

2015 Regular Session

HOUSE BILL NO. 566

BY REPRESENTATIVE FANNIN

1 AN ACT

2 To amend and reenact R.S. 32:868(B)(2)(b) and R.S. 51:2361(A)(2) and to enact Subpart  
3 Q-2 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
4 Statutes of 1950, to be comprised of R.S. 39:100.123, R.S. 47:1676(E)(3), and R.S.  
5 40:1402, relative to special treasury funds; to provide for the transfer, dedication,  
6 use, and appropriations as specified of certain treasury funds; to create the Sickle  
7 Cell Fund in the state treasury and provide for the deposit of monies into the fund  
8 and the uses of the monies; to provide for the deposit of certain funds into the state  
9 treasury; to provide for deposits into the Rapid Response Fund; to provide for the  
10 uses of monies in the Insurance Verification System Fund; to authorize the transfer  
11 of balances between funds; to create the New Orleans Public Safety Fund in the state  
12 treasury; to provide for deposit, use, and investment of the money in the New  
13 Orleans Public Safety Fund; to provide for the uses of monies in the Debt Recovery  
14 Fund; and to provide for related matters.

15 Be it enacted by the Legislature of Louisiana:

16 Section 1. R.S. 32:868(B)(2)(b) is hereby amended and reenacted to read as follows:

17 §868. Funding of real-time system to verify motor vehicle insurance; Insurance  
18 Verification System Fund; creation

19 \* \* \*

20 B. There is hereby created in the state treasury the Insurance Verification  
21 System Fund, hereinafter referred to as the "fund". Monies in the fund shall be  
22 invested in the same manner as monies in the state general fund. Interest earned on  
23 investment of monies in the fund shall be deposited in and credited to the fund. The  
24 monies in this fund shall be used solely as provided for in this Section and only in

1 the amounts appropriated by the legislature. Unexpended and unencumbered monies  
2 in the fund shall remain in the fund. Monies in the fund shall be used in amounts  
3 appropriated by the legislature as follows:

4 \* \* \*

5 (2) For Fiscal Year 2015-2016 and each fiscal year thereafter, monies in the  
6 fund shall be used as follows:

7 \* \* \*

8 (b) ~~The next~~ Next, the amount needed to fund the increase in the costs of  
9 salaries and related benefits associated with the pay plan adopted by the State Police  
10 Commission, not to exceed forty-two million dollars per year, shall be dedicated to  
11 the Department of Public Safety and Corrections, office of state police.

12 \* \* \*

13 Section 2. Subpart Q-2 of Part II-A of Chapter 1 of Subtitle I of Title 39 of the  
14 Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.123, is hereby enacted  
15 to read as follows:

16 SUBPART Q-2. SICKLE CELL FUND

17 §100.123. Sickle Cell Fund

18 A. There is hereby established in the state treasury, as a special fund, the  
19 Sickle Cell Fund, hereinafter referred to as the "fund".

20 B. The source of monies deposited into the fund shall be any monies  
21 appropriated annually by the legislature including donations, gifts, grants, or any  
22 other monies which may be provided by law. All unexpended and unencumbered  
23 monies in the fund at the end of the fiscal year shall remain in the fund. The monies  
24 in the fund shall be invested by the state treasurer in the same manner as monies in  
25 the state general fund, and interest earned on the investment of monies shall be  
26 credited to the fund.

27 C. The monies in the fund shall be appropriated and used solely to pay costs  
28 and expenses associated with the implementation of the provisions of R.S.  
29 40:2018.3(D).

30 Section 3. R.S. 40:1402 is hereby enacted to read as follows:

1           §1402. New Orleans Public Safety Fund

2           A. There is hereby created in the state treasury the New Orleans Public  
 3           Safety Fund, hereinafter referred to as the "fund". The source of monies in the fund  
 4           shall be any monies appropriated annually by the legislature including federal funds,  
 5           donations, gifts, or grants, and any other monies which may be provided by law. All  
 6           unexpended and unencumbered monies in the fund at the end of the year shall remain  
 7           in the fund. Monies in the fund shall be invested by the treasurer in the same manner  
 8           as monies in the state general fund, and any interest earned on such investment shall  
 9           be deposited in and credited to the fund.

10           B. Monies in the fund shall be appropriated by the legislature to the office  
 11           of state police for public safety services, including patrol and law enforcement, in the  
 12           area of the city of New Orleans within the following boundaries: the Mississippi  
 13           River, the center line of Canal Street, the rear property line of the properties fronting  
 14           on the lake side of North Rampart Street, the rear property line of the properties  
 15           fronting on the downriver side of Esplanade Avenue to the Mississippi River.

16           Section 4. R.S. 47:1676(E)(3) is hereby enacted to read as follows:

17           §1676. Debt Recovery

18   \*           \*           \*

19           E.

20   \*           \*           \*

21           (3) Notwithstanding the provisions of Paragraph (1) of this Subsection, funds  
 22           collected pursuant to the provisions of R.S. 32:8 and deposited into the fund shall be  
 23           first appropriated to the office of state police for implementation of the realignment  
 24           of the state police pay grid as authorized in Act 15 and Act 641 of the 2014 Regular  
 25           Session of the Legislature in an amount not to exceed eleven million dollars.  
 26           Second, the amount of forty-two million dollars shall be appropriated to the  
 27           Department of Transportation and Development for the purpose of funding advanced  
 28           construction of the off-system bridge construction and repair program and for the  
 29           purpose of augmenting state owned bridge maintenance, construction, and repair.  
 30           The provisions of this Paragraph shall be subject to the Act which originated as

1           House Bill No. 638 of the 2015 Regular Session being enacted into law and  
2           becoming effective.

3                                       \*       \*       \*

4           Section 5. R.S. 51:2361(A)(2) is hereby amended and reenacted to read as follows:

5           §2361. Rapid Response Fund

6                       A.

7                                       \*       \*       \*

8                       (2) Beginning July 1, 2005, the state treasurer is directed to deposit into the  
9           fund at the beginning of each fiscal year ~~an amount sufficient to bring the~~  
10          ~~unencumbered balance in the fund to~~ ten million dollars. The legislature may  
11          appropriate additional monies to the fund notwithstanding the balance in the fund.

12                                       \*       \*       \*

13           Section 6. Notwithstanding any provision of law to the contrary, the state treasurer  
14          is hereby authorized and directed to transfer the unexpended and unencumbered fund  
15          balance of the Telephone Company Property Assessment Relief Fund at the end of Fiscal  
16          Year 2014-2015 to the Overcollections Fund.

17           Section 7.(A) Notwithstanding any provision of the law to the contrary, the state  
18          treasurer is hereby authorized and directed to transfer the following amounts into the  
19          Overcollections Fund from the funds specified below:

20                       (1) Twenty-Five Million Five Hundred Seventy-Six Thousand Three Hundred  
21          Eighty Dollars from the Insurance Verification System Fund.

22                       (2) Eleven Million Eight Hundred Seventy-Four Thousand Seven Hundred Seventy  
23          Dollars from the Riverboat Gaming Enforcement Fund.

24                       (3) Three Million Five Hundred Forty Thousand Dollars from the Employment  
25          Security Administration Account of the Employment Security Administration Fund.

26                       (4) Four Million Two Hundred Thousand Dollars from the Penalty and Interest  
27          Account of the Employment Security Administration Fund.

28                       (B) Notwithstanding any provision of law to the contrary, the state treasurer is  
29          hereby authorized and directed to transfer Twelve Million Dollars from the Self-Insurance  
30          Fund to the Overcollections Fund.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 (C) Notwithstanding any provision of law to the contrary, the state treasurer is  
 2 hereby authorized and directed to transfer Eleven Million One Hundred Thousand Dollars  
 3 from the Department of Revenue to the Overcollections Fund.

4 (D) Notwithstanding any provision of law to the contrary, the Louisiana Office  
 5 Building Corporation or its successor is hereby authorized and directed to deposit into the  
 6 state treasury Five Hundred Thousand Dollars. The state treasurer is hereby authorized and  
 7 directed to transfer the funds to the Overcollections Fund.

8 (E) Notwithstanding any provision of law to the contrary, the Louisiana Public  
 9 Facilities Authority or its successor is hereby authorized and directed to deposit into the state  
 10 treasury Two Million Three Hundred Thousand Dollars. The state treasurer is hereby  
 11 authorized and directed to transfer the funds to the Overcollections Fund.

12 Section 8.(A) Notwithstanding any provision of law to the contrary, the Louisiana  
 13 Lottery Corporation or it successor is hereby authorized and directed to deposit into the state  
 14 treasury the unrestricted or unencumbered fund assets of Five Million Nine Hundred  
 15 Thousand Dollars. The state treasurer is hereby authorized and directed to transfer the funds  
 16 to the Lottery Proceeds Fund.

17 (B) Notwithstanding any provision of law to the contrary, the Louisiana Lottery  
 18 Corporation or its successor is hereby authorized and directed to deposit into the state  
 19 treasury unclaimed prize money of Twenty Million Dollars. The state treasurer is hereby  
 20 authorized and directed to transfer the funds to the Lottery Proceeds Fund.

21 Section 9. Notwithstanding any provision of law to the contrary, the state treasurer  
 22 is hereby authorized and directed to transfer Forty-Four Million Six Hundred Twenty-Seven  
 23 Thousand Eight Hundred Ninety-Two Dollars, to be comprised wholly of nonrecurring  
 24 revenues out of the state general fund from the Fiscal Year 2013-2014 surplus, as recognized  
 25 by the Revenue Estimating Conference, to the Budget Stabilization Fund.

26 Section 10. Notwithstanding any provision of law to the contrary, the state treasurer  
 27 is hereby authorized and directed to transfer the following amounts into the Utility and  
 28 Carrier Inspection and Supervision Fund from the funds specified below:

- 29 (1) Three Hundred Fifty Thousand Dollars from the Motor Carrier Regulation  
 30 Fund.

1           (2)     Seventy-Five Thousand Dollars from the Telephonic Solicitation Relief  
 2                         Fund.

3           Section 11. Notwithstanding any provision of law to the contrary, the state treasurer  
 4 is hereby authorized and directed to transfer One Million Eight Hundred Thousand Dollars  
 5 into the state general fund from the Riverboat Gaming Enforcement Fund in the event that  
 6 House Bill No. 448 of the 2015 Regular Session of the Legislature is enacted into law.

7           Section 12. Notwithstanding any provision of law to the contrary, the state treasurer  
 8 is hereby authorized and directed to transfer Two Million Five Hundred Thousand Dollars  
 9 into the state general fund from the Louisiana Fire Marshal Fund.

10          Section 13. Notwithstanding any provision of law to the contrary, the state treasurer  
 11 is hereby authorized and directed to transfer Three Million Five Hundred Thousand Dollars  
 12 into the state general fund from the Video Draw Poker Device Fund.

13          Section 14. Notwithstanding any provision of law to the contrary, the state treasurer  
 14 is hereby authorized and directed to transfer the amount of Two Hundred Thousand Dollars  
 15 from the State General Fund (Direct) to the Louisiana Emergency Response Network Fund.

16          Section 15. Notwithstanding any provision of law to the contrary, the state treasurer  
 17 is hereby authorized and directed to transfer the following amounts into the state general  
 18 fund from the funds specified below:

- 19           (1) Seventeen Million Dollars from the Riverboat Gaming Enforcement Fund.
- 20           (2) Four Million Dollars from the Louisiana Fire Marshal Fund.
- 21           (3) Two Million Dollars from the Environmental Trust Fund.
- 22           (4) Two Million Five Hundred Thousand Dollars from the Hazardous Waste Site  
 23 Cleanup Fund.
- 24           (5) Three Million Dollars from the Insurance Verification System Fund.

25          Section 16. Notwithstanding any provision of law to the contrary, the state treasurer  
 26 is hereby authorized and directed to transfer the amount of Two Million Five Hundred  
 27 Thousand Dollars from the Department of Justice Legal Support Fund to the New Orleans  
 28 Public Safety Fund.

29          Section 17. Sections 6, 7, 8, 12, 13, 17, and 18 of this Act shall become effective  
 30 upon signature of this Act by the governor or, if not signed by the governor, upon expiration

1 of the time for bills to become law without signature by the governor, as provided by Article  
2 III, Section 18 of the Constitution of Louisiana.

3 Section 18. Sections 1, 2, 3, 4, 5, 9, 10, 11, 14, 15, and 16 of this Act shall become  
4 effective on July 1, 2015.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_