

**ACT No. 79**

2018 Regular Session

HOUSE BILL NO. 751

BY REPRESENTATIVE BARRAS

1 AN ACT

2 To appropriate funds for Fiscal Year 2018-2019 to defray the expenses of the Louisiana  
3 Legislature, including the expenses of the House of Representatives and the Senate,  
4 of legislative service agencies, and of the Louisiana State Law Institute; to provide  
5 for the salary, expenses, and allowances of members, officers, staff, and agencies of  
6 the Legislature; to provide with respect to the appropriations and allocations herein  
7 made; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Seventy-Three Million Four Hundred Thirty-One Thousand  
10 Eight Hundred Twenty-Six and No/100 (\$73,431,826.00) Dollars, or so much thereof as may  
11 be necessary, is hereby appropriated out of the state general fund and the sum of Twenty-  
12 Two Million Nine Hundred Eighty-Nine Thousand Two Hundred Thirty and No/100  
13 (\$22,989,230.00) Dollars is hereby appropriated out of self-generated funds to defray the  
14 expenses of the legislature, including the House of Representatives and the Senate, the staffs  
15 of the House of Representatives and of the Senate, the Legislative Auditor, the Legislative  
16 Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana State Law  
17 Institute.

18 Section 2.(A)(1) Out of the total amount herein appropriated from the state general  
19 fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and  
20 No/100 (\$50,762,798.00) Dollars is hereby allocated to provide the salary and allowances  
21 of members, officers, and staff of the House of Representatives, and the salary and  
22 allowances for the speaker of the House of Representatives and for expenses of his office,  
23 including reimbursement for actual expenses as presiding officer and for his service to or for  
24 the benefit of the House of Representatives, the legislature, the legislative branch of  
25 government, or the state, as determined by the speaker, and to provide the salary and  
26 allowances of members, officers, and staff of the Senate, and the salary and allowances for

1 the president of the Senate and for expenses of his office, including reimbursement for actual  
2 expenses as presiding officer and for his service to or for the benefit of the Senate, the  
3 legislature, the legislative branch of government, or the state, as determined by the president  
4 of the Senate. These funds also shall be used to pay mileage and per diem of the members  
5 of the legislature and mileage and per diem expenses of committees; salaries and/or expense  
6 allowances of officers and employees of the legislature; costs of renovations, maintenance,  
7 repairs, and necessary additions to the House and/or Senate chambers and other legislative  
8 rooms; audio-visual systems, information networks, technological enhancements, and  
9 technical support; printing the bills, journals, and calendars; computer equipment and  
10 services; library services; provision of accessibility services for persons with disabilities  
11 during sessions of the legislature and during the interim; and for all other expenses of the  
12 legislature. Notwithstanding any other provision of the law to the contrary, any and all  
13 monies paid to an employee of the legislature shall be used to determine full-time status and  
14 for the eligibility and calculation of all benefits, including, but not limited to, retirement and  
15 insurance. This provision shall be remedial in nature and shall not eliminate or reduce any  
16 current benefits of a legislative employee. In addition to the amounts and limitations  
17 provided in R.S. 24:31.5, these funds shall also be used to provide an additional two hundred  
18 seventy-five dollars per month to the total amount available to each legislator for the salary  
19 of his legislative assistants which shall be obtained and disbursed as hereinafter provided.

20 (2) Notwithstanding the provisions of R.S. 24:31.5, any legislative assistant  
21 employed on or before December 1, 2007, may retain the salary they were earning on  
22 December 1, 2007.

23 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight  
24 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)  
25 Dollars is hereby set aside and allocated for the use of the House of Representatives and  
26 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and  
27 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

28 (C) The presiding officer of each house shall warrant on the state treasurer in favor  
29 of the House of Representatives or the Senate, as the case may be, for the allocation herein  
30 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid  
31 out of the state general fund, and the state treasurer shall pay said warrants by preference

1 over all other warrants, except warrants for the salaries of constitutional officers of the state,  
2 which shall be concurrent with the warrants provided for by this Act.

3 (D)(1) The funds drawn as provided herein shall be deposited in the name of the  
4 House of Representatives or the Senate, as the case may be, in an approved bank located in  
5 this state selected by the presiding officer of each house. Payment of per diem and mileage,  
6 salaries of the members, officers, and employees, and other expenses of the legislature shall  
7 be made by individual check, payable to the person or firm entitled thereto, signed by the  
8 presiding officer of the House of Representatives as to disbursements by the House, and as  
9 to disbursements by the Senate, signed by the president of the Senate. Facsimile or  
10 electronic signatures may be used; such payment also may be made by electronic funds  
11 transfer through the automated clearing house and deposited into the account of the person  
12 or firm entitled to such payment.

13 (2) Copies of legislative documents of the Senate and the House shall be provided  
14 at fees according to policy and schedules adopted by the secretary of the Senate and clerk  
15 of the House, jointly, and approved by the president of the Senate and the speaker of the  
16 House, jointly. Funds derived from the sale of legislative documents of the Senate and the  
17 House during legislative sessions shall be used to offset the cost of printing the journals and  
18 calendars.

19 (3) The legislature is hereby expressly authorized to receive and expend any monies  
20 received as a result of any grants or donations or other forms of assistance as provided for  
21 in Article VII, Section 9(A)(1) of the Louisiana Constitution of 1974.

22 (E) Any portion of the funds herein allocated to the two houses, any portion of the  
23 funds previously appropriated or interest earnings on such appropriations and any self-  
24 generated revenues that are not required for the expenses of the 2018 Regular Session of the  
25 Legislature, including printing and all expenses in connection therewith, are hereby  
26 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any  
27 other expenses of the legislature during the 2018-2019 Fiscal Year; however, all funds  
28 remaining unexpended and/or unencumbered shall be returnable to the state general fund on  
29 or before October 1, 2019.

30 Section 3.(A) The sum of Ten Million Ninety-Three Thousand Eight Hundred  
31 Thirty-Eight and No/100 (\$10,093,838.00) Dollars is hereby allocated out of the total

1 appropriation from the state general fund made in Section 1 of this Act to the legislative  
 2 auditor, to pay the expenses of his office, including the salaries and expenses of his  
 3 employees, the costs of equipment, and all other expenses incurred by that office in  
 4 connection with the operation thereof during the 2018-2019 Fiscal Year.

5 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars  
 6 is hereby appropriated, payable from the state general fund, to establish an agency working  
 7 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds  
 8 available in the ancillary enterprise fund, the sum of Twenty-Two Million Nine Hundred  
 9 Eighty-Nine Thousand Two Hundred Thirty and No/100 (\$22,989,230.00) Dollars is  
 10 authorized to be used by the legislative auditor, in addition to the amount allocated in  
 11 Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses  
 12 of his employees, the costs of equipment, and all other expenses incurred by that office in  
 13 connection with the operations thereof during the 2018-2019 Fiscal Year.

14 (2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1,  
 15 shall be authorized to receive reimbursement of actual expenses of audits performed on  
 16 federally funded programs, both direct and indirect, and regulatory boards funded primarily  
 17 from fees and self-generated revenues and self-supported enterprise functions for the  
 18 purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act.  
 19 Reimbursement for audits performed on federally funded programs shall be limited to  
 20 reimbursement authorized by federal laws and regulations.

21 (3) Notwithstanding any provision of the law to the contrary, including the General  
 22 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the  
 23 legislative auditor is authorized to allocate and collect from each auditee included in the  
 24 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by  
 25 independent certified public accountants, such amounts as may be reasonably necessary to  
 26 compensate the legislative auditor for services rendered and costs incurred in connection  
 27 with the audit of each auditee. In the collection of such amounts, the legislative auditor  
 28 shall, on or after the first day of July of each year, notify and warrant, without any other  
 29 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,  
 30 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to  
 31 each auditee from monies accruing or available to the auditee to the Legislative Auditor

1 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated  
2 to all such auditees shall not exceed the amount appropriated to the legislative auditor from  
3 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)  
4 herein.

5 (C) In the conduct of such functions all receipts of self-generated revenues shall be  
6 deposited in the state treasury to the credit of the Legislative Auditor Ancillary Enterprise  
7 Fund and disbursements made by the state treasurer to the extent of the amounts deposited  
8 to the credit of such fund in accordance with provisions of law governing expenditures. All  
9 monies from self-generated revenue of the legislative auditor's office shall be paid to the  
10 Legislative Auditor Ancillary Enterprise Fund and shall be deemed to be available for  
11 expenditure in the amount herein appropriated, and any increase in self-generated revenue  
12 over the amount herein appropriated shall be available for expenditure by the legislative  
13 auditor only on approval by the co-chairmen of the Legislative Budgetary Control Council.

14 (D) The legislative auditor shall warrant on the state treasurer for the monies  
15 allocated by this Section, and the warrant shall be paid by the state treasurer out of the state  
16 general fund. The funds so drawn shall be disbursed only in accordance with budgeted  
17 amounts provided herein and such amendments as may be approved by the Legislative  
18 Budgetary Control Council.

19 (E) In addition to any portion of the funds herein allocated in this Section to the  
20 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,  
21 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby  
22 appropriated and may be used to defray the expenses of the legislative auditor. These funds  
23 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not  
24 to exceed the total balance remaining at the end of the previous fiscal year; however, all  
25 funds remaining unexpended and/or unencumbered shall be returnable to the state general  
26 fund on or before October 1, 2019.

27 Section 4.(A) The sum of Two Million Eight Hundred Eighty-Six Thousand Six  
28 Hundred Sixty-Four and No/100 (\$2,886,664.00) Dollars is hereby allocated out of the total  
29 appropriation from the state general fund made in Section 1 of this Act to the Joint  
30 Legislative Committee on the Budget, to be used solely for the operations of the Legislative  
31 Fiscal Office and in particular to pay the expenses thereof, including the salaries and

1 expenses of its employees, the cost of equipment, and all other expenses incurred by said  
 2 office in connection with the operation thereof during the 2018-2019 Fiscal Year. The  
 3 operations and functions of the Legislative Fiscal Office shall be under the direction and  
 4 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant  
 5 services shall be approved by the Legislative Budgetary Control Council and the Joint  
 6 Legislative Committee on the Budget.

7 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation  
 8 provided by this Section, and the warrant shall be paid by the state treasurer out of the state  
 9 general fund. The funds so drawn shall be disbursed only in accordance with a budget  
 10 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary  
 11 Control Council.

12 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any  
 13 portion of the funds previously appropriated or interest earnings on such appropriations and  
 14 any self-generated revenues that are not required for the expenses of the 2018 Regular  
 15 Session of the Legislature, including printing and all expenses in connection therewith, are  
 16 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during  
 17 the 2018-2019 Fiscal Year; however, all funds remaining unexpended and/or unencumbered  
 18 shall be returnable to the state general fund on or before October 1, 2019.

19 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four  
 20 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total  
 21 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State  
 22 Law Institute, to pay the expenses thereof, including the salaries and expenses of its  
 23 employees, the cost of equipment, and all other expenses incurred by said office in  
 24 connection with the operation thereof during the 2018-2019 Fiscal Year.

25 (B) The executive director of the Louisiana State Law Institute shall warrant on the  
 26 state treasurer for the allocation provided by this Section, and the warrant shall be paid by  
 27 the state treasurer out of the state general fund. The funds so drawn shall be disbursed only  
 28 in accordance with a budget approved by the Legislative Budgetary Control Council and  
 29 subject to the budgetary control of said council.

30 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,  
 31 any portion of the funds previously appropriated or interest earnings on such appropriations

1 and any self-generated revenues may be used to pay expenses of the Louisiana State Law  
2 Institute during the 2018-2019 Fiscal Year; however, all funds remaining unexpended and/or  
3 unencumbered shall be returnable to the state general fund on or before October 1, 2019.

4 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One  
5 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the  
6 total appropriation from the state general fund made in Section 1 of this Act and the balance  
7 on July 2, 2018 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular  
8 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which  
9 may be used to pay the expenses thereof, including salaries and expenses of certain  
10 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.  
11 Poynter Legislative Research Library, contracts for professional services, mileage and per  
12 diem expenses of the interim activities of joint legislative committees created by statute or  
13 by the presiding officers of the Senate and the House of Representatives to which no specific  
14 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-  
15 chairmen of the council, the cost of construction, maintenance, repair, improvements,  
16 renovations, and access to the capitol building, capitol annex building, building for  
17 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,  
18 maintenance, and repair of furniture and equipment, audio-visual systems, security systems,  
19 information networks, technological enhancements, technical support, and computer  
20 equipment and services, as jointly approved by the president of the Senate and the speaker  
21 of the House of Representatives, the cost of equipment, dues to legislative associations, to  
22 pay costs to maintain actuarial integrity of the state retirement system affected by the  
23 inclusion of certain legislative employees, and all other expenses incurred by said council  
24 in connection with the operation thereof during the 2018-2019 Fiscal Year.

25 (B) The co-chairmen of the Legislative Budgetary Control Council shall jointly  
26 warrant on the state treasurer for the monies appropriated and allocated by this Section, and  
27 the state treasurer shall pay their warrants by preference over all other warrants, except  
28 warrants for the salaries of constitutional officers of the state, which shall be concurrent with  
29 warrants provided for by this Act.

30 (C) The funds drawn as provided herein shall be deposited in the name of the  
31 Legislative Budgetary Control Council in an approved bank located in this state selected by

1 the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the  
 2 officers and employees, and other expenses of the Legislative Budgetary Control Council  
 3 shall be made by individual check, payable to the person or firm entitled thereto, signed by  
 4 the presiding co-chairmen of the council. Facsimile signatures may be used; such payment  
 5 also may be made by electronic funds transfer through the automated clearing house and  
 6 deposited into the account of the person or firm entitled to such payment.

7 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control  
 8 Council, any portion of the funds previously appropriated, or interest earnings on any such  
 9 appropriations, and self-generated revenues are hereby appropriated and may be used to pay  
 10 any expenses of the Legislative Budgetary Control Council during the 2018-2019 Fiscal  
 11 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable  
 12 to the state general fund on or before October 1, 2019.

13 Section 7. The appropriations, and the allocations of such appropriations, from the  
 14 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total  
 15 amount of Twenty-Eight Million Four Hundred Fifty-Eight Thousand Ninety Dollars and  
 16 No/100 (\$28,458,090.00) Dollars, pursuant to a plan adopted by the Legislative Budgetary  
 17 Control Council.

18 Section 8. In accordance with R.S. 39:51(D), a comparative statement of the existing  
 19 operating budget for FY 2017-2018 and the appropriation for FY 2018-2019 from the state  
 20 general fund is as follows:

21 <b>Entity</b>	22 <b>FY 2017-2018</b>	23 <b>FY 2018-2019</b>
	24 <b>(Act 78 of 2017)</b>	
25 House of Representatives	26 \$28,998,300	27 \$28,998,300
28 Senate	29 \$21,764,498	30 \$21,764,498
Legislative Auditor	\$10,093,838	\$10,093,838
Legislative Fiscal Office	\$2,886,664	\$2,886,664
La. State Law Institute	\$1,131,401	\$1,131,401
Legislative Budgetary Control Council	\$8,557,125	\$8,557,125
Total state general fund	\$73,431,826	\$73,431,826

1           The Legislative Auditor for FY 2017-2018 was appropriated self-generated funds in  
 2           the amount of \$22,373,567 and for FY 2018-2019 is appropriated self-generated funds in the  
 3           amount of \$22,989,230. The Legislative Budgetary Control Council for FY 2017-2018 was  
 4           appropriated the balance of the technology fund on July 2, 2017 and for FY 2018-2019 is  
 5           appropriated the balance on July 2, 2018 of said fund. The FY 2017-2018 appropriations  
 6           for the Legislature and the legislative service agencies from the State General Fund (Direct)  
 7           were reduced by \$10,958,870 and the allocation of said reduction was implemented pursuant  
 8           to a plan adopted by the Legislative Budgetary Control Council.

9           Section 9. Appropriations contained in this Section of this Act shall become effective  
 10          upon enactment of certain revenue measures introduced in the 2018 Second Extraordinary  
 11          Session of the Legislature, and incorporated into the Fiscal Year 2018-2019 official forecast  
 12          of the Revenue Estimating Conference. The sum of Seventeen Million Four Hundred Ninety-  
 13          Nine Thousand Two Hundred Twenty and No/100 (\$17,499,220.00) Dollars is hereby  
 14          appropriated out of the state general fund as restoration of funds to defray the expenses of  
 15          the legislature, including the House of Representatives and the Senate, the Legislative  
 16          Auditor, the Legislative Fiscal Office, the Legislative Budgetary Control Council, and the  
 17          Louisiana State Law Institute.

18          Section 10. This Act shall become effective on July 1, 2018; if vetoed by the  
 19          governor and subsequently approved by the legislature, this Act shall become effective on  
 20          July 1, 2018, or on the day following such approval by the legislature, whichever is later.

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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: \_\_\_\_\_