

2020 Regular Session

SENATE BILL NO. 189

BY SENATOR WHITE

FUNDS/FUNDING. Provides for the creation, transfer, dedication, deposit, and use of certain funds in the state treasury. (7/1/20)

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AN ACT

To enact Subpart L-1 of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:100.36, relative to special funds; to create the 2020 Capital Project Fund as a special fund in the state treasury; to provide for the dedication of certain revenues and for the deposit of and use of monies in the fund; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Subpart L-1 of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.36, is hereby enacted to read as follows:

**SUBPART L-1. 2020 CAPITAL PROJECT FUND**

**100.36. 2020 Capital Project Fund**

**A. There is hereby created in the state treasury, as a special fund, the 2020 Capital Project Fund, hereinafter referred to as the "fund".**

**B. The state treasurer shall, subject to legislative appropriation, take the following actions with regards to the monies designated as nonrecurring**

1 revenues out of the state general fund from the Fiscal Year 2018-2019 surplus,  
2 as recognized by the Revenue Estimating Conference:

3 (1) Transfer to and deposit in the Budget Stabilization Fund, twenty-five  
4 percent of the amount of the Fiscal Year 2018-2019 surplus.

5 (2) Transfer ten percent of the Fiscal Year 2018-2019 surplus to the  
6 unfunded accrued liabilities of the Louisiana State Employees' Retirement  
7 System and the Teachers' Retirement System of Louisiana, pro rata, as  
8 provided in Article VII, Section 10(D)(2)(b) of the Louisiana Constitution.

9 (3) Transfer to and deposit in the fund, the remaining sixty-five percent  
10 of the Fiscal Year 2018-2019 surplus.

11 C. The monies in the fund shall be invested in the same manner as  
12 monies in the state general fund. Interest earned on the investment of monies  
13 in the fund shall be deposited in and credited to the fund. Unexpended and  
14 unencumbered monies in the fund shall remain in the fund. Monies in the fund  
15 shall be appropriated and used solely as provided in Subsection D of this  
16 Section.

17 D. Subject to an appropriation by the legislature, monies in the fund  
18 shall be used solely and exclusively for one of the following purposes:

19 (1) Providing funding for capital outlay projects in the comprehensive  
20 state capital budget.

21 (2) For deposit into the Coastal Protection and Restoration Fund to be  
22 used for purposes consistent with the Coastal Master Plan developed by the  
23 Coastal Protection and Restoration Authority, or its successor.

24 (3) Providing for new highway construction for which federal matching  
25 funds are available, without excluding highway projects otherwise eligible as  
26 capital projects under the Louisiana Constitution.

27 Section 2. This Act shall become effective on July 1, 2020. If vetoed by the  
28 governor and subsequently approved by the legislature, this Act shall become  
29 effective on the day following such approval.

