 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
10 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
11 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of  
12 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
13 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I  
14 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126,  
15 Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
16 Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of  
17 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
18 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3)  
19 and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e),  
20 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and  
21 Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013  
22 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997  
23 Regular Session of the Legislature, relative to special treasury funds; to provide for  
24 the elimination of certain special treasury funds; to eliminate certain dedications into  
25 certain special treasury funds; to eliminate certain required expenditures from special  
26 treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund,  
27 Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund,  
28 Indigent Parent Representation Program Fund, Innocence Compensation Fund,  
29 Academic Improvement Fund, Support Education in Louisiana First Fund,

1 Workforce Training Rapid Response Fund, Higher Education Initiatives Fund,  
2 Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund,  
3 Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund,  
4 Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement  
5 Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health  
6 Studies Program Fund, Southern University AgCenter Program Fund, Video Draw  
7 Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund,  
8 Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports  
9 Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State  
10 Emergency Response Fund, Louisiana Interoperability Communications Fund,  
11 Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State  
12 University Firemen Training Program Film Library Fund, Marketing Fund, Tobacco  
13 Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response  
14 Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program  
15 Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty  
16 Collections Fund, Workforce and Innovation for a Strong Economy Fund,  
17 Competitive Core Growth Fund, Science, Technology, Engineering and Math  
18 (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center  
19 of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded  
20 Accrued Liability and Specialized Educational Institutions Support Fund, MediFund,  
21 Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency  
22 Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need  
23 of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of  
24 Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund,  
25 Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund,  
26 Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid  
27 Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New  
28 Orleans Public Safety Fund; to provide for the deposits into the New Opportunities  
29 Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the

1 Video Draw Poker Device Fund to authorize the transfer of balances between funds;  
2 to provide for deposit of monies into the state general fund; and to provide for related  
3 matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3) are hereby amended and  
6 reenacted to read as follows:

7 §2. Creation, powers, and duties of Department of Agriculture and Forestry and the  
8 commissioner of agriculture and forestry

9 \* \* \*

10 C. All funds derived from the sale of timber on state lands under this Section  
11 shall be deposited in the state treasury for deposit into the state general fund. ~~Monies~~  
12 ~~derived from the sale of timber on state lands in the custody of the Department of~~  
13 ~~Health and Hospitals shall be deposited into the Department of Health and Hospitals'~~  
14 ~~Facility Support Fund as provided in R.S. 40:16.2.~~ The legislature shall annually  
15 appropriate to the Department of Agriculture and Forestry the costs incurred by that  
16 department under the provisions of this Section.

17 \* \* \*

18 §277. Trust funds

19 Subject to the exceptions contained in Article VII, Section 9 of the  
20 Constitution of Louisiana, all funds received by the authority shall be deposited  
21 immediately upon receipt in the state treasury and shall be credited to the Bond  
22 Security and Redemption Fund. ~~After a sufficient amount is allocated from the fund~~  
23 ~~to pay all obligations secured by the full faith and credit of the state which become~~  
24 ~~due and payable within any fiscal year, the state treasurer, prior to placing the~~  
25 ~~remaining funds in the state general fund, shall pay an amount equal to the total~~  
26 ~~amount of funds paid into the state treasury by the authority into a special fund~~  
27 ~~which is hereby created in the state treasury and designated as the Louisiana~~  
28 ~~Agricultural Finance Authority Fund. The monies in the Louisiana Agricultural~~  
29 ~~Finance Authority Fund shall be used solely for the programs and purposes of the~~

1 ~~authority and only in the amount appropriated each year to the authority by the~~  
2 ~~legislature. All unexpended and unencumbered monies in the fund at the end of the~~  
3 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~  
4 ~~state treasurer in the same manner as monies in the state general fund. All interest~~  
5 ~~earned from the investment of the monies in the Louisiana Agricultural Finance~~  
6 ~~Authority Fund shall be deposited in that fund.~~

7 \* \* \*

8 §4321. Forest protection assessment

9 \* \* \*

10 B. The assessment shall be entered on the tax rolls by the assessor and shall  
11 be paid by the owner of such timberland to the sheriff and ex officio tax collector of  
12 the parish in which the timberland is located in the same manner as parish ad  
13 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~  
14 solely as provided in this Part for deposit into the state general fund.

15 \* \* \*

16 §4411. Forestry Productivity Fund; disposition of funds

17 A. Funds equal to seventy-five percent of that portion of the severance tax  
18 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of  
19 Louisiana shall be deposited immediately upon receipt into the state treasury for  
20 deposit into the state general fund.

21 \* \* \*

22 §4423. Definitions

23 As used in this Part, the following terms shall have the meanings ascribed  
24 below:

25 \* \* \*

26 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax  
27 deduction, rebate, investment, contract, or grant made available by the state to  
28 directly support the purchase of forestry products. "Incentives" shall not mean any  
29 such benefit available under statutorily provided programs including Louisiana



1 \* \* \*

2 (3) As provided in this Subsection, when a participating school district  
3 receives privately funded scholarship funds pursuant to this Subsection, the annual  
4 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program  
5 shall be reduced by the amount of the private scholarship program funds so received.  
6 The commissioner of administration shall determine and specify the amount of the  
7 reduction from the source of the funds to provide the maximum benefit to the state  
8 from the privately funded scholarship program. The state treasurer shall deposit the  
9 amount of the reduction as specified by the commissioner of administration into the  
10 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~  
11 ~~within the fund hereby established and created to be known as the "Program~~  
12 ~~Participation Savings Account"~~ state general fund.

13 \* \* \*

14 §3046.3 Private Scholarships

15 \* \* \*

16 C. As provided in this Section, when an eligible college or university  
17 receives privately funded scholarship funds on behalf of a student, the state funds for  
18 the Louisiana GO Grant program shall be reduced by the amount of the private  
19 scholarship program funds so received. The commissioner of administration shall  
20 determine and specify the amount of the reduction from the source of the funds to  
21 provide the maximum benefit to the state from the privately funded scholarship  
22 program. The state treasurer shall deposit the amount of the reduction as specified  
23 by the commissioner of administration into the ~~Overcollections Fund created in R.~~  
24 ~~S. 39:100.21 and credit the deposit to an account within the fund hereby established~~  
25 ~~and created to be known as the "Program Participation Savings Account"~~ state  
26 general fund.

27 \* \* \*

28 §4019. Private scholarships

29 \* \* \*

1 C. As provided in this Section, when a participating school receives privately  
 2 funded scholarship funds on behalf of a student pursuant to this Section, the annual  
 3 appropriation of state funds for the program shall be reduced by the amount of such  
 4 private scholarship program funds so received. The commissioner of administration  
 5 shall determine and specify the amount of the reduction from the source of the funds  
 6 to provide the maximum benefit to the state from the privately funded scholarship  
 7 program. The state treasurer shall deposit the amount of such reduction as specified  
 8 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~  
 9 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~  
 10 ~~and created to be known as the "Program Participation Savings Account" state~~  
 11 general fund.

\* \* \*

13 §5068. Miscellaneous

\* \* \*

15 D.

\* \* \*

17 (3) As provided in this Subsection, if an eligible college or university  
 18 receives privately funded scholarship funds on behalf of a student, the state funds for  
 19 the Taylor Opportunity Program for Students shall be reduced by the amount of the  
 20 private scholarship program funds so received. A reduction shall not affect the  
 21 estimated nature of the Taylor Opportunity Program for Students appropriation as  
 22 provided in the Act or Acts that contain such appropriations. The commissioner of  
 23 administration shall determine and specify the amount of the reduction from the  
 24 source of the funds to provide the maximum benefit to the state from the privately  
 25 funded scholarship program. The state treasurer shall deposit the amount of such  
 26 reduction as specified by the commissioner of administration into the  
 27 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~  
 28 ~~within the fund hereby established and created to be known as the "Program~~  
 29 ~~Participation Savings Account" state general fund.~~



1 \* \* \*

2 Section 4. R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2) are  
3 hereby amended and reenacted to read as follows:

4 §347. Disposition of tax money

5 A. Monies collected under R.S. 22:342 through 349, after being first credited  
6 to the Bond Security and Redemption Fund in accordance with Article VII, Section  
7 9(B) of the Constitution of Louisiana, shall be credited to a special fund hereby  
8 established in the state treasury and known as the "Two Percent Fire Insurance Fund"  
9 hereinafter the "fund". Any unexpended or unencumbered money remaining in the  
10 fund at the end of each fiscal year shall be deposited into the state general fund.

11 Monies in the fund shall be available in amounts appropriated annually by the  
12 legislature for the following purposes in the following order of priority:

13 \* \* \*

14 §835. Fire marshal tax; Louisiana Fire Marshal Fund

15 \* \* \*

16 B. All funds received by the commissioner of insurance pursuant to  
17 Subsection A of this Section shall be deposited immediately upon receipt into the  
18 state treasury for deposit into the state general fund.

19 \* \* \*

20 §1476. Assessments against insurers; dedications

21 A.

22 \* \* \*

23 (2) An amount equal to two and one-fourth hundredths of one percent of the  
24 gross direct premiums received in this state, in the preceding year; two and thirty-  
25 seven hundredths of one percent of the direct gross premiums received in this state,  
26 in the year 2001; and two and one-half hundredths of one percent of the direct gross  
27 premiums received in the state, in the year 2003 and every year thereafter by insurers  
28 doing business in this state and subject to this Subpart, less returned premiums shall  
29 be deposited by the commissioner of insurance with the state treasurer to be credited

1 to a special fund created in the state treasury entitled the Municipal Fire and Police  
 2 Civil Service Operating Fund, hereinafter known as the "fund". Subject to an annual  
 3 appropriation by the legislature pursuant to the provisions of R.S. 33:2480 and 2540,  
 4 monies in the fund shall be used solely to support the operations of the office of state  
 5 examiner, Municipal Fire and Police Civil Service. Monies in the fund shall be  
 6 invested by the treasurer in the same manner as monies in the state general fund and  
 7 interest earned on investment of these monies shall be credited to the state general  
 8 fund. All unexpended and unencumbered monies in the fund at the end of the fiscal  
 9 year shall revert to the state general fund.

\* \* \*

11 Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as  
 12 follows:

13 §1514. Worker training fund; purpose; training programs; eligibility criteria;  
 14 program administration

\* \* \*

16 D.

\* \* \*

18 (5) The administrator may annually set aside an amount up to ten percent of  
 19 the amount appropriated to the fund by the state legislature for preemployment  
 20 training in any year in which the legislature appropriates funds for training equal to  
 21 or exceeding those funds appropriated in the previous year to the Rapid Response  
 22 Fund created by R.S. 51:2361 or to the Louisiana Economic Development Fund  
 23 created by R.S. 51:2315. All preemployment training shall require an employer  
 24 matching contribution of not more than fifty percent, and job placement outcomes  
 25 at wage rates commensurate with training, as determined by the administrator  
 26 pursuant to duly promulgated rules and regulations.

\* \* \*

28 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c)  
 29 and (2) and (C)(2), (3), and (4) are hereby amended and reenacted to read as follows:

1 §27.1. Uniform compulsive and problem gambling program

2 \* \* \*

3 F. In any proceeding brought against any licensee, permittee or casino  
4 gaming operator and any employee thereof for a willful violation of the self-  
5 exclusion rules of the board, the board may order the forfeiture of any money or  
6 thing of value obtained by the licensee or the casino gaming operator from any self-  
7 excluded person. Any money or thing of value so forfeited shall be deposited into  
8 the ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ state  
9 general fund.

10 \* \* \*

11 §92. Collection and disposition of fees

12 \* \* \*

13 B.

14 \* \* \*

15 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
16 the state treasurer shall, each fiscal year, credit the following amounts to the  
17 following funds:

18 (a)(i) ~~One percent, not to exceed five hundred thousand dollars, to the~~  
19 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

20 (ii) The amounts of winnings withheld and remitted in accordance with R.S.  
21 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~  
22 ~~Fund provided for in R.S. 28:842~~ state general fund.

23 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ The franchise  
24 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

25 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~  
26 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~  
27 ~~pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education~~  
28 ~~in Louisiana First Fund as provided in R.S. 17:421.7.~~

1 (ii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2) which  
2 is attributable to any riverboat gaming licensee which pays additional franchise fees  
3 pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the ~~Support Education~~  
4 ~~in Louisiana First Fund as provided in R.S. 17:421.7~~ state general fund.

5 (iii) The franchise fees paid pursuant to R.S. 27:91(C)(2) through (4) to the  
6 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ state general  
7 fund.

8 (c) To ~~a special fund, which is hereby created in the state treasury and~~  
9 ~~entitled the Riverboat Gaming Enforcement Fund;~~ the state general fund an amount  
10 equal to the revenues received by the state pursuant to this Chapter, less any monies  
11 credited to other funds pursuant to the provisions of Subparagraphs (a) and (b) of this  
12 Paragraph.

13 \* \* \*

14 §249. Compulsive gambling; posting information

15 A. The corporation shall include the cost of the transfer of its monies to the  
16 state treasurer for deposit into the ~~Compulsive and Problem Gaming Fund as~~  
17 ~~required by R.S. 27:270(A)(2)~~ state general fund as a budgeted item and expense of  
18 the corporation.

19 \* \* \*

20 §270. Deposit of revenues; expenditures and investments authorized; transfer of  
21 revenues to state treasury; corporation operating account; audit of  
22 corporation books and records; audits

23 A.

24 \* \* \*

25 (2)(a) Quarterly, the corporation shall transfer to the state treasury one  
26 percent of its operating account, not to exceed five hundred thousand dollars per  
27 fiscal year. These monies shall first be credited to the Bond Security and  
28 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
29 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the

1       ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general  
2       fund.

3               (b) Quarterly, the corporation shall transfer to the state treasury for deposit  
4       into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state  
5       general fund the amount of revenues withheld and remitted in accordance with R.S.  
6       27:260(D).

7               (3)(a) Daily, the corporation shall transfer to the state treasury for deposit  
8       into certain funds in the treasury, as provided in this Paragraph, the amount of net  
9       revenues which the corporation determines are surplus to its needs. After first being  
10       credited to the Bond Security and Redemption Fund in accordance with Article VII,  
11       Section 9(B) of the Constitution of Louisiana, and after satisfying any other  
12       requirements of the Constitution and laws of Louisiana, such net revenues shall be  
13       deposited as follows:

14               (i) In each year for which the Joint Legislative Committee on the Budget  
15       disapproves or does not act upon the amount of the casino support services contract  
16       as provided in R.S. 27:247 ~~and~~ no monies are deposited in and credited to the Casino  
17       Support Services Fund: .

18               ~~(aa) Ten percent shall be deposited in and credited to the Support Education~~  
19       ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~  
20       ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

21               ~~(bb) Ninety percent shall be deposited in and credited to the Support~~  
22       ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

23               (ii) In each year for which the Joint Legislative Committee on the Budget  
24       approves the amount of the casino support services contract as provided in R.S.  
25       27:247: .

26               ~~(aa) The first one million eight hundred thousand dollars shall be deposited~~  
27       ~~in and credited to the Casino Support Services Fund.~~

28               ~~(bb) The next sixty million dollars shall be deposited in and credited to the~~  
29       ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7.~~



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\* \* \*

~~(2) An amount shall be allocated to the Department of Public Safety and Corrections and to the Department of Justice, pursuant to legislative appropriation, for regulatory, administrative, investigative, enforcement, legal, and such other expenses as may be necessary to carry out the provisions of this Chapter and for activities associated with enforcement of laws and regulations governing video draw poker devices.~~

~~(3)~~ (2) Any monies in the fund not required to meet the purposes provided for in Paragraphs ~~(1)~~ and ~~(2)~~ Paragraph (1) shall be credited to and deposited in the state general fund as they become available. Any unexpended or unencumbered monies remaining in the Video Draw Poker Device Fund at the end of the fiscal year shall revert to the state general fund.

~~(4)~~ (3) An amount equal to all franchise payments exempted pursuant to R.S. 27:321 shall be considered to be part of the Video Draw Poker Device Fund for purposes of calculating the distribution of the fund pursuant to ~~Paragraphs (1) and (2)~~ Paragraph (1).

Section 7. R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3) are hereby amended and reenacted to read as follows:

§9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and Gaming Control Assistance District

\* \* \*

E. Tax.

\* \* \*

(3) The district is specifically authorized to transfer to the state such amounts as are necessary to address the policies established by this Chapter and Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live Racing Facility Gaming Control Fund to be administered and expended as provided~~







1 consulting service contracts not approved by the Joint Legislative Committee on the  
 2 Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for  
 3 deposit in and credit to the ~~Higher Education Financing Fund~~ as are necessary to  
 4 satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the  
 5 ~~Payments Towards the UAL Fund~~ as are necessary to satisfy the requirements of  
 6 R.S. 39:100.11 state general fund.

7 \* \* \*

8 §100.61. New Opportunities Waiver Fund

9 \* \* \*

10 B.(1) The source of monies in the fund shall be ~~as follows~~:

11 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~  
 12 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~  
 13 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~  
 14 ~~Official Forecast at the beginning of the current fiscal year into the New~~  
 15 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~  
 16 ~~used for appropriation in the ensuing fiscal year.~~

17 (b) ~~Monies designated for the fund and~~ monies received by the state treasurer  
 18 ~~from donations, gifts, grants, appropriations, or other revenue~~ pursuant to the  
 19 provisions of R.S. 47:120.171.

20 \* \* \*

21 §352. Cancellation of unexpended portions of appropriations; exceptions

22 Whenever any specific appropriation is made to meet any item of expenditure  
 23 which occurs annually by provision of law or for contingent expense, and any  
 24 portion of it remains unexpended at the end of the year for which the specific  
 25 appropriation was made, after all legal claims against it for the year have been paid,  
 26 the commissioner of administration shall cancel any balance of the appropriation,  
 27 and each succeeding year he shall open a new account for the appropriation which  
 28 may be made for that particular year, without carrying forward any unexpended  
 29 balance of appropriation made for any previous year. This provision shall not apply

1 to appropriations made to pay the debt of the state, principal and interest. Prior to  
 2 placing monies associated with such unexpended appropriations into the state general  
 3 fund, the state treasurer shall transfer all cash balances identified and reported by the  
 4 commissioner of administration as being from unexpended and unencumbered state  
 5 general fund (direct) and Overcollections Fund appropriations for professional,  
 6 personal, and consulting service contracts not approved by the Joint Legislative  
 7 Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each  
 8 fiscal year for deposit in and credit to the ~~Higher Education Financing Fund~~ as is  
 9 ~~necessary to satisfy the requirements of R.S. 39:100.146~~ and then shall make  
 10 ~~deposits to the Payments Towards the UAL Fund as are necessary to satisfy the~~  
 11 ~~requirements of R.S. 39:100.11~~ state general fund.

12 \* \* \*

13 §1590. Approval of certain professional, personal, and consulting services contracts  
 14 for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

15 A.

16 \* \* \*

17 (2) If within thirty days of receipt of the contract, the contract is placed on  
 18 the agenda for review, the Joint Legislative Committee on the Budget may take the  
 19 following action:

20 \* \* \*

21 (b) Reject the contract and notify the commissioner of administration that  
 22 such funds otherwise proposed for this purpose shall be deposited into the ~~Higher~~  
 23 ~~Education Financing Fund as provided in R.S. 39:100.146~~ state general fund.

24 (c) Recommend revisions to the contract. If the Joint Legislative Committee  
 25 on the Budget recommends revisions to the contract, the contract shall not become  
 26 effective until it is revised, resubmitted to the Joint Legislative Committee on the  
 27 Budget, and acted upon again by the committee. If the commissioner of  
 28 administration, in consultation with the state chief procurement officer, does not  
 29 resubmit the contract to the Joint Legislative Committee on the Budget within thirty

1 days after the committee recommends revisions to the contract, the contract shall be  
2 deemed to be rejected and funds otherwise proposed for this purpose shall be  
3 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~  
4 state general fund.

5 B.(1)

6 \* \* \*

7 (2) Following each determination required pursuant to the provisions of this  
8 Subsection, the commissioner of administration shall report to the state treasurer the  
9 amount of state general fund (direct) and Overcollections Fund monies appropriated  
10 for professional, personal, and consulting service contracts that are expected to  
11 remain unexpended and unencumbered at the end of the fiscal year as a result of  
12 implementation of this Section. These monies shall be available for deposit in and  
13 credit to the ~~Higher Education Financing Fund as provided for in R.S. 39:100.146~~  
14 state general fund.

15 \* \* \*

16 Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6)(b) are hereby amended and  
17 reenacted to read as follows:

18 §1582. Emergency elevator access; master key; substitute emergency measures;  
19 enforcement; penalty; rulemaking authority

20 \* \* \*

21 E. The office of state fire marshal shall enforce this Section. Any person  
22 who fails to comply with the requirements of this Section is subject to an  
23 administrative fine of not more than one thousand dollars, in addition to any other  
24 penalty provided by law. All administrative fines shall be deposited into the  
25 ~~Louisiana Fire Marshal Fund~~ state general fund.

26 \* \* \*

27 §1593. Volunteer firefighters; medical and life insurance

28 The state fire marshal is authorized to negotiate for and to purchase ~~out of~~  
29 ~~funds available for such purpose in the Two Percent Fire Insurance Fund provided~~





1 ~~hard of hearing, speech impaired, or others with similar disabilities or impairments,~~  
2 ~~in the amounts appropriated each year by the legislature to the Louisiana~~  
3 ~~Commission for the Deaf. Any surplus monies remaining to the credit of the fund~~  
4 ~~on June thirtieth of each year and any funds earned through the investment of the~~  
5 ~~monies in the fund shall remain to the credit of the fund.~~

6 \* \* \*

7 §9029. Deposit of revenues; expenditures and investments authorized; transfer of  
8 revenues to state treasury; dedication and use of proceeds; corporation  
9 operating account; audit of corporation books and records; audits

10 \* \* \*

11 B.~~(1)~~ A Louisiana Lottery Proceeds Fund is hereby established in the state  
12 treasury. Net lottery proceeds shall be credited to this fund as provided in  
13 Subsection A of this Section. Monies credited to the Louisiana Lottery Proceeds  
14 Fund shall be invested by the state in accordance with state investment practices and  
15 all earnings from such investments shall accrue to this account. ~~Except as provided~~  
16 ~~in Paragraph (2) of this Subsection, no~~ No monies shall be allotted or expended from  
17 this account unless pursuant to an appropriation by the legislature in accordance with  
18 law.

19 ~~(2) The state treasurer is authorized and directed to transfer annually an~~  
20 ~~amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to~~  
21 ~~the Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

22 \* \* \*

23 Section 13. R.S. 51:1927.1, 2211 (A), 2332(3), 2341(F), 2361, 2362(A)(introductory  
24 paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 are hereby amended and reenacted  
25 to read as follows:

26 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~  
27 Louisiana Economic Development Fund

28 A. Following a decertification of a pool that was certified on or after January  
29 1, 1999, and for which insurance premium tax credits were granted, an independent

1 certified public accountant shall perform a review of all distributions other than tax  
2 distributions and management fees from such pool to the equity holders of the pool  
3 to determine if such distributions produce an annual internal rate of return to the  
4 equity holders of the pool of at least fifteen percent calculated on the original amount  
5 of certified capital contributed to such pool as well as any additional capital  
6 contributed to such pool. Within thirty days following the issuance of the  
7 accountant's report, the certified capital company shall remit to the ~~Louisiana~~  
8 ~~Economic Development Fund~~ state general fund twenty-five percent of all  
9 distributions in excess of the amount required to produce an annual internal rate of  
10 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ state  
11 general fund shall have received an amount equal to the amount of tax credits  
12 granted for the pool. Thereafter, the certified capital company shall remit to the  
13 ~~Louisiana Economic Development Fund~~ state general fund five percent of such  
14 excess distributions.

15 B. Following a decertification of a pool that was certified on or after January  
16 1, 2002, and for which income tax credits or insurance premium tax credits were  
17 granted, an independent certified public accountant shall annually perform a review  
18 of all distributions, other than tax distributions and management fees, from such pool  
19 to the equity holders of the pool to determine if such distributions produce a rate of  
20 return to the equity holders of the pool of at least ten percent calculated on the  
21 original amount of certified capital contributed to such pool as well as any additional  
22 capital contributed to such pool. Within thirty days following the issuance of the  
23 accountant's annual report, the certified capital company shall remit twenty-five  
24 percent of all distributions in excess of the amount required to produce a rate of  
25 return of ten percent to the ~~Louisiana Economic Development Fund~~ state general  
26 fund.

27 C. The calculation of internal rate of return shall include all cash  
28 distributions to equity investors out of the certified capital company's investment  
29 pool, except for tax distributions and management fees. Management fees shall not



1 exceed two and one-half percent per annum of the total certified capital of the pool  
2 without the prior approval of the secretary. Notwithstanding any other provisions  
3 in this Chapter to the contrary, for all certified capital pools formed after December  
4 31, 2001, if a certified Louisiana capital company does not place (1) forty percent of  
5 the investment pool in qualified investments within three years after the investment  
6 date, (2) sixty percent of the investment pool in qualified investments within five  
7 years of the investment date, and (3) upon the certified Louisiana capital company's  
8 option either (a) one hundred percent of the investment pool in qualified investments  
9 within seven years of the investment date or (b) one hundred and ten percent of the  
10 investment pool in qualified investments within eight years of the investment date,  
11 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall  
12 remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five  
13 percent of all distributions, other than tax distributions and management fees, until  
14 the ~~Louisiana Economic Development Fund~~ state general fund shall have received  
15 one hundred percent of the tax credits granted for such pool and thereafter the  
16 company shall remit ten percent of all distributions, other than tax distributions and  
17 management fees to the ~~Louisiana Economic Development Fund~~ state general fund.  
18 If a certified Louisiana capital company has not decertified an investment pool  
19 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years  
20 from the investment date, such company shall remit to the ~~Louisiana Economic~~  
21 ~~Development Fund~~ state general fund fifty percent of all distributions until the  
22 ~~Louisiana Economic Development Fund~~ state general fund shall have received one  
23 hundred percent of the tax credits granted for such pool, and thereafter the company  
24 shall remit twenty percent of all distributions to the ~~Louisiana Economic~~  
25 ~~Development Fund~~ state general fund.

26 D. Notwithstanding any other provision of this Chapter to the contrary and  
27 considering the adverse impact of Hurricanes Katrina and Rita, all investment  
28 deadlines required by this Section which would have fallen between August 25,  
29 2005, and December 30, 2005, shall be extended to March 31, 2006.

1 \* \* \*

2 §2211. Purpose and goals

3 A. The provisions of this Chapter ~~establish the MediFund as a special fund~~  
4 ~~within the state treasury~~ shall be to support advancement of biosciences, biomedical,  
5 and medical centers of excellence in Louisiana. The MediFund governing board  
6 shall endeavor to achieve this purpose by coordinating and deploying public and  
7 private resources to strategically develop and enhance this state's competitiveness in  
8 biosciences, biomedical, and medical centers of excellence.

9 \* \* \*

10 §2332. Definitions

11 As used in this Chapter, the following terms shall have the following  
12 definitions:

13 \* \* \*

14 (3) "Fund" means the ~~Louisiana Economic Development Fund~~ state general  
15 fund.

16 \* \* \*

17 §2341. Economic Development Award Program

18 \* \* \*

19 F. The legislature shall make an annual appropriation to EDAP ~~for deposit~~  
20 ~~in the Louisiana Economic Development Fund under the terms and conditions as~~  
21 ~~provided for in R.S. 51:2315~~. Project awards shall be disbursed by the corporation's  
22 board.

23 \* \* \*

24 PART VI-A RAPID RESPONSE ~~FUND~~ PROJECTS

25 §2361. Rapid Response ~~Fund~~ Projects

26 A.(1) ~~The Rapid Response Fund, hereinafter referred to as the "fund", is~~  
27 ~~hereby created as a special fund within the state treasury.~~

1           ~~(2) Beginning July 1, 2005, the state treasurer is directed to deposit into the~~  
2           ~~fund at the beginning of each fiscal year ten million dollars. The legislature may~~  
3           ~~appropriate additional monies to the fund notwithstanding the balance in the fund.~~

4           ~~B.(1) All unexpended and unencumbered monies in the fund at the end of~~  
5           ~~the fiscal year shall remain in the fund. Monies in the fund shall be invested by the~~  
6           ~~treasurer in the same manner as those in the state general fund, and any interest~~  
7           ~~earned on the investment of monies in the fund shall be credited to the fund.~~

8           ~~(2) Monies in the fund shall be~~ The legislature may make available for  
9           appropriation to the Department of Economic Development, hereinafter referred to  
10          as the "department"; ~~Such appropriations~~ monies that shall be used by the secretary  
11          of the department for immediate funding of all or a portion of economic development  
12          projects which may be necessary in order to successfully secure the creation or  
13          retention of jobs by a business entity under such circumstances as may be determined  
14          by the secretary and the governor.

15          ~~(3) B.(1)~~ The secretary shall report to the Joint Legislative Committee on the  
16          Budget twice yearly, on the first day of October and the first day of April, with  
17          respect to all actual expenditures of monies ~~appropriated from the fund.~~ The reports  
18          shall be available electronically, and the secretary shall include in these reports any  
19          other information which the committee may require with respect to use of monies  
20          ~~appropriated from the fund,~~ including but not limited to the following information  
21          on each economic development project which receives funding:

- 22                 (a) Performance targets.  
23                 (b) Outcomes.  
24                 (c) Numbers of jobs created and retained.  
25                 (d) Overall payroll generated.

26          ~~(4) (2)~~ The department shall make available upon request the economic  
27          impact analysis on an economic development project which receives monies ~~from~~  
28          ~~the fund.~~



1       ~~2007. The legislature may appropriate additional monies to the fund if it deems~~  
2       ~~necessary to accomplish the purposes of the fund.~~

3               ~~C. Monies in the fund shall be invested by the treasurer in the same manner~~  
4       ~~as monies in the state general fund and any interest earned on the investment of~~  
5       ~~monies in the fund shall be credited to the fund. All unexpended and unencumbered~~  
6       ~~monies in the fund at the end of the fiscal year shall remain in the fund.~~

7               ~~D.(1) Monies in the fund shall be~~ (1) The legislature may make available for  
8       ~~appropriation for general purposes and for use by~~ to the Department of Economic  
9       ~~Development, hereinafter referred to as the "department".~~ ~~Such appropriations~~  
10       monies that shall be used by the secretary of the department for immediate funding  
11       ~~of all or a portion of economic development mega-projects which may be necessary~~  
12       ~~in order to successfully secure the creation or retention of jobs by a business entity~~  
13       ~~or a qualified major event under such circumstances as established by this Part.~~

14               (2) The secretary shall report to the Joint Legislative Committee on the  
15       Budget twice yearly, on the first day of October and the first day of April, with  
16       respect to all actual expenditures of monies ~~appropriated from the fund.~~ The reports  
17       shall be available electronically, and the secretary shall include in these reports any  
18       other information which the committee may require with respect to use of monies  
19       appropriated from the fund, including but not limited to the following information  
20       on each economic development project which receives funding:

21               (a) Performance targets.

22               (b) Outcomes.

23               (c) Numbers of jobs created and retained.

24               (d) Overall payroll generated.

25               (3) The department shall make available upon request the economic impact  
26       analysis on an economic development project which receives monies ~~from the fund.~~  
27       This Subparagraph shall not apply to a mega-project which is a qualified major event  
28       as defined in R.S. 51:2365.1.

1           ~~E. B.~~ Monies ~~in the fund~~ shall be expended only upon recommendation by  
2           the secretary and concurrence by the governor. Any such recommendation shall be  
3           implemented pursuant to a cooperative endeavor agreement executed in accordance  
4           with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative  
5           Committee on the Budget.

6           ~~F. C.~~(1) For purposes of this Section, "mega-project" means:

7           (a) A project which will provide the following:

8           (i) Either five hundred new direct jobs to the state or a minimum initial  
9           investment of five hundred million dollars by the private sector or the United States  
10          Government through the creation of a new facility or the expansion of an existing  
11          facility.

12          (ii) A substantial return on the investment by the state as measured by  
13          projected tax revenues.

14          (b) A project for a military or federal installation which is important to the  
15          Louisiana economy and that may be subject to base realignment and closure, or for  
16          the purchase of land for a mega-project.

17          (c) A project resulting in re-creating or saving at least five hundred direct  
18          jobs in this state, through the transfer of ownership of a facility that has been closed  
19          or a facility that is at risk of closure due to conditions arising out of or relating to a  
20          proceeding under Title 11 of the United States Code.

21          (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets  
22          all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

23          (2) Except for a mega-project as provided in Subparagraphs (1)(b) and (d) of  
24          this Subsection, the investment by the state in any mega-project shall not exceed  
25          thirty percent of the total cost of the project as described by the cooperative endeavor  
26          agreement.

27          ~~G. D.~~ At the same time as the secretary submits to the official journal for the  
28          state a notice containing general information regarding active negotiations for an  
29          economic development mega-project which is eligible for funding ~~from the fund~~,

1 which active negotiations the secretary desires to keep confidential as provided in  
2 R.S. 44:22, upon request by a member of the legislature in whose legislative district  
3 a project is located, the secretary may provide information regarding the project if  
4 the member submits his signature under oath that all information shall remain  
5 confidential and privileged.

6 §2365.1. Major Events Incentive Program and the Major Events Incentive Program  
7 Subfund

8 \* \* \*

9 ~~B.(1) There is hereby established in the state treasury a special subfund in~~  
10 ~~the Mega-Project Development Fund to be known as the "Major Events Incentive~~  
11 ~~Program Subfund", hereafter in this Section, the "subfund".~~

12 ~~(2) Beginning with the 2015-2016 Fiscal Year and for each fiscal year~~  
13 ~~thereafter, and after allocation of money to the Bond Security and Redemption Fund~~  
14 ~~as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the~~  
15 ~~treasurer shall transfer in and credit to the subfund an amount equal to the sum of the~~  
16 ~~incremental increase in state tax receipts generated by the occurrence of all qualified~~  
17 ~~events.~~

18 ~~(3) Monies in the subfund shall be invested in the same manner as monies~~  
19 ~~in the Louisiana Mega-Project Development Fund and any interest earned on the~~  
20 ~~investment of monies in the subfund shall be credited to the subfund. All~~  
21 ~~unexpended and unencumbered monies in the subfund at the end of the fiscal year~~  
22 ~~shall remain in the subfund.~~

23 ~~(4) Subject to legislative appropriation and the approval of the Joint~~  
24 ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~  
25 ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~  
26 ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

27 E.(1) B.(1) Subject to legislative appropriation and the approval of the Joint  
28 Legislative Committee on the Budget, the secretary of the Department of Economic  
29 Development is hereby authorized to enter into a contract with a local organizing

1 committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire  
2 for Louisiana any qualified event that will have a significant positive impact on  
3 economic development in the state. The contract shall provide for a financial  
4 commitment to the local organizing committee, endorsing parish, or endorsing  
5 municipality which shall be subject to legislative appropriation.

6 (2) The amount of the incremental increase in certain state tax receipts  
7 generated within the designated area by the occurrence of the qualified event during  
8 a specified period shall be determined by the secretary. ~~The secretary shall notify the~~  
9 ~~Joint Legislative Committee on the Budget and the treasurer of his determination~~  
10 ~~and, upon the direction of the Joint Legislative Committee on the Budget, the~~  
11 ~~treasurer shall transfer the amount of the incremental increase to the subfund. Such~~  
12 ~~state tax receipts shall be limited to excise tax and sales and use taxes, excluding~~  
13 ~~state hotel and motel occupancy taxes.~~ The amount of the incremental increase shall  
14 not include local tax receipts.

15 ~~D. C.~~ An event not included in the definition of qualified event is ineligible  
16 for funding under R.S. 51:2365. A qualified event may receive funding under R.S.  
17 51:2365 only if all of the following conditions are met:

18 (1) After considering through a highly competitive selection process one or  
19 more sites that are not located in this state, a site selection organization selects a site  
20 located in this state for an event to be held once, or for an event scheduled to be held  
21 annually for a period of years under an event contract.

22 (2) A site selection organization selects a site in this state as the sole site for  
23 the event.

24 (3) The event is held not more frequently than annually.

25 §2366. Accountability requirements; Mega-Project Development Fund

26 A. The secretary of the Department of Economic Development shall develop  
27 a uniform accountability report for economic development created by the ~~Louisiana~~  
28 ~~Mega-Project Development Fund~~ Louisiana mega-projects. The secretary shall also  
29 develop a formula for measuring the return on investment for each mega-project.



1 B. The Department of Economic Development shall compile and make  
2 available a list of the cooperative endeavor agreements, the name of the entity  
3 receiving funds, and the amount of the incentive received for all Louisiana Mega-  
4 Project Development ~~Fund~~ projects in both written and electronic form.

5 Section 14. Section 4(B) of Act No. 421 of the 2013 Regular Session of the  
6 Legislature is hereby amended and reenacted to read as follows:

7 \* \* \*

8 Section 4.

9 \* \* \*

10 B.(1) After satisfaction of the requirements of Subsection A of this Section,  
11 all remaining monies collected pursuant to this Act shall be paid into the state  
12 treasury. After compliance with the requirements of Article VII, Section 9(B) of the  
13 Constitution of Louisiana relative to the Bond Security and Redemption Fund ~~and~~  
14 ~~prior to any monies being placed into the state general fund or any other fund,~~ an  
15 amount equal to the remaining collections shall be credited by the state treasurer to  
16 a special fund hereby created in the state treasury to be known as the 2013 Amnesty  
17 Collections Fund, hereinafter referred to as "fund". ~~The monies in the fund shall be~~  
18 ~~available for appropriation for any public purpose.~~ the state general fund.

19 ~~(2) Monies in the fund shall be invested by the state treasurer in the same~~  
20 ~~manner as those in the state general fund and interest earned on such investment shall~~  
21 ~~be credited to the fund after compliance with the requirements of the Bond Security~~  
22 ~~and Redemption Fund. All unexpended and unencumbered monies in the fund at the~~  
23 ~~end of the year shall remain in the fund.~~

24 \* \* \*

25 Section 15. R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.  
26 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3,  
27 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950,  
28 comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), 831(B), and 835(C), (D), and  
29 (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2) and (4) and (6), and 439, R.S. 28:842, R.S.

1 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
2 Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of  
3 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
4 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
5 Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle  
6 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26,  
7 Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
8 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title  
9 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of  
10 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
11 comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of  
12 the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part  
13 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised  
14 of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
15 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of  
16 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of  
17 R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
18 Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1  
19 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
20 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E),  
21 R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and  
22 6351(G)(3) and (4), R.S. 49:259, and R.S. 51:2212(3), 2213, and 2315, Code of Criminal  
23 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the  
24 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature  
25 are hereby repealed in their entirety.

26 Section 16. The state treasurer is hereby authorized and directed to transfer any  
27 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through  
28 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year  
29 2015-2016.

1 Section 17. This Act shall become effective on July 1, 2016.

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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 44 Original

2016 First Extraordinary Session

Broadwater

**Abstract:** Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain funds.

VARIOUS FUNDS

Proposed law eliminates the following funds:

2013 Amnesty Collections Fund	§4(B) of Act No. 421 of the 2013 R.S. of the Legislature
Academic Improvement Fund	R.S. 17:354
Center for Excellence for Autism Spectrum Disorder	R.S. 39:100:122
Competitive Core Growth Fund	R.S. 17:3138.2
Compulsive and Problem Gaming Fund	R.S. 27:27.1(F), 92(B)(2)(a), 249(A), 270(A)(2), 392(B)(2)(a) and 437, R.S. 28:842, and R.S. 47:9029(B)
Community Water Enrichment Fund	R.S. 39:100.81
Department of Health and Hospitals Facility Support Fund	R.S. 40:16.2 and R.S. 3:2(C)
Department of Justice Legal Support Fund	R.S. 49:259 and R.S. 42:262(B)
Department of Revenue Alcohol and Tobacco Control Officers Fund	R.S. 11:544
DNA Testing Post-Conviction Relief for Indigents Fund	CCrP. Art. 926.1(K) and R.S. 15:147(B)(14)
Equine Health Studies Program Fund	R.S. 27:392(B)(6)(a)
FEMA Reimbursement Fund	R.S. 39:100.26 and 100.31
Fiscal Administrator Revolving Loan Fund	R.S. 39:1357
FMAP Stabilization Fund	§7 of Act No. 420 of the 2013 R.S. of the Legislature
Forest Productivity Fund	R.S. 3:4411
Forest Protection Fund	R.S. 3:4321(C) through (D)
Fund for Louisianians in Need of Civil Legal Assistance	§3 of Act No. 1065 of the 1997 R.S. of the Legislature
Health Care Redesign Fund	R.S. 39:100.51 and R.S. 46:977.13
Higher Education Initiatives Fund	R.S. 17:3129.6
Higher Education Financing Fund	R.S. 39:100.146, 352, and 1590(A)(2)(b) and (c) and (B)(2)
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(N)
Legislative Capitol Technology Enhancement Fund	R.S. 24:39
Louisiana Agricultural Finance Authority Fund	R.S. 3:277, and R.S. 27:392(B)(4)
Louisiana Asbestos Detection and Abatement Fund	R.S. 39:97.3
Louisiana Charter School Start-Up Loan Fund	R.S. 17:4001
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D),

	R.S. 51:1927.1, 2315, 2332(3), and 2341
Louisiana Emergency Response Network Fund	R.S. 40:2845(A)(6), (D)(2) and (3), and (E)
Louisiana Fire Marshal Fund	R.S. 22:835 and R.S. 40:1582(E)
Louisiana Interoperability Communications Fund	R.S. 39:100.41
Louisiana Mega-Project Development Fund	R.S. 51:2365 and 2366, R.S. 3:4423(3)
Louisiana Public Defender Fund	R.S. 15:167
Louisiana State Police Salary Fund	R.S. 22:831(B)
Louisiana State University Firemen Training Program Film Library Fund	R.S. 40:1547
Major Events Fund	R.S. 39:100.126
Major Events Incentive Program Subfund	R.S. 51:2365.1
Marketing Fund	R.S. 47:318
MediFund	R.S. 51:2211-13
Municipal Fire and Police Civil Service Operating Fund	R.S. 22:1476(A)(2)
New Orleans Public Safety Fund	R.S. 40:1402
Overcollections Fund	R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)
Pari-Mutuel Live Racing Facility Gaming Control Fund	R.S. 27:392(B)(2), and R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3)
Payments Towards the UAL Fund	R.S. 39:100.11, R.S. 39:82(A) and 352
Rapid Response Fund	R.S. 51:2361,2362, 2363, R.S. 3:4423(3), R.S. 23:1514(D)(5)
Riverboat Gaming Enforcement Fund	R.S. 27:92(B)(2)(c) and (C)
Sickle Cell Fund	R.S. 39:100.123
Southern University AgCenter Program Fund	R.S. 27:392(B)(6)(b)
Sports Facility Assistance Fund	R.S. 39:100.1, and R.S.47:1602.1 and 1520(A)(1)(e)
State Emergency Response Fund	R.S. 39:100.26(A) and 100.31
Status of Grandparents Raising Grandchildren Fund	R.S. 46:2913
Science, Technology, Engineering, and Math (STEM) Upgrade Fund	R.S. 17:3138.3
Support Education in Louisiana First Fund	R.S. 17:421.7, R.S. 27:92(B)(2), 270(A)(3)
Telecommunications for the Deaf Fund	R.S. 47:301.1(F) and 1061
Tobacco Regulation Enforcement Fund	R.S. 47:841(G)
Tobacco Settlement Enforcement Fund	R.S. 13:5073(A)(1), and R.S. 39:98.7
Tobacco Tax Health Care Fund	R.S. 47:841.1
Tobacco Tax Medicaid Match Fund	R.S. 47:841.2
Unfunded Accrued Liability and Specialized Educational Institutions Support Fund	R.S. 39:100.136; and R.S. 47:6351(G)(3) and (4)
Video Draw Poker Device Purse Supplement Fund	R.S. 27:439
Workforce and Innovation for a Strong Economy	R.S. 17:3138.2, 3138.3, and 3138.4
Workforce Training Rapid Response Fund	R.S. 17:1874

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

#### NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

#### TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.
- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

#### VIDEO DRAW POKER DEVICE FUND (R.S. 27:437)

Present law provides for the collection of taxes, fees, fines and penalties related to video draw poker devices.

Present law creates the Video Draw Poker Device Fund and, after the deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Video Draw Poker Device Fund. Monies in the fund are dedicated as follows:

- (1) 25% of the monies in the fund are distributed as follows:
  - (a) Compensation for district attorneys and assistant district attorneys, not to exceed \$5.4 million.

- (b) Governing authorities of municipalities in which video draw poker devices are operated.
- (c) Sheriff of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices.
- (3) Monies in the fund that are not required to meet the other dedications as required in present law are deposited into the state general fund.

Proposed law eliminates the allocation to the Dept. of Public Safety and Correction and the Department of Justice to enforce the laws and regulations governing video draw poker devices. Proposed law further requires the deposit of any unexpended or unencumbered money at the end of the fiscal year into the state general fund.

Effective July 1, 2016.

(Amends R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro. para.), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(intro. para.), 2363, 2365, 2365.1(B) through (D), and 2366 and §4(B) of Act No. 421 of the 2013 Regular Session of the Legislature; Repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and R.S. 17:4001, R.S.22:347(A)(1),(2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146 and 1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), §7 of Act No. 420 of the 2013 R.S. of the Legislature, and §3 of Act No. 1065 of the 1997 R.S. of the Legislature)