

GREEN SHEET REDIGEST

HB 409

2016 Regular Session

Henry

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

DIGEST

Hospital Lease Payments

Proposed law directs the LSU Health Science Center - Health Care Services Division and the LSU Health Sciences Centers - New Orleans and Shreveport to deposit into the state general fund all public/private partnership hospital and hospital equipment lease payments net of clinic and hospital lease payments made by the division.

Proposed law requires the health care services division to transfer to the Department of Health and Hospitals, or its successor, all revenues receive from the public private partnership hospitals for the provision of accountable care services.

Deepwater Horizon Economic Damages Collection Fund

Relative to the Deepwater Horizon Economic Damages Collection Fund provides that after allocation of monies to the Bond Security and Redemption Fund and prior to any other allocations, the treasurer shall follow present law provisions relative to distribution of the funds and requires that all settlement proceeds received by the state shall be reported to the Joint Legislative Committee on the Budget (JLCB).

Shreveport Riverfront Convention Center and Independence Stadium

Provides for allocation of a portion of the proceeds from the Shreveport Riverfront Convention Center and Independence Stadium Fund to Pamoja Arts Society and Rho Omega and Friends, Inc.

Procurement of Private Contractual Legal Services for State Agencies

Relative to procurement of private contractual legal services for state agencies, adds secretary of state as one of several agencies exempted from such provisions.

Department of Justice Legal Support Fund

Relative to the Department of Justice Legal Support Fund, provides that the fund shall be comprised of proceeds recovered from any source by the attorney general which revenues are recommended for deposit into the fund, with certain exceptions. Further provides that transfers into the fund in each fiscal year shall not exceed \$10 million.

The balance in the Department of Justice Legal Support Fund shall not exceed \$10 million and any proceeds received after deposits into the fund reach \$10 million shall be deposited into the state general fund. The attorney general shall notify the state treasurer, JLCB, and the commission of administration immediately upon receipt of any proceeds received.

Deletes provisions of the Department of Justice Legal Support Fund relative to certain uses of monies in the fund. Repeals provisions relative to replenishment of the fund to bring the balance to \$10 million each fiscal year. Also prohibits deposit of proceeds from judgments, settlements, or recoveries from litigation or arising from the Deepwater Horizon incident, including but not limited to litigation expenses, assessment costs, court costs or attorney's fees.

Sex Offender Registry Technology Fund

Present law requires the annual remaining balance in the Sex Offender Registry Technology Fund as of June 15 be distributed to the recipient sheriffs who are actively registering offenders.

Proposed law changes the date from June 15 to 30 days after the Revenue Estimating Conference (REC) recognizes the prior year-end balance.

Prior Year Fund Transfers

Proposed law nullifies any fund transfers that have not occurred by July 1, 2016 contained in the "fund transfer" bills of the 2011 through 2015 Regular Sessions and any fund transfers approved by the Joint Legislative Committee on the Budget as part of a mid-year deficit reduction.

Proposed law directs the treasurer to transfer the excess High Risk Pool Funds to the Mega-Project Development Fund upon cessation of the Health Plan Board by March 1, 2016 as provided by law.

Proposed law directs that upon receipt of any monies received by the state as a result of claims involving the Deepwater Horizon incident, the attorney general shall notify the state treasurer, JLCB, and the commissioner of administration. Specifies various BP monies which shall be transferred and the funds to which such monies shall be transferred. Additionally, provides upon signature of the governor of this Act, the treasurer shall reverse any prior transfers to the attorney general of settlement dollars associated with the BP 30-day settlement or 60-day settlement.

Proposed law requires that when the Revenue Department prevails in any suit associated with monies paid under protest and held in escrow, the proceeds shall be transferred to the state general fund.

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

(Amends R.S. 39:91(A), R.S. 47:302.2(C)(1)(b), and R.S. 49:258(3), and C.Cr.P. Art. 895.1(F)(3)(e); adds R.S. 17:1519.6(E); repeals R.S. 49:259(C)(3))

Summary of Amendments Adopted by House

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

1. Delete proposed law changes to the Sex Offender Registry Technology Fund.
2. Specify that hospital and hospital equipment lease payments are net of clinic and hospital lease payments made by the Health Care Services Division.
3. Provide for the transfer of \$4,000,000 from the La. Housing Corp. to the Overcollections Fund.

The House Floor Amendments to the engrossed bill:

1. Add proposed law regarding the Sex Offender Registry Technology Fund and change the date the fund balance is distributed to the recipient sheriffs.
2. Delete proposed transfer of \$4,000,000 from the La. Housing Corp.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the reengrossed bill

1. Requires the health care services division to transfer to the Department of Health and Hospitals, or its successor, all revenues receive from the public private partnership hospitals for the provision of accountable care services.
2. Relative to the Deepwater Horizon Economic Damages Collection Fund provides that after allocation of monies to the Bond Security and Redemption Fund and prior to any other allocations, the treasurer shall follow present law provisions relative to distribution of the funds and requires that all settlement proceeds received by the state shall be reported to the Joint Legislative Committee on the Budget (JLCB).
3. Provides for allocation of a portion of the proceeds from the Shreveport Riverfront Convention Center and Independence Stadium Fund to Pamoja Arts Society and Rho Omega and Friends, Inc.
4. Relative to procurement of private contractual legal services for state agencies, adds secretary of state one of several agencies exempted from such provisions.
5. Relative to the Department of Justice Legal Support Fund, provides that the fund shall be comprised of proceeds recovered from any source by the attorney general which revenues are recommended for deposit into the fund, with certain exceptions. Further provides that transfers into the fund in each fiscal year shall not exceed \$10 million.
6. The balance in the Department of Justice Legal Support Fund shall not exceed \$10 million and any proceeds received after deposits into the fund reach \$10 million shall be deposited into the state general fund. The attorney general shall notify the state treasurer, JLCB, and the commission of administration immediately upon receipt of any proceeds received.
7. Deletes provisions of the Department of Justice Legal Support Fund relative to certain uses of monies in the fund. Repeals provisions relative to replenishment of the fund to bring the balance to \$10 million each fiscal year. Also prohibits deposit of proceeds from judgments, settlements, or recoveries from litigation or arising from the Deepwater Horizon incident, including but not limited to litigation expenses, assessment costs, court costs or attorney's fees.
8. Directs the treasurer to transfer the excess High Risk Pool Funds to the Mega-Project Development Fund upon cessation of the Health Plan Board by March 1, 2016 as provided by law.
9. Language directing that upon receipt of any monies received by the state as a result of claims involving the Deepwater Horizon incident, the attorney general shall notify the state treasurer, JLCB, and the commissioner of administration. Specifies various BP monies which shall be transferred and the funds to which such monies shall be transferred. Additionally, provides upon signature of the governor of this Act, the treasurer shall reverse any prior transfers to the attorney general of settlement dollars associated with the BP 30-day settlement or 60-day settlement.
10. Language which requires that when the Revenue Department prevails in any suit associated with monies paid under protest and held in escrow, the proceeds shall be transferred to the state general fund.