AN ACT

To amend and reenact R.S. 28:826, relative to the Community and Family Support System Fund; to change the name of the fund from the Community and Family Support System Fund to the Disability Services Fund; to provide for the purposes of the Disability Services Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 28:826 is hereby amended and reenacted to read as follows:

§826. Community and Family Support System Disability Services Fund

A. There is hereby created, as a special fund in the state treasury, the Community and Family Support System Disability Services Fund, hereafter sometimes referred to as "the fund."

B.(1) Notwithstanding any other provision of law to the contrary, after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all of the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay deposit into the fund an amount equal to the amount collected by the state attributable to the sale or lease of all or part of any movable and immovable property previously operated by the office for citizens with developmental disabilities within the Louisiana Department of Health, and the...
proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a), and the proceeds of the taxes levied pursuant to R.S. 47:9105(A) and (B).

(2)(a) The state treasurer shall establish separate accounts within the fund.

(b) The state treasurer shall deposit monies attributable to the collections by the state for the sale or lease of all or part of any movable and immovable property previously operated by the office for citizens with developmental disabilities within the Louisiana Department of Health into a separate account within the fund.

(c) The state treasurer shall deposit one-half of the monies attributable to the proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a) into a separate account within the fund.

(d) The state treasurer shall deposit one-half of the monies attributable to the proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a) and the proceeds of the taxes levied pursuant to R.S. 47:9105(A) and (B) into a separate account within the fund.

(2)(3) Monies appropriated from the fund shall be used solely as provided by Subsections C and D of this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in remaining in the separate accounts of the fund at the end of the fiscal year shall remain in the separate accounts of the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund, and interest earned on the investment of these monies shall be credited to the fund following compliance with the requirements of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund and allocated to each separate account on a pro rata basis.

C.(1) Subject to annual appropriation by the legislature, the monies in the Community and Family Support System Fund The legislature shall appropriate monies from the separate accounts of the fund as follows:

(a) The account containing the monies attributable to the collections by
the state for the sale or lease of all or part of any movable and immovable property previously operated by the office for citizens with developmental disabilities within the Louisiana Department of Health shall be used solely to improve the capacity of the state to meet the varying and complex needs of individuals with developmental disabilities, with emphasis on increasing the number of recipients of waiver services and no less than fifty percent of the proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a) deposited into the fund shall be used to provide funding for the Early Steps intervention program for infants and toddlers with disabilities and their families as established in R.S. 28:461 et seq.

(b) The account containing the monies attributable to one-half of the proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a) shall be used solely to provide funding for the Early Steps intervention program for infants and toddlers with disabilities and their families as established in R.S. 28:461 et seq.

(c) The account containing the monies attributable to one-half of the proceeds of the fee assessed pursuant to the provisions of R.S. 40:1046(H)(8)(a) and the proceeds of the taxes levied pursuant to R.S. 47:9105(A) and (B) shall be used solely to support and enhance developmental disabilities services within the Medicaid program or the Office for Citizens with Developmental Disabilities, or its successor.

(2) The monies in the fund shall not be used to displace, replace, or supplant appropriations from the state general fund for the state and Medicaid community-based developmental services below the amount of state general fund appropriations for the 2006-2007 Fiscal Year.

(D) For the purposes of this Section "waiver services" means Medicaid services provided under the New Opportunities Waiver, the Children's Choice Waiver, or any other Medicaid home and community-based waiver for persons with developmental disabilities as promulgated by rule by the Louisiana Department of Health.
Section 2. The Louisiana State Law Institute is hereby directed to change the name of the Community and Family Support System Fund to the Disability Services Fund wherever it may appear in law.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: ______________