

2018 Regular Session

HOUSE BILL NO. 833

BY REPRESENTATIVE JAY MORRIS

FUNDS/FUNDING: Provides for reduction to revenues into certain statutory funds

1 AN ACT

2 To amend and reenact R.S. 3:277 and 4411(B), R.S. 11:544(B)(3)(a), R.S.

3 22:347(A)(introductory paragraph), 835(C) and (D), and 1476(A)(2), R.S.

4 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a) and (4), and (C)(7),

5 437(B)(2)(a), and 439(A), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S.

6 40:1547(B) and 1582(E), R.S. 47:318(B)(1), 841(G)(2), and 841.1(A), and R.S.

7 51:2315(A), and to enact R.S. 39:100.151, relative to dedications of state revenue;

8 to provide for a reduction to the revenue deposited into certain treasury funds; to

9 establish the TOPS Stability Fund as a special treasury fund; to provide for the

10 deposit, use, and investment of monies in the TOPS Stability Fund; to provide for an

11 effective date; and to provide for related matters.

12 Be it enacted by the Legislature of Louisiana:

13 Section 1. R.S. 3:277 and 4411(B) are hereby amended and reenacted to read as  
14 follows:

15 §277. Trust funds

16 Subject to the exceptions contained in Article VII, Section 9 of the

17 Constitution of Louisiana, all funds received by the authority shall be deposited

18 immediately upon receipt in the state treasury and shall be credited to the Bond

19 Security and Redemption Fund. After a sufficient amount is allocated from the fund

20 to pay all obligations secured by the full faith and credit of the state which become

1 due and payable within any fiscal year, the state treasurer, prior to placing the  
 2 remaining funds in the state general fund, shall pay an amount equal to fifty percent  
 3 of the total amount of funds paid into the state treasury by the authority into the  
 4 TOPS Stability Fund and an amount equal to fifty percent of the total amount of  
 5 funds paid into the state treasury by the authority into a special fund which is hereby  
 6 created in the state treasury and designated as the Louisiana Agricultural Finance  
 7 Authority Fund. The monies in the Louisiana Agricultural Finance Authority Fund  
 8 shall be used solely for the programs and purposes of the authority and only in the  
 9 amount appropriated each year to the authority by the legislature. All unexpended  
 10 and unencumbered monies in the fund at the end of the fiscal year shall remain in the  
 11 fund. The monies in the fund shall be invested by the state treasurer in the same  
 12 manner as monies in the state general fund. All interest earned from the investment  
 13 of the monies in the Louisiana Agricultural Finance Authority Fund shall be  
 14 deposited in that fund.

\* \* \*

15 §4411. Forestry Productivity Fund; disposition of funds

16 \* \* \*

17  
 18 B. After compliance with the requirements of Article VII, Section 9(B) of  
 19 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
 20 and prior to monies being placed in the state general fund, ~~an~~ fifty percent of the  
 21 ~~amount equal to that~~ amount equal to that deposited as required by Subsection A of this Section shall be  
 22 deposited into the TOPS Stability Fund and fifty percent of the amount deposited as  
 23 required by Subsection A of this Section shall be credited to a special fund hereby  
 24 created in the state treasury to be known as the Forestry Productivity Fund. The  
 25 monies in ~~this~~ the Forestry Productivity Fund ~~fund~~ shall be used solely as provided  
 26 in Subsection C of this Section and only in the amounts appropriated by the  
 27 legislature. All unexpended and unencumbered monies in ~~this fund~~ the Forestry  
 28 Productivity Fund at the end of the fiscal year shall remain in the fund. The monies  
 29 in ~~this fund~~ the Forestry Productivity Fund shall be invested by the state treasurer in

1 the same manner as monies in the state general fund and interest earned on the  
2 investment of these monies shall be credited to ~~this fund~~ the Forestry Productivity  
3 Fund, again, following compliance with the requirement of Article VII, Section 9(B)  
4 relative to the Bond Security and Redemption Fund.

5 \* \* \*

6 Section 2. R.S. 11:544(B)(3)(a) is hereby amended and reenacted to read as follows:

7 §544. Department of Revenue Alcohol and Tobacco Control Officers Fund

8 \* \* \*

9 B.

10 \* \* \*

11 (3)(a) Beginning with the 2007-2008 Fiscal Year and for each fiscal year  
12 thereafter, and after allocation of money to the Bond Security and Redemption Fund  
13 as provided in Article VII, Section 9(B) of the Constitution of Louisiana and until  
14 the actuarially accrued liability referenced in Subsection D of this Section has been  
15 fully satisfied, the treasurer shall deposit on a monthly basis fifty percent of a sum  
16 which would otherwise be allocated to the Tobacco Regulation Enforcement Fund,  
17 pursuant to R.S. 47:841(F), in and credit to into the TOPS Stability Fund and the  
18 treasurer shall deposit on a monthly basis fifty percent of a sum which would  
19 otherwise be allocated to the Tobacco Regulation Enforcement Fund, pursuant to  
20 R.S. 47:841(F) into the fund, in the fund on a monthly basis a sum which would  
21 otherwise be allocated to the Tobacco Regulation Enforcement Fund, pursuant to  
22 R.S. 47:841(F); for the use of the Department of Revenue, office of alcohol and  
23 tobacco control.

24 \* \* \*

25 Section 3. R.S. 22:347(A)(introductory paragraph), 835(C) and (D), and 1476(A)(2)  
26 are hereby amended and reenacted to read as follows:

27 §347. Disposition of tax money

28 A. Fifty percent of the monies ~~Monies~~ collected under R.S. 22:342 through  
29 349, after being first credited to the Bond Security and Redemption Fund in



1 appropriated by the legislature. The ~~fund~~ Louisiana Fire Marshal Fund shall be  
2 administered by the assistant secretary of the office of fire marshal of public safety  
3 services.

4 \* \* \*

5 §1476. Assessments against insurers; dedications

6 A.

7 \* \* \*

8 (2) An amount equal to two and one-fourth hundredths of one percent of the  
9 gross direct premiums received in this state, in the preceding year; two and thirty-  
10 seven hundredths of one percent of the direct gross premiums received in this state,  
11 in the year 2001; and two and one-half hundredths of one percent of the direct gross  
12 premiums received in the state, in the year 2003 and every year thereafter by insurers  
13 doing business in this state and subject to this Subpart, less returned premiums shall  
14 be deposited by the commissioner of insurance with the state treasurer, fifty percent  
15 to be credited to the TOPS Stability Fund and fifty percent to be credited to a special  
16 fund created in the state treasury entitled the Municipal Fire and Police Civil Service  
17 Operating Fund, hereinafter known as the "fund". Subject to an annual appropriation  
18 by the legislature pursuant to the provisions of R.S. 33:2480 and 2540, monies in the  
19 fund shall be used solely to support the operations of the office of state examiner,  
20 Municipal Fire and Police Civil Service. Monies in the fund shall be invested by the  
21 treasurer in the same manner as monies in the state general fund and interest earned  
22 on investment of these monies shall be credited to the state general fund. All  
23 unexpended and unencumbered monies in the fund at the end of the fiscal year shall  
24 revert to the state general fund.

25 \* \* \*

26 Section 4. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a) and  
27 (4), and (C)(7), 437(B)(2)(a), and 439(A) are hereby amended and reenacted to read as  
28 follows:

1 §27.1. Uniform compulsive and problem gambling program

2 \* \* \*

3 F. In any proceeding brought against any licensee, permittee or casino  
4 gaming operator and any employee thereof for a willful violation of the self-  
5 exclusion rules of the board, the board may order the forfeiture of any money or  
6 thing of value obtained by the licensee or the casino gaming operator from any self-  
7 excluded person. ~~Any~~ Fifty percent of any money or thing of value so forfeited shall  
8 be deposited into the TOPS Stability Fund. The remaining fifty percent of any  
9 money or thing of value so forfeited shall be deposited into the Compulsive and  
10 Problem Gaming Fund established pursuant to R.S. 28:842.

11 \* \* \*

12 §92. Collection and disposition of fees

13 \* \* \*

14 B.

15 \* \* \*

16 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
17 the state treasurer shall, each fiscal year, credit the following amounts to the  
18 following funds:

19 (a)(i) ~~One percent~~ One-half of one percent, not to exceed five hundred  
20 thousand dollars, to the Compulsive and Problem Gaming Fund established by R.S.  
21 28:842 and one-half of one percent to the TOPS Stability Fund.

22 (ii) Fifty percent of the amounts of winnings withheld and remitted in  
23 accordance with R.S. 27:85(B)(2), ~~which~~ shall be deposited into the Compulsive and  
24 Problem Gaming Fund provided for in R.S. 28:842 and fifty percent of the amounts  
25 of winnings withheld and remitted shall be deposited into the TOPS Stability Fund.

26 (b)(i) Except as provided in Item (ii) of this Subparagraph, the franchise fee  
27 paid pursuant to R.S. 27:91(C)(1) to the state general fund.

28 (ii) Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which  
29 is attributable to any riverboat gaming licensee which pays additional franchise fees

1           pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education  
2           in Louisiana First Fund as provided in R.S. 17:421.7.

3                   (iii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2) which  
4           is attributable to any riverboat gaming licensee which pays additional franchise fees  
5           pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education  
6           in Louisiana First Fund as provided in R.S. 17:421.7.

7                   (iv) The franchise fees paid pursuant to R.S. 27:91(C)(2) through (4) to the  
8           Support Education in Louisiana First Fund as provided in R.S. 17:421.7.

9                   (c) To a special fund, which is hereby created in the state treasury and  
10          entitled the Riverboat Gaming Enforcement Fund, ~~an~~ fifty percent of the amount  
11          ~~equal to the~~ of revenues received by the state pursuant to this Chapter, less any  
12          monies credited to other funds pursuant to the provisions of Subparagraphs (a) and  
13          (b) of this Paragraph. The remaining fifty percent of the amount of revenues  
14          received by the state pursuant to this Chapter, less any monies credited to the other  
15          funds pursuant to the provisions of Subparagraphs (a) and (b) of this Paragraph shall  
16          be deposited into the TOPS Stability Fund.

17   \*       \*       \*

18          §249. Compulsive gambling; posting information

19                   A. The corporation shall include the cost of the transfer of its monies to the  
20          state treasurer for deposit into the TOPS Stability Fund and the Compulsive and  
21          Problem Gaming Fund as required by R.S. 27:270(A)(2) as a budgeted item and  
22          expense of the corporation.

23   \*       \*       \*

24          §270. Deposit of revenues; expenditures and investments authorized; transfer of  
25          revenues to state treasury; corporation operating account; audit of  
26          corporation books and records; audits

27                   A.

28   \*       \*       \*

1           (2)(a) Quarterly, the corporation shall transfer to the state treasury one  
2 percent of its operating account, not to exceed five hundred thousand dollars per  
3 fiscal year. These monies shall first be credited to the Bond Security and  
4 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
5 of Louisiana. Thereafter, the state treasurer shall deposit fifty percent of the monies  
6 into the TOPS Stability Fund and fifty percent of the monies into the Compulsive  
7 and Problem Gaming Fund established by R.S. 28:842.

8           (b) Quarterly, the corporation shall transfer to the state treasury the amount  
9 of revenues withheld and remitted in accordance with R.S. 27:260(D). Fifty percent  
10 of the revenues transferred pursuant to this Subparagraph shall be deposited into the  
11 TOPS Stability Fund and fifty percent of the revenues shall be deposited for deposit  
12 into the Compulsive and Problem Gaming Fund provided for in R.S. 28:842 ~~the~~  
13 ~~amount of revenues withheld and remitted in accordance with R.S. 27:260(D).~~

14           (3)(a) Daily, the corporation shall transfer to the state treasury for deposit  
15 into certain funds in the treasury, as provided in this Paragraph, the amount of net  
16 revenues which the corporation determines are surplus to its needs. After first being  
17 credited to the Bond Security and Redemption Fund in accordance with Article VII,  
18 Section 9(B) of the Constitution of Louisiana, and after satisfying any other  
19 requirements of the Constitution and laws of Louisiana, such net revenues shall be  
20 deposited as follows:

21           (i) In each year for which the Joint Legislative Committee on the Budget  
22 disapproves or does not act upon the amount of the casino support services contract  
23 as provided in R.S. 27:247 and no monies are deposited in and credited to the Casino  
24 Support Services Fund:

25           (aa) Ten percent shall be deposited in and credited to the Support Education  
26 in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and  
27 exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.

28           (bb) Ninety percent shall be deposited in and credited to the Support  
29 Education in Louisiana First Fund as provided in R.S. 17:421.7.



1 (ii) In each year for which the Joint Legislative Committee on the Budget  
2 approves the amount of the casino support services contract as provided in R.S.  
3 27:247:

4 (aa) The first ~~one million eight~~ nine hundred thousand dollars shall be  
5 deposited in and credited to the Casino Support Services Fund and the next nine  
6 hundred thousand dollars shall be deposited in and credited to the TOPS Stability  
7 Fund.

8 (bb) The next sixty million dollars shall be deposited in and credited to the  
9 Support Education in Louisiana First Fund as provided in R.S. 17:421.7.

10 (cc) After satisfying the requirements of Subitems (aa) and (bb) of this Item,  
11 monies shall be deposited into the Casino Support Services Fund until the casino  
12 support services contract is fully funded for that year.

13 (dd) After satisfying the requirements of Subitem (cc) of this Item, the  
14 remainder of the monies shall be deposited in and credited to the Support Education  
15 in Louisiana First Fund as provided for in R.S. 17:421.7.

16 \* \* \*

17 §392. Collection and disposition of fees and taxes

18 \* \* \*

19 B.

20 \* \* \*

21 (2)(a) After complying with the provisions of Paragraph (1) of this  
22 Subsection, the state treasurer shall, each fiscal year, credit ~~one~~ one-half of one  
23 percent from the combined net slot machine proceeds collected by the state from  
24 each licensed facility, not to exceed five hundred thousand dollars, to the  
25 Compulsive and Problem Gaming Fund established by R.S. 28:842 and deposit one-  
26 half of one percent from the combined net slot machine proceeds collected by the  
27 state from each licensed facility into the TOPS Stability Fund. After crediting such  
28 proceeds to the Compulsive and Problem Gaming Fund and the TOPS Stability  
29 Fund, the state treasurer shall, each fiscal year, credit fifty percent of the remainder

1 of all taxes generated pursuant to R.S. 27:393 and fifty percent of all fines and other  
2 monies collected by the division into the TOPS Stability Fund and fifty percent of  
3 all fines and other monies collected by the division into ~~to~~ a special fund which is  
4 hereby created in the state treasury and entitled the "Pari-mutuel Live Racing Facility  
5 Gaming Control Fund", hereinafter referred to as the "Gaming Control Fund".

6 \* \* \*

7 (4) After complying with the provisions of Paragraphs (1) through (3) of this  
8 Subsection, the state treasurer shall, each fiscal year, credit a total of ~~twelve~~ six  
9 million dollars from the combined taxable net slot machine proceeds collected by the  
10 state from each licensed eligible facility, as defined herein, to the TOPS Stability  
11 Fund and credit a total of six million dollars from the combined taxable net slot  
12 machine proceeds collected by the state from each licensed eligible facility, as  
13 defined herein, to the fund previously established by R.S. 3:277. These proceeds  
14 shall be expended, utilizing any or all powers granted to the Louisiana Agricultural  
15 Finance Authority, including the funding or securing of revenue bonds, exclusively  
16 for meeting the needs of the Boll Weevil Eradication program and other agricultural,  
17 agronomic, horticultural, silvicultural or aquacultural, industrial, or economic  
18 development programs.

19 \* \* \*

20 C. Notwithstanding the provisions of Subsection B of this Section to the  
21 contrary and after complying with the provisions of Paragraphs (1) through (3) of  
22 Subsection B of this Section, the state treasurer shall in each fiscal year deposit and  
23 credit the remaining portion of taxable net slot machine proceeds collected from the  
24 licensed eligible facility in Orleans Parish as follows:

25 \* \* \*

26 (7) After making the deposits as required by Paragraphs (1) through (6) of  
27 this Subsection, the state treasurer shall deposit in and credit fifty percent of the  
28 remaining amount to the New Orleans Sports Franchise Assistance Fund which is  
29 hereby created in the state treasury and which for purposes of this Paragraph shall

1 be known as the "assistance fund" and fifty percent of the remaining amount into the  
 2 TOPS Stability Fund. Monies in the assistance fund shall be appropriated and  
 3 distributed each fiscal year to the Louisiana Stadium and Exposition District for use  
 4 only to fund contractual obligations of the state to any National Football League or  
 5 National Basketball Association franchise located in Orleans Parish. Monies in the  
 6 assistance fund shall be invested in the same manner as monies in the state general  
 7 fund. Interest earned on the investment of monies in the assistance fund shall be  
 8 credited to the assistance fund. Unexpended and unencumbered monies in the  
 9 assistance fund at the end of the fiscal year shall remain in the assistance fund.

10 \* \* \*

11 §437. Video Draw Poker Device Fund; distribution and expenditure

12 \* \* \*

13 B.

14 \* \* \*

15 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
 16 the state treasurer shall, each fiscal year, credit the following amounts to the  
 17 following special funds:

18 (a) ~~One percent~~ One-half of one percent, not to exceed two hundred fifty  
 19 thousand dollars, to the TOPS Stability Fund and one-half of one percent, not to  
 20 exceed ~~five hundred~~ two hundred fifty thousand dollars, to the Compulsive and  
 21 Problem Gaming Fund established by R.S. 28:842.

22 \* \* \*

23 §439. Video Draw Poker Device Purse Supplement Fund; distribution and  
 24 expenditure

25 A. Funds specified pursuant to the provisions of R.S. 27:435(D)(4) shall be  
 26 forwarded by the division to the state treasurer for immediate deposit in the state  
 27 treasury. The funds so deposited shall first be credited to the Bond Security and  
 28 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
 29 of Louisiana. Thereafter, the state treasurer shall, each fiscal year, credit an amount



1 §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and  
2 Gaming Control Assistance District

3 \* \* \*

4 E. Tax.

5 \* \* \*

6 (3) The district is specifically authorized to transfer to the state such amounts  
7 as are necessary to address the policies established by this Chapter and Chapter 7 of  
8 Title 27 of the Louisiana Revised Statutes of 1950. Specifically (a) the district shall  
9 transfer one-fourth of the net proceeds of such tax to the state and the state treasurer  
10 is directed to deposit fifty percent of any such amount received in into the TOPS  
11 Stability Fund and fifty percent of any such amount received into the Pari-mutuel  
12 Live Racing Facility Gaming Control Fund to be administered and expended as  
13 provided in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths  
14 of the net proceeds of such tax to the state and the state treasurer is directed to  
15 deposit any such amount into the state general fund; however, five percent of the  
16 total proceeds transferred to the state shall be deposited in the Bossier Educational  
17 Excellence Fund.

18 \* \* \*

19 §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and  
20 Gaming Control Assistance District

21 \* \* \*

22 E. Tax.

23 \* \* \*

24 (3) The district is specifically authorized to transfer to the state such amounts  
25 as are necessary to address the policies established by this Chapter and Chapter 7 of  
26 Title 27 of the Louisiana Revised Statutes of 1950. Specifically: the district shall  
27 transfer one-fourth of the net proceeds of such tax to the state, and the state treasurer  
28 is directed to deposit fifty percent of any such amount received in into the TOPS  
29 Stability Fund and fifty percent of any such amount received into the Pari-mutuel

1 Live Racing Facility Gaming Control Fund to be administered and expended as  
2 provided in R.S. 27:392(B)(1) and (2); and the district shall transfer three-fourths of  
3 the net proceeds of such tax to the state, and the state treasurer is directed to deposit  
4 any such amount into the state general fund. However, five percent of the total  
5 proceeds transferred to the state shall be deposited in the Calcasieu Parish Excellence  
6 Fund created by R.S. 27:392(B)(3)(c).

7 \* \* \*

8 Section 6. R.S. 39:100.151 is hereby enacted to read as follows:

9 §100.151. TOPS Stability Fund

10 A. There is hereby established in the state treasury, as a special fund, the  
11 TOPS Stability Fund, hereinafter referred to as the "fund".

12 B. The source of monies deposited into the fund shall be any monies  
13 appropriated annually by the legislature including donations, gifts, grants, or any  
14 other monies which may be provided by law. All unexpended and unencumbered  
15 monies in the fund at the end of the fiscal year shall remain in the fund. The monies  
16 in the fund shall be invested by the state treasurer in the same manner as monies in  
17 the state general fund, and interest earned on the investment of monies shall be  
18 credited to the fund.

19 C. The monies in the fund shall be appropriated and used solely to provide  
20 funding for the Taylor Opportunity Program for Students, also known as TOPS.

21 Section 7. R.S. 40:1547(B) and 1582(E) are hereby amended and reenacted to read  
22 as follows:

23 §1547. Louisiana State University Firemen Training Program Film Library Fund;  
24 creation

25 \* \* \*

26 B. Out of the funds remaining in the Bond Security and Redemption Fund  
27 after a sufficient amount is allocated to pay all obligations secured by the full faith  
28 and credit of the state which become due and payable within a fiscal year, the  
29 treasurer in each fiscal year, shall pay the sum of twenty-five thousand dollars to the



1 state general fund. All unencumbered and unexpended monies in the fund at the end  
2 of each fiscal year shall remain in the fund.

3 \* \* \*

4 §841. Imposition of tax

5 \* \* \*

6 G.

7 \* \* \*

8 (2) After compliance with the requirements of Article VII, Section 9(B) of  
9 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
10 and after a sufficient amount is allocated from that fund to pay all of the obligations  
11 secured by the full faith and credit of the state which become due and payable within  
12 any fiscal year, the state treasurer shall annually deposit ~~into the fund~~ an amount  
13 equal to fifty percent of the avails of one-quarter of one-twentieth of one cent per  
14 cigarette from the tax on cigarettes imposed pursuant to this Section into the TOPS  
15 Stability Fund and an amount equal to fifty percent of the avails of one-quarter of  
16 one-twentieth of one cent per cigarette from the tax on cigarettes imposed pursuant  
17 to this Section into the Tobacco Regulation Enforcement Fund. Monies in the fund  
18 shall be subject to appropriation by the legislature and then only to the office of  
19 alcohol and tobacco control for purposes of tobacco regulation enforcement. All  
20 unexpended and unencumbered monies in the fund shall be invested by the state  
21 treasurer in the same manner as monies in the state general fund, and all earnings on  
22 investment of the fund shall be deposited into the fund.

23 \* \* \*

24 §841.1. Tobacco Tax Health Care Fund

25 A. There is hereby created as a special fund in the state treasury the  
26 "Tobacco Tax Health Care Fund", hereinafter referred to as the "fund". After  
27 compliance with the requirements of Article VII, Section 9(B) of the Constitution of  
28 Louisiana relative to the Bond Security and Redemption Fund, and after a sufficient  
29 amount is allocated from that fund to pay all of the obligations secured by the full



1 faith and credit of the state which become due and payable within any fiscal year, the  
 2 state treasurer shall annually deposit ~~to the fund~~ an amount equal to fifty percent of  
 3 the avails of the tax imposed under the provisions of R.S. 47:841(B)(4) and (5) into  
 4 the TOPS Stability Fund and an amount equal to fifty percent of the avails of the tax  
 5 imposed under the provisions of R.S. 47:841(B)(4) and (5) into the Tobacco Tax  
 6 Health Care Fund. The monies in this fund shall be used solely as provided by this  
 7 Section and only in the amounts appropriated by the legislature.

8 \* \* \*

9 Section 9. R.S. 51:2315(A) is hereby amended and reenacted to read as follows:

10 §2315. Louisiana Economic Development Fund

11 A. There is hereby established within the state treasury a fund to be known  
 12 as the "Louisiana Economic Development Fund". ~~All~~ Fifty percent of the monies  
 13 received by the corporation shall be deposited to the account of the Louisiana  
 14 Economic Development Fund and fifty percent of the monies received by the  
 15 corporation shall be deposited into the TOPS Stability Fund.

16 \* \* \*

17 Section 10. This Act shall become effective on July 1, 2018; if vetoed by the  
 18 governor and subsequently approved by the legislature, this Act shall become effective on  
 19 July 1, 2018, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 833 Original

2018 Regular Session

Jay Morris

**Abstract:** Reduces certain revenue dedications by 50% and requires the amount by which the revenue dedications are reduced to be deposited into the TOPS Stability Fund to fund the Taylor Opportunity Program for Students (TOPS).

**La. Agricultural Finance Authority Fund**

Present law (R.S. 3:277) requires the state treasurer to deposit the total amount of funds paid into the state treasury by the La. Agricultural Finance Authority into the La. Agricultural Finance Authority Fund.

Proposed law reduces the amount the state treasurer is required to deposit into the La. Agricultural Finance Authority Fund by 50% and requires the remaining 50% of the funds to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:392) requires the state treasurer, each fiscal year, to credit \$12 million from combined taxable net slot machine proceeds into the La. Agricultural Finance Authority Fund.

Proposed law reduces the amount the state treasurer is required to deposit each fiscal year into the La. Agricultural Finance Authority Fund to \$6 million of the combined taxable net slot machine proceeds and requires the remaining \$6 million of the funds to be deposited each fiscal year into the TOPS Stability Fund.

#### **Forestry Productivity Fund**

Present law (R.S. 3:4411) requires 75% of the timber severance tax allocated by present constitution to be credited to the Forestry Productivity Fund.

Proposed law reduces the amount of the timber severance taxes to be deposited into the Forestry Productivity Fund by 50% and requires the remaining 50% of the timber severance taxes to be deposited into the TOPS Stability Fund.

#### **Dept. of Revenue Alcohol and Tobacco Control Officers Fund**

Present law (R.S. 11:544) requires each fiscal year, until the Dept. of Revenue law enforcement actuarially accrued liability has been fully satisfied, the treasurer to deposit on a monthly basis a sum allocated to the Dept. of Revenue Alcohol and Tobacco Control Officers Fund pursuant to present law for use by the Dept. of Revenue, office of alcohol and tobacco control. The monthly sum is the lesser of 25% of the sum allocated to the Tobacco Regulation Enforcement Fund or \$14,000.

Proposed law reduces the monthly sum to be deposited into the Dept. of Revenue Alcohol and Tobacco Control Officers Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **Two Percent Fire Insurance Fund**

Present law (R.S. 22:347) requires the proceeds of certain taxes collected under present law to be deposited into the Two Percent Fire Insurance Fund.

Proposed law reduces the amount of the tax proceeds deposited into the Two Percent Fire Insurance Fund by 50% and requires the remaining 50 % to be deposited into the TOPS Stability Fund.

#### **Louisiana Fire Marshal Fund**

Present law (R.S. 22:835) requires that proceeds from the 1.25% tax on gross annual premium receipts collected from fire insurance businesses to be deposited into the La. Fire Marshal Fund.

Proposed law reduces the amount of proceeds from the 1.25% tax on gross annual premium receipts from fire insurance businesses deposited into the La. Fire Marshal Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

Present law (R.S. 40:1582) requires all emergency elevator access administrative fines be deposited in the La. Fire Marshal Fund.

Proposed law reduces the amount of emergency elevator access administrative fines deposited into the La. Fire Marshal Fund by 50% and requires the remaining 50% of these fines to be deposited into the TOPS Stability Fund.

#### **Municipal Fire and Police Civil Service Operating Fund**

Present law (R.S. 22:1476) requires .025% of the direct gross premiums received in the state every year levied on insurers doing business in the state the amount be deposited into the Municipal Fire and Police Civil Service Operating Fund.

Proposed law reduces the amount of the direct gross premiums deposited into the Municipal Fire and Police Civil Service Operating Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **Compulsive and Problem Gaming Fund**

Present law (R.S. 27:27.1) authorizes the La. Gaming Control Board to order the forfeiture of any money or thing of value obtained by a licensee or casino gaming operator from any self-excluded person in a proceeding for a willful violation of the self-exclusion rules of the board. Any money or thing of value forfeited shall be deposited into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of the forfeited proceeds deposited into the Compulsive and Problem Gaming Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:92) requires the state treasurer to deposit 1% of the fees, fines, revenues, and other monies collected from annual racehorse wagering, not to exceed \$500,000 into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount required to be deposited into the Compulsive and Problem Gaming Fund to .5%, not to exceed \$500,000. Further requires the remaining .5% of the fees, fines, revenues, and other monies, not to exceed \$500,000, collected from annual racehorse wagering to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:92) requires the winnings of persons found to be under the legal age to game in this state to be withheld from the underage patron and remitted to the state to be deposited into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of winnings from underage patrons required to be deposited into the Compulsive and Problem Gaming Fund by 50% and requires the remaining 50% of these winnings to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:270) requires quarterly casino gaming corporations to transfer 1% of operating accounts, not to exceed \$500,000, to the state treasury each fiscal year to be deposited into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of the proceeds deposited each fiscal year into the Compulsive and Problem Gaming Fund by 50% and requires the remaining 50% of these monies to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:270) requires quarterly casino gaming corporations to transfer the winnings of underage patrons to be withheld from the underage patron and remitted to the state for deposit into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of winnings from underage patrons required to be deposited into the Compulsive and Problem Gaming Fund by 50% and requires the remaining 50% of these winnings to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:392) requires 1% of combined net slot machine proceeds, not to exceed \$500,000, to be deposited into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of slot machine proceeds to be deposited into the Compulsive and Problem Gaming Fund to .5%, not to exceed \$500,000, and requires the remaining .5% to be deposited into the TOPS Stability Fund.

Present law (R.S. 27:437) requires the state treasurer, each fiscal year, to deposit 1%, not to exceed \$500,000, of the fees, fines, and penalties related to video draw poker devices into the Compulsive and Problem Gaming Fund.

Proposed law reduces the amount of fees, fines, and penalties related to video draw poker devices required to be deposited into the Compulsive and Problem Gaming Fund to .5%, not to exceed \$250,000, and requires the remaining .5% of these fees, fines, and penalties to be deposited into the TOPS Stability Fund.

### **Riverboat Gaming Enforcement Fund**

Present law (R.S. 27:92) requires the revenues received by the state from gaming activities less any monies credited to other funds in accordance with present law to be deposited into the Riverboat Enforcement Gaming Fund.

Proposed law reduces the amount of these monies required to be deposited into the Riverboat Enforcement Gaming Fund by 50% and requires the remaining 50% of these funds to be deposited into the TOPS Stability Fund.

### **Casino Support Services Fund**

Present law (R.S. 27:270) requires daily casino gaming corporations to transfer surplus net revenues to the state treasury. Further requires the JLCB to approve of the amount of the casino support services contract each year and for the state treasurer to deposit \$1.8 million into the Casino Support Services Fund.

Proposed law reduces the amount of surplus net revenues deposited into the Casino Support Services Fund each year from \$1.8 million to \$900,000 and requires the deposit of the remaining \$900,000 into the TOPS Stability Fund.

### **Pari-mutuel Live Racing Facility Gaming Control Fund**

Present law (R.S. 27:392) provides that after 1% of combined net slot machine proceeds, not to exceed \$500,000 each fiscal year, is credited to the Compulsive and Problem Gaming Fund, the state treasurer is required to deposit the remainder of all state taxes on slot machine proceeds levied pursuant to present law and all fines and other money collected by the division to the Pari-mutuel Live Racing Facility Gaming Control Fund.

Proposed law reduces the amount of combined net slot machine proceeds deposited into the Compulsive and Problem Gaming Fund to .5%, not to exceed \$500,000, and requires the remaining .5% of combined net slot machine proceeds, not to exceed \$500,000 to be deposited into the TOPS Stability Fund. Further reduces the amount of fines and other money collected by the division to be deposited into the Pari-mutuel Live Racing Facility Gaming Control Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

Present law (R.S. 33:9551) requires the state treasurer to deposit taxable net slot machine proceeds collected in St. Landry Parish into the Pari-mutuel Live Racing Facility Gaming Control Fund.

Present law (R.S. 33:9561) requires the state treasurer to deposit taxable net slot machine proceeds collected in Bossier Parish into the Pari-mutuel Live Racing Facility Gaming Control Fund.

Present law (R.S. 33:9571) requires the state treasurer to deposit taxable net slot machine proceeds collected in Calcasieu Parish into the Pari-mutuel Live Racing Facility Gaming Control Fund.

Proposed law reduces the amount of taxable net slot machine proceeds collected in St. Landry, Bossier, and Calcasieu Parishes deposited into the Pari-mutuel Live Racing Facility Gaming Control Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **New Orleans Sports Franchise Assistance Fund**

Present law (R.S. 27:392) requires the state treasurer each fiscal year to deposit the remaining portion of taxable net slot machine proceeds collected from licensed eligible Orleans Parish facilities into the New Orleans Sports Franchise Assistance Fund.

Proposed law reduces the amount of taxable net slot machine proceeds collected from licensed eligible Orleans Parish facilities that are deposited into the New Orleans Sports Franchise Assistance Fund by 50% and requires the remaining amount of these proceeds to be deposited into the TOPS Stability Fund.

#### **Video Draw Poker Device Purse Supplement Fund**

Present law (R.S. 27:439) requires the state treasurer to deposit all funds specified pursuant to present law for franchise fees related to certain gaming activities to be deposited into the Video Draw Poker Device Purse Supplement Fund.

Proposed law reduces the amount of franchise fees related to gaming activities deposited into the Video Draw Poker Device Purse Supplement Fund by 50% and requires the remaining 50% of these fees to be deposited into the TOPS Stability Fund.

#### **La. State University Firemen Training Program Film Library Fund**

Present law (R.S. 40:1547) requires the state treasurer to pay \$50,000 each fiscal year to the La. State University Firemen Training Program Film Library Fund.

Proposed law reduces the amount of funds deposited into the La. State University Firemen Training Program Film Library Fund to \$25,000 each fiscal year and requires the remaining \$25,000 to be deposited into the TOPS Stability Fund.

#### **Marketing Fund**

Present law (R.S. 47:318) requires \$1 million of annual sales tax collections to be deposited into the Marketing Fund.

Proposed law reduces the annual amount of sales taxes deposited into the Marketing Fund to \$500,000 and requires the remaining \$500,000 to be deposited into the TOPS Stability Fund.

#### **Tobacco Regulation Enforcement Fund**

Present law (R.S. 47:841) requires the state treasurer to annually deposit a portion of the avails of the excise tax levied on cigarettes into the Tobacco Regulation Enforcement Fund.

Proposed law reduces the annual deposit of a portion of the excise tax levied on cigarettes deposited into the Tobacco Regulation Enforcement Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **Tobacco Tax Health Care Fund**

Present law (R.S. 47:841.1) requires the state treasurer to annually deposit the avails of a portion of the excise tax levied on cigarettes to be deposited into the Tobacco Tax Health Care Fund.

Proposed law reduces the amount of the excise tax levied on cigarettes deposited into the Tobacco Tax Health Care Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **Louisiana Economic Development Fund**

Present law (R.S. 51:1927.1) requires all monies received by certified capital companies to be deposited in the La. Economic Development Fund.

Proposed law reduces the amount of monies received by certified capital company deposited into the La. Economic Development Fund by 50% and requires the remaining 50% to be deposited into the TOPS Stability Fund.

#### **TOPS Stability Fund**

Proposed law establishes the TOPS Stability Fund as a special treasury fund. Monies in the fund shall be used to provide funding for TOPS and invested in the same manner as the state general fund. Unexpended and unencumbered monies remain in the fund at the end of the fiscal year.

Effective July 1, 2018.

(Amends R.S. 3:277 and 4411(B), R.S. 11:544(B)(3)(a), R.S. 22:347(A)(intro. para.), 835(C) and (D), and 1476(A)(2), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)(a) and (4), and (C)(7), 437(B)(2)(a), and 439(A), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 40:1547(B) and 1582(E), R.S. 47:318(B)(1), 841(G)(2), and 841.1(A), and R.S. 51:2315(A); Adds R.S. 39:100.151)