

SENATE BILL NO. 460

BY SENATOR LAFLEUR

1 AN ACT

2 To amend and reenact R.S. 39:372(A)(1), (D), and (E) and R.S. 49:320.1 and to enact R.S.
3 39:82(K) and 372(F) and (G), relative to state funds; to provide for the annual
4 reporting of cash accounts carried forward and the annual reporting of unexpended
5 fees and self-generated revenue; to provide relative to certain state depositories and
6 associated banking and checking accounts; to provide for reporting requirements
7 relative to such banking and checking accounts; to provide for an effective date; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 39:372(A)(1), (D), and (E) are hereby amended and reenacted and
11 R.S. 39:82(K) and 372(F) and (G) are hereby enacted to read as follows:

12 §82. Remission of cash balances to the state treasurer; authorized withdrawals of
13 state monies after the close of the fiscal year; **reports**

14 * * *

15 **K.(1) Notwithstanding any provision of law to the contrary, all**
16 **unexpended fees and self-generated revenues for which no bona fide liability**
17 **exists on the last day of each fiscal year, all unexpended appropriations made**
18 **by legislative act of fees and self-generated revenues or interagency transfers**
19 **appropriated from prior or current year collections, and all unexpended**
20 **appropriations made by legislative act of prior year self-generated revenues**
21 **authorized to be carried forward and available for appropriation, shall be**
22 **reported to the state treasurer on or before the fifteenth day following the last**
23 **day of the fiscal year.**

24 **(2) The state treasurer shall compile the information submitted pursuant**
25 **to Paragraph (1) of this Subsection into one report, and forward the report to**

1 the Joint Legislative Committee on the Budget for consideration at its
 2 September meeting.

3 (3) This Subsection shall apply to any state department, agency, or
 4 budget unit, even those which are not required to deposit funds in the state
 5 treasury pursuant to Article VII, Section 9(A) of the Constitution of Louisiana
 6 or R.S. 49:308.

7 * * *

8 §372. Powers; policies; reports

9 A.(1) The review board is hereby empowered to require all state agencies to
 10 submit a report of all banking and checking accounts and the balances in each. All
 11 banking and checking accounts opened or to be opened by state agencies must have
 12 the approval of the review board in writing for authorization for the account and the
 13 method of compensation. Quarterly, all state agencies shall report all banking
 14 and checking accounts and the balances in each account to the review board to
 15 be compiled into one report and forwarded to the Joint Legislative Committee
 16 on the Budget as further provided in Subsection D of this Section.

17 * * *

18 D. The review board shall make a written report to the legislature as the
 19 review board deems necessary prior to the beginning of each regular session of such
 20 recommendations for changes in cash management law and practices as deemed
 21 appropriate. In addition to the other reporting requirements of this Subsection,
 22 the review board shall quarterly make a written report to the Joint Legislative
 23 Committee on the Budget relative to the banking and checking accounts of all
 24 state agencies, as follows:

- 25 (1) The state depositing authority as defined in R.S. 49:319.
- 26 (2) The banking or checking account name, account type, and, if there
 27 is more than one account with the same name, the account number.
- 28 (3) The approval date for the banking or checking account and the name
 29 of the fiscal agent bank.
- 30 (4) The banking or checking account investments, interest earnings, and

1 fee payments.

2 (5) The account balance as of the beginning and the end of the quarter.

3 (6) The source of the funds in the account.

4 (7) The purpose of the banking or checking account.

5 (8) If a banking or checking account is closed during the quarter, the
 6 date of the closure, the balance of the account on the date of the closure, and
 7 documentation from the bank that the account has been closed.

8 E. The Joint Legislative Committee on the Budget shall hold a hearing
 9 on the number and types of banking or checking accounts, the need for the
 10 agency to have one or more banking or checking accounts, the source of funds
 11 and the balances in the banking or checking accounts, and whatever other
 12 information is deemed necessary by the chairman.

13 F. The Joint Legislative Committee on the Budget shall forward a copy
 14 of the reports that it receives from the review board, with whatever changes it
 15 deems necessary, to the Revenue Estimating Conference for its use in estimating
 16 fees and self-generated revenues for the official forecast.

17 G. The legislative auditor shall review each state agency's compliance with
 18 the review board's approved cash management policies and procedures. Any
 19 noncompliance shall be reported to the Legislative Audit Advisory Council and to
 20 the cash management review board.

21 Section 2. R.S. 49:320.1 is hereby amended and reenacted to read as follows:

22 §320.1. Notification upon opening banking accounts

23 Any state depositing authority which deposits state funds in a bank
 24 designated as a fiscal agent bank by the Interim Emergency Board shall provide
 25 written notice to the state treasurer **and the cash management review board** upon
 26 opening any type of account at the fiscal agent bank. The state treasurer shall
 27 annually provide a listing to the Joint Legislative Committee on the Budget of all
 28 accounts reported under these provisions. **The information the state treasurer**
 29 **reports herein shall be in addition to the report required pursuant to the**
 30 **provisions of R.S. 39:372(D).**

1 Section 3. This Act shall become effective upon signature by the governor or, if not
2 signed by the governor, upon expiration of the time for bills to become law without signature
3 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
4 vetoed by the governor and subsequently approved by the legislature, this Act shall become
5 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____