

HOUSE SUMMARY OF SENATE AMENDMENTS

HB 406

2022 Regular Session

Zeringue

FUNDS/FUNDING: Provides for the transfer, deposit, and use of monies among state funds

Synopsis of Senate Amendments

1. Deletes provisions establishing the Revitalizing And Developing Infrastructure for All of Louisiana (RADIAL) Fund.
2. Deletes provisions transferring \$500 M of state general fund (direct) monies into the RADIAL Fund.
3. Establishes the Construction Subfund Preservation Account in the Construction Subfund of the Transportation Trust Fund. Transfers \$100 M of state general fund (direct) in the current fiscal year and \$50 M of state general fund (direct) in fiscal year 2022-2023 into the account, if SB No. 277 of the 2022 R.S. becomes law.
4. Establishes the Fiscal Year 2022-2023 Louisiana Tourism Revival Fund and transfers \$15 M of state general fund (direct) into the fund.
5. Transfers \$7 M of state general fund (direct) into the Emergency Communications Interoperability Fund, if HB No. 1070 of the 2022 R.S. becomes law.
6. Transfers \$10 M of state general fund (direct) into the Major Events Incentive Fund, if HB No. 1015 of the 2022 R.S. becomes law.
7. Transfers \$5 M of state general fund (direct) into the Events Incentive Fund, if HB No. 1015 of the 2022 R.S. becomes law.
8. Transfers the following amounts from state general fund (direct) to accounts created in the Megaprojects Leverage Fund, if Senate Bill No. 277 of the 2022 R.S. becomes law: \$300 M to the Mississippi River Bridge at Baton Rouge and Connections Account, \$100 M to the I-49 South Leverage Fund Account, and \$100 M to the I-10 Calcasieu River Bridge and I-10 Improvements Account.
9. Adds language requiring the state treasurer to develop and administer a program to make payments to political subdivisions that suffered property loss or damage caused by Hurricane Ida that were not fully compensated for such property loss or damage by insurance and other federal and state disaster resources.
10. Establishes the Special Education Classroom Monitoring Fund and transfers \$8 M of state general fund (direct) into the fund.
11. Transfers \$1 M of state general fund (direct) into the Blue Tarp Fund established in present law.
12. Deletes provision in present law requiring the division of administration, office of community development, to develop a plan for administration of Blue Tarp Fund monies and instead requires the La. Housing Corp. to develop such a plan.
13. Adds provision to the Engineering Fee Subfund (established in proposed law) to require approval of the Water Sector Commission for any payments from the subfund.
14. Transfers \$130 M to the Capital Outlay Savings Fund.
15. Increases from \$45 M to the amount deposited into the Jean Boudreaux Settlement Compromise Fund.

Proposed law provides for the transfer, deposit, creation, and use of monies among state funds.

Proposed law transfers the following amounts from the FY 2020-2021 surplus:

- (1) An amount equal to 25% of the FY 2020-2021 surplus (\$174,804,933) to the Budget Stabilization Fund, as required by the Constitution of Louisiana.

Proposed law transfers the following amounts from the state general fund in the current fiscal year:

- (1) \$10,000,000 to the La. Outdoors Forever Fund, if HB 762 of the 2022 R.S. becomes law.
- (2) \$6,000,000 to the Higher Education Initiatives Fund.
- (3) \$135,000,000 to the Self-Insurance Fund.
- (4) \$40,000,000 to the Louisiana Early Childhood Education Fund.
- (5) \$50,000,000 to the Jean Boudreaux Settlement Compromise Fund.
- (6) \$5,000,000 to the Engineering Fee Subfund of the Water Sector Fund, established in proposed law.
- (7) \$600,000,000 to the Construction Subfund of the Transportation Trust Fund. Requires \$100,000,000 of the transferred amount to be deposited into the Construction Subfund Preservation Account created in proposed law and the remainder of the transferred amount to be deposited in the following accounts established in the Megaprojects Leverage Fund pursuant to SB 277, of the 2022 R.S., if SB 277 becomes law: \$300 M into the Mississippi River Bridge at Baton Rouge and Connections Account, \$100 M into the I-49 South Leverage Fund Account, and \$100 M into the I-10 Calcasieu River Bridge and I-10 Improvements Account.
- (8) \$5,000,000 to the Geaux Teach Fund, if HB 346 of the 2022 R.S. becomes law.
- (9) \$8,000,000 to the Special Education Classroom Monitoring Fund.
- (10) \$1,000,000 to the Blue Tarp Fund.
- (11) \$7,000,000 to the Emergency Communications Interoperability Fund, if HB No. 1070 of the 2022 R.S. becomes law.
- (12) \$10,000,000 to the Major Events Incentive Fund, if HB No. 1015 of the 2022 R.S. becomes law.
- (13) \$5,000,000 to the Events Incentive Fund, if HB No. 1015 of the 2022 R.S. becomes law.
- (14) \$130,000,000 to the Capital Outlay Savings Fund.

Proposed law transfers the following amounts from the state general fund in the next fiscal year:

- (1) \$42,500,000 to the Construction Subfund of the Transportation Trust Fund.
- (2) \$30,000,000 to the Jean Boudreaux Settlement Compromise Fund.
- (3) \$33,000,000 to the Hurricane Ida Recovery Fund, established in proposed law.
- (4) \$15,000,000 to the Fiscal Year 2022-2023 Louisiana Tourism Revival Fund, established in proposed law.

- (5) \$50,000,000 to the Construction Subfund Preservation Account.

Proposed law transfers the following amounts from the La. Rescue Plan Fund in the current fiscal year:

- (1) \$25,000,000 to the Workforce Training Rapid Response Fund for expanding healthcare workforce training programs in FY23.
- (2) \$500,000 to the Small Business Innovation Recruitment Fund, if HB 795 of the 2022 R.S. becomes law.
- (3) \$150,000 to the Small Business Innovation Fund, if HB 796 of the 2022 R.S. becomes law.
- (4) \$1,105,000 to the Small Business Innovation Retention Fund, if HB 786 of the 2022 R.S. becomes law.
- (5) \$450,000,000 to the Water Sector Fund.
- (6) \$27,000,000 to the Early Childhood Supports and Services Program Fund, established in proposed law.
- (7) \$23,699,098 to the Matching Funds Fund, established in proposed law.
- (8) \$8,020,902 to the Rural Primary Care Physicians Development Fund, established in proposed law.
- (9) \$3,000,000 to the Continuum of Care Fund, established in proposed law, if HB 909 of the 2022 R.S. becomes law.

Proposed law transfers the following amounts from statutorily dedicated funds in the current fiscal year as follows:

- (1) \$3,250,965 from the Conservation Fund to the Oyster Resource Management Account.
- (2) \$86,741,864 from the Louisiana Coronavirus Capital Projects Fund to the Granting Unserved Municipalities Broadband Opportunities (GUMBO) Fund.
- (3) \$805,843 from the Louisiana Main Street Recovery Rescue Plan Fund to the Louisiana Rescue Plan Fund.
- (4) \$134,832 from the Conservation Fund into the Crab Development, Management, and Derelict Crab Trap Removal Account.

Present law (R.S. 39:100.52) establishes the Water Sector Fund and provides for uses of monies in the fund, including for repairs and improvements necessitated by storm water as provided in the Water Sector Program. Proposed law repeals the authority to use Water Sector Fund monies for repairs and improvements necessitated by storm water. Further establishes the Engineering Fee Subfund within the Water Sector Fund for grant funding to certain political subdivisions for engineering fees arising out of application to the Water Sector Program. Requires approval of the Water Sector Commission for monies to be spent from the subfund.

Proposed law (R.S. 39:100.65) establishes the Special Education Classroom Monitoring Fund and provides for use of monies in the fund for the instillation of cameras in classrooms as provided in present law (R.S. 17:1948 and 3996(B)(65)).

Present law (R.S. 39:100.71) establishes the Blue Tarp Fund and requires the division of administration, office of community development to develop a plan and promulgate rules for the distribution of funds. Proposed law changes this to the La. Housing Corp.

Proposed law (R.S. 39:100.123) establishes Construction Subfund Preservation Account within the Construction Subfund of the Transportation Trust Fund. Authorizes the Dept. of Transportation and Development to use monies in the fund solely for the direct costs associated with actual project delivery, construction, and maintenance of highway and bridge preservation projects approved by the Joint Legislative Committee on the Budget.

Proposed law (R.S. 39:100.124) establishes the Matching Funds Fund and provides for deposit and use of monies in the fund. Authorizes the Dept. of Environmental Quality to use an aggregate amount up to \$10,020,300 of the monies initially deposited into the fund for matching funds for the Clean Water State Revolving Fund established pursuant in present law. Further authorizes the La. Dept. of Health to use an aggregate amount up to \$13,678,798 of the monies initially deposited into the fund for matching funds for the Drinking Water Revolving Loan Fund established pursuant to present law.

Proposed law (R.S. 39:100.125) establishes Early Childhood Supports and Services Program Fund and provides for deposit and use of American Rescue Plan Act monies in the fund. Authorizes the La. Dept. of Health to use monies in the fund for its Early Childhood Supports and Service Program. Provides that until Dec. 1, 2024, unexpended and unencumbered monies in the fund at the end of the fiscal year remain in the fund. Further directs the state treasurer to transfer any unexpended and unencumbered monies in the fund on December 1, 2024, and any interest attributable to such funds, to the Louisiana Rescue Plan Fund. Provides that proposed law terminates on Dec. 31, 2026.

Proposed law (R.S. 39:100.146) establishes the Rural Primary Care Physicians Development Fund and provides for deposit and use of American Rescue Plan Act monies in the fund. Authorizes the La. Dept. of Health to use monies in the fund for Health Professional Development Program established in present law. Provides that until Dec. 1, 2024, unexpended and unencumbered monies in the fund at the end of the fiscal year remain in the fund. Further directs the state treasurer to transfer any unexpended and unencumbered monies in the fund on Dec. 1, 2024, and any interest attributable to such funds, to the Louisiana Rescue Plan Fund. Provides that proposed law terminates on Dec. 31, 2026.

Proposed law (R.S. 39:100.171) establishes the Hurricane Ida Recovery Fund to be used to assist in repairing structural damage caused by the 2021 hurricane season in South La. Requires monies in the fund to be used to make full or partial payments to political subdivisions, including school boards, that suffered property loss or damage caused by Hurricane Ida and were not fully compensated for such property loss or damage by insurance and other federal and state disaster resources. Further requires any payment to a political subdivision made from the fund to be applied by the governing authority of the political subdivision to the cost of repair or replacement of the damaged property. Authorizes up to three percent of the initial deposit into the fund to be retained by the state treasurer for administrative expenses. Requires JLCB approval of policies developed by the treasurer for implementation and administration of the program. Authorizes the treasurer to enter into consulting, professional, and IT services contracts for the program without regard to the La. Procurement code.

Proposed law (R.S. 39:100.181) establishes the Continuum of Care Fund and provides for deposit and use of American Rescue Plan Act monies in the fund. Authorizes the Dept. of Children and Family Services to use monies in the fund for continuum of care initiatives. Provides that until Dec. 1, 2024, unexpended and unencumbered monies in the fund at the end of the fiscal year remain in the fund. Further directs the state treasurer to transfer any unexpended and unencumbered monies in the fund on Dec. 1, 2024, and any interest attributable to such funds, to the Louisiana Rescue Plan Fund. Provides that proposed law terminates on Dec. 31, 2026.

Proposed law (R.S. 39:100.191) establishes the Fiscal Year 2022-2023 Louisiana Tourism Revival Fund and provides for deposit and administration of monies in the fund. Requires monies in the fund to be used to provide grants to local and regional tourist commissions for marketing and promoting Louisiana as a tourism destination for in-state and out-of-state travel activity.

Effective upon signature of governor or lapse of time for gubernatorial action, except that transfers in the next fiscal year are effective July 1, 2022.

(Amends R.S. 39:100.52(C), 100.71(D); Adds R.S. 39:100.52(D), 100.65, 100.123, 100.124, 100.125, 100.146, 100.171, 100.181, 100.191)