

2017 Second Extraordinary Session

HOUSE BILL NO. 7

BY REPRESENTATIVE ABRAMSON

CAPITAL OUTLAY: Provides for limitations on certain appropriations included in the Capital Outlay Act for Fiscal Year 2017-2018

1 AN ACT

2 To provide for limitations on certain appropriations included in the Capital Outlay Act for  
3 Fiscal Year 2017-2018; to provide relative to the capital outlay program for Fiscal  
4 Year 2017-2018; to exempt certain capital outlay appropriations from certain budget  
5 request application and late approval requirements; to extend application and late  
6 approval deadlines for certain capital outlay budget request appropriations; to require  
7 certain actions to receive approval from the commissioner of administration; to  
8 provide for an effective date; and to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Notwithstanding the provisions of R.S. 39:101(A) and 112(C), projects  
11 included within Section (1)(A) of House Bill No. 2 of the 2017 Regular Session of the  
12 Legislature are hereby deemed to have timely resubmitted capital outlay budget request  
13 applications for Fiscal Year 2017-2018 and to have complied with the late approval  
14 requirements of R.S. 39:112(C), and as such shall be eligible for cash and noncash lines of  
15 credit for Fiscal Year 2017-2018. Beginning in Fiscal Year 2018-2019, all projects shall  
16 comply with the provisions of R.S. 39:101(A) and 112(C).

17 Section 2. Notwithstanding the provisions of R.S. 39:101(A) and 112(C), projects  
18 included within Section (1)(B) of House Bill No. 2 of the 2017 Regular Session of the  
19 Legislature are hereby deemed to have until June 19, 2017, to submit capital outlay budget  
20 request applications pursuant to R.S. 39:101(A) and to obtain late approval pursuant to the  
21 provisions of R.S. 39:112(C). Beginning in Fiscal Year 2018-2019, all projects shall comply  
22 with the provisions of R.S. 39:101(A) and 112(C).

1 Section 3. No project which receives an appropriation in the Capital Outlay Act for  
 2 Fiscal Year 2017-2018 shall be exempt from any provision of the public bid laws or laws  
 3 pertaining to the review of plans and specifications by the state entity administering the  
 4 project without prior authorization from the State Bond Commission. Furthermore, no  
 5 project that receives an appropriation in the Capital Outlay Act shall enter into contracts  
 6 prior to the issuance of a line of credit, prior to receipt of funding, or prior to entering into  
 7 a cooperative endeavor agreement, nor may the entity be reimbursed for any such  
 8 expenditures without prior authorization from the State Bond Commission. Notwithstanding  
 9 anything in this Act, or any other Capital Outlay Act, the Milne Boys Home Complex -  
 10 North and South Cottage Renovation project is hereby transferred from the Gentilly  
 11 Development District to the City of New Orleans. Furthermore, the issuance of a line of  
 12 credit for all or a portion of the funds in Priority 2 or Priority 5 for the Milne Boys Home  
 13 Complex - North and South Cottage Renovation project shall be subject to the submission  
 14 of a duly adopted resolution of the City Council of New Orleans in support of the Gentilly  
 15 Development District, which resolution shall be submitted to the commissioner of  
 16 administration, the State Bond Commission, and the attorney general.

17 Section 4. This Act shall become effective upon signature by the governor or, if not  
 18 signed by the governor, upon expiration of the time for bills to become law without signature  
 19 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 20 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 21 effective on the day following such approval.

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#### DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 7 Engrossed

2017 Second Extraordinary Session

Abramson

**Abstract:** Provides for limitations and exceptions for projects receiving capital outlay appropriations for FY 2017-2018 and prohibits exemptions from present law relative to public bid law and project review without the approval of the State Bond Commission.

Proposed law deems projects included within Section (1)(A) of HB No. 2 of the 2017 R.S. to have timely resubmitted capital outlay budget request applications for FY 2017-2018 and to have complied with the late approval requirements of present law. Further authorizes these projects to be eligible for lines of credit for FY 2017-2018.

Proposed law deems projects included within Section (1)(B) of HB No. 2 of the 2017 R.S. to have until June 19, 2017, to submit capital outlay budget request applications and to obtain late approval pursuant to present law.

Proposed law prohibits projects receiving capital outlay appropriations for FY 2017-2018 from being exempt from public bid laws or laws pertaining to the review of plans and specifications by administering agencies without prior authorization from the State Bond Commission. Further prohibits projects receiving capital outlay appropriations for FY 2017-2018 from entering into contracts prior to the issuance of a line of credit, prior to receipt of funding, or prior to entering into a CEA, nor receiving reimbursement for expenditures without prior authorization from the State Bond Commission.

Proposed law transfers the Milne Boys Home Complex - North and South Cottage Renovation project from the Gentilly Development District to the City of New Orleans. Furthermore, the issuance of a line of credit for all or a portion of the funds in Priority 2 or Priority 5 for the Milne Boys Home Complex - North and South Cottage Renovation project shall be subject to the submission of a duly adopted resolution of the City Council of New Orleans in support of the Gentilly Development District, which resolution shall be submitted to the commissioner of administration, the State Bond Commission, and the attorney general.

Proposed law requires all projects receiving capital outlay appropriations to comply with the provisions of present law beginning in FY 2018-2019.

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