SLS 17RS-271 ORIGINAL

2017 Regular Session

SENATE BILL NO. 89

BY SENATOR FANNIN

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Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

APPROPRIATIONS. Provides for the limits of appropriations from state general fund and dedicated funds to ninety-eight percent of the official forecast unless certain conditions have been met. (7/1/17)

AN ACT

2 To amend and reenact R.S. 39:54(A), relative to appropriations; to provide that appropriations shall not exceed ninety-eight percent of the official forecast in effect 3 at the time the appropriations are made unless certain conditions have been met; and 4 5 to provide for related matters. 6 Be it enacted by the Legislature of Louisiana: 7 Section 1. R.S. 39:54(A) is hereby amended and reenacted to read as follows: 8 §54. Limitations on appropriations 9 A.(1) Appropriations Except as provided in Paragraph (2) of this 10 Subsection, appropriations by the legislature from the state general fund and 11 dedicated funds for any fiscal year shall not exceed **ninety-eight percent of** the official forecast in effect at the time the appropriations are made. Except as 12 13 otherwise provided by R.S. 39:75(E) and Paragraph (2) of this Subsection, appropriations by the legislature from any fund shall not exceed ninety-eight 14 percent of the official forecast of money available for appropriation from that fund 15

(2) The legislature may appropriate state general funds and dedicated

in effect at the time the appropriations are made.

when actual collections of state general funds and dedicated funds for a fiscal year reflect a fifty million dollar or more undesignated fund balance as reported to the Joint Legislative Committee on the Budget as provided in R.S. 39:75(A)(2) and certified by the commissioner of administration to the Joint Legislative Committee on the Budget as provided in R.S. 39:75(A)(3)(a) for three consecutive years.

(2)(3) Financing from any existing statutorily dedicated fund for appropriations other than the fund's intended statutory purpose shall be limited to the prior fiscal year's fund balance and shall not include anticipated fund balances for the ensuing fiscal year unless otherwise provided by law.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST 2017 Regular Session

Fannin

<u>Present law</u> limits appropriations by the legislature by providing that appropriations from the state general fund and dedicated funds for any fiscal year shall not exceed the official forecast in effect at the time the appropriations are made. <u>Present law</u> further provides that except as otherwise provided by R.S. 39:75(E), appropriations by the legislature from any fund shall not exceed the official forecast of money available for appropriation from that fund in effect at the time the appropriations are made.

<u>Proposed law</u> revises <u>present law</u> by providing that appropriations from the state general fund and dedicated funds for any fiscal year shall not exceed 98% of the official forecast in effect at the time the appropriations are made when actual collections of state general funds and dedicated funds for a fiscal year reflect a fifty million dollar or more undesignated fund balance as reported to the Joint Legislative Committee on the Budget as provided in R.S. 39:75(A)(2) and certified by the commissioner of administration to the Joint Legislative Committee on the Budget as provided in R.S. 39:75(A)(3)(a) for three consecutive years.

Effective July 1, 2017.

SB 89 Original

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(Amends R.S. 39:54(A))