

2017 Regular Session

HOUSE BILL NO. 584

BY REPRESENTATIVE LEGER

FUNDS/FUNDING: Creates a special fund for the purpose of funding early childhood education in Louisiana

1 AN ACT

2 To enact R.S. 17:407.30 and 3090, relative to special treasury funds; to establish the
3 Louisiana Early Childhood Education Fund as a special treasury fund; to dedicate
4 funds for early childhood education; to provide for the allocation of such funds to
5 local entities for early childhood care and education; to provide for administration;
6 to provide for rules; to establish the Achieving a Better Life Experience in Louisiana
7 Fund as a special treasury fund; to provide for deposits into and uses of the
8 Achieving a Better Life Experience in Louisiana Fund; and to provide for related
9 matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 17:407.30 and 3090 are hereby enacted to read as follows:

12 §407.30. Louisiana Early Childhood Education Fund

13 A. There is hereby created in the state treasury a special fund to be known
14 as the Louisiana Early Childhood Education Fund, hereafter in this Section referred
15 to as the "fund".

16 B. Any appropriations, public or private grants, gifts, or donations received
17 by the state or the Department of Education for the purposes of this Section, other
18 than federal funds for the Child Care and Development Fund Program, shall be
19 credited to the fund.

20 C. Monies in the fund shall be invested by the state treasurer in the same
21 manner as monies in the state general fund. Interest earned on the investment of

1 monies in the fund shall be deposited in and credited to the fund. Unexpended and
2 unencumbered monies in the fund at the end of the fiscal year shall remain in the
3 fund.

4 D. The fund shall be administered by the State Board of Elementary and
5 Secondary Education. Monies in the fund shall be awarded on a competitive basis
6 to local entities approved by the board for the purpose of funding early childhood
7 care and education slots through the Child Care Assistance Program in Type III early
8 learning centers that have at least one classroom with children age fifteen months or
9 younger. No such award shall be made unless the local entity's financial
10 commitment to the project proposed for funding provides matching funds from
11 nonstate sources at a rate of at least two to one.

12 E. The board shall have the authority to determine the award recipients and
13 the amount of the grant awards as well as other eligible expenses to be paid with
14 monies from the fund. The board shall promulgate rules and regulations as are
15 necessary to implement the provisions of this Section. Such rules shall include:

- 16 (1) Eligibility requirements of the entity seeking monies.
- 17 (2) Criteria for ranking and selecting applicants.
- 18 (3) Procedures for allocating monies.
- 19 (4) Reporting standards.

20 F. The department shall actively solicit and use resources to fund the Child
21 Care Assistance Program slots.

22 * * *

23 §3090. Achieving a Better Life Experience in Louisiana Fund

24 A. There shall be established as a special fund in the state treasury the
25 Achieving a Better Life Experience in Louisiana Fund, hereinafter referred to as the
26 "ABLE Fund". The assets of the Louisiana Tuition Trust Authority reserved for the
27 payment of the obligations of the authority pursuant to its agreements with ABLE
28 program account owners shall be deposited into the ABLE Fund. Funds received by
29 the authority from persons making deposits in an ABLE program account, all interest

1 and investment income earned by the fund, and all other receipts of the authority
2 from any other source which the authority determines appropriate, shall be deposited
3 in the ABLÉ Fund. Any claim for redemption or withdrawal pursuant to a Louisiana
4 ABLE account owner's agreement shall be solely against the account owner's portion
5 of the assets of the ABLÉ Fund. No account owner or beneficiary of a Louisiana
6 ABLE account shall have any claim against the state general fund or other funds or
7 revenue sources of the state

8 B. The monies in the ABLÉ Fund shall be used solely as provided in this
9 Chapter.

10 C. All unexpended and unencumbered monies in ABLÉ program accounts
11 at the end of a fiscal year shall remain in such fund account and be available in the
12 next fiscal year.

13 D. The monies in the ABLÉ Fund shall be invested by the state treasurer in
14 accordance with state law and as provided for by program rules, regulations, and
15 guidelines, and interest earned on the investment of these monies shall be credited
16 to the respective fund accounts, following compliance with the requirement of
17 Article VII, Section 9(B) of the constitution relative to the Bond Security and
18 Redemption Fund. However, principal deposited by account owners and interest
19 earned thereon is not public money and therefore is not subject to the requirements
20 of Article VII, Section 9(B) of the constitution.

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 584 Engrossed

2017 Regular Session

Leger

Abstract: Creates the La. Early Childhood Education Fund and provides for allocation of such funds to local entities for the funding of Early Child Care Assistance Program slots. Creates the Achieving a Better Life Experience in Louisiana Fund to be used for the ABLÉ program.

Proposed law creates the La. Early Childhood Education Fund (fund) for the purpose of funding early childhood care and education slots. The fund may be credited with any appropriations, public or private grants, or donations received by the state or the Department of Education (DOE) for purposes of the fund, not to include federal funds for the Child Care

and Development Fund Program. DOE shall actively solicit and use resources to fund Child Care Assistance Program slots. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the general fund. Interest earned shall be deposited in and credited to the fund. All unexpended and unencumbered monies shall remain in the fund at the end of the fiscal year.

Monies shall be awarded on a competitive basis to local entities approved by the State Board of Elementary and Secondary Education (BESE) to fund Child Care Assistance Program slots in Type III centers with at least one classroom with children age 15 months or younger. No award shall be made unless local funding matches state funding at a rate of at least two to one.

BESE may determine the grant recipients and the amount of the grant awards. BESE shall promulgate rules and regulations necessary to implement the fund, including eligibility requirements of the entity seeking monies, criteria for ranking and selecting applicants, procedures for allocating monies, and reporting standards.

Proposed law creates the Achieving a Better Life Experience in Louisiana Fund (ABLE Fund) and provides for the deposit of the assets of the Louisiana Tuition Trust Authority reserved for the payment of the obligations of the authority pursuant to its agreements with ABLE program account owners into the fund.

Proposed law provides that money in the ABLE Fund shall be used for the ABLE program in present law including to assist individuals and families in saving private funds for the purpose of supporting persons with disabilities.

(Adds R.S. 17:407.30 and 3090)

Summary of Amendments Adopted by House

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

1. Delete dedication of \$10 million of state general fund into the La. Early Childhood Education Fund.
2. Change entities that may be awarded monies from the La. Early Childhood Education Fund.
3. Require funding out of the La. Early Childhood Education Fund to be provided for Child Care Assistance Program slots.
4. Add creation of the Achieving a Better Life Experience in Louisiana Fund.