

2020 Regular Session

HOUSE BILL NO. 672

BY REPRESENTATIVE JAMES

TAX/SALES-USE, LOCAL: To rededicate a portion of certain sales and use taxes levied in East Baton Rouge Parish to fund the office of the East Baton Rouge Parish Public Defender

1 AN ACT

2 To amend and reenact R.S. 47:302.29(B), 322.9(B), and 332.2(B), relative to funding for the
3 office of the East Baton Rouge Parish Public Defender; to rededicate a portion of
4 existing state tax revenues to that office; and to provide for related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article III, Section 13 of the Constitution of
7 Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 47:302.29(B), 322.9(B), and 332.2(B) are hereby amended and
10 reenacted to read as follows:

11 §302.29. Disposition of certain collections in East Baton Rouge Parish

12 * * *

13 B. The monies in the East Baton Rouge Parish Community Improvement
14 Fund shall be subject to an annual appropriation of the legislature. Prior to any other
15 distributions from the fund, five hundred thousand dollars shall be remitted to the
16 office of the East Baton Rouge Parish Public Defender. Thereafter, fifty ~~Fifty~~
17 percent of the remaining monies in the fund shall be used for urban mass transit in
18 East Baton Rouge Parish and the other fifty percent of the monies in the fund shall
19 be used for the Research Park Corporation domiciled in East Baton Rouge Parish.

1 The funds allocated herein for urban mass transit shall not be used to displace,
2 replace, or supplant funds previously appropriated or otherwise used for this purpose.

3 All unexpended and unencumbered monies remaining in the fund at the end of the
4 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
5 treasurer in the same manner as the monies in the state general fund, and all interest
6 earned shall be deposited in the state general fund.

7 * * *

8 §322.9. Disposition of certain collections in East Baton Rouge Parish

9 * * *

10 B. The monies in the "East Baton Rouge Parish Enhancement Fund" shall
11 be subject to an annual appropriation by the legislature. One hundred thousand
12 dollars of the monies in the fund shall be available annually for use exclusively for
13 urban mass transit purposes in East Baton Rouge Parish. The funds allocated herein
14 for urban mass transit shall not be used to displace, replace, or supplant funds
15 previously appropriated or otherwise used for this purpose. ~~One~~ Four hundred
16 thousand dollars of the monies in the fund shall annually be available for use by the
17 ~~Baton Rouge Sports Foundation; however, no funds so allocated shall be used to pay~~
18 ~~the salary or related benefits of the executive director~~ remitted to the office of the
19 East Baton Rouge Parish Public Defender. The remainder of the monies in the fund
20 shall be available annually for use by the Riverside Centroplex Arena and Exhibition
21 Center. All unexpended and unencumbered monies remaining in the fund at the end
22 of the fiscal year shall remain in the fund. The monies in the fund shall be invested
23 by the treasurer in the same manner as the monies in the state general fund, and all
24 interest earned shall be deposited in the state general fund.

25 * * *

26 §332.2. Disposition of certain collections in East Baton Rouge Parish

27 * * *

28 B. The monies in the East Baton Rouge Parish Riverside Centroplex Fund
29 shall be subject to an annual appropriation by the legislature. Prior to any distribution

1 from the fund, one hundred thousand dollars shall be remitted to the office of the
 2 East Baton Rouge Parish Public Defender. The remainder of the monies in the fund
 3 shall be available for capital improvements at the Riverside Centroplex, the
 4 Louisiana Arts and Science Center, Riverfront Promenade, and related projects in the
 5 Riverfront Development Plan, all such projects to be in the city of Baton Rouge. All
 6 unexpended and unencumbered monies in the fund shall remain in the fund. The
 7 monies in the fund shall be invested by the treasurer in the same manner as the
 8 monies in the state general fund, and all interest earned shall be deposited into the
 9 state general fund.

10 Section 2. The provisions of this Act shall become effective July 1, 2020. If this Act
 11 is vetoed by the governor and subsequently approved by the legislature, the provisions of
 12 this Act shall become effective on the day following such approval.

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 672 Original

2020 Regular Session

James

Abstract: Rededicates certain state sales tax revenues to the office of the East Baton Rouge Parish Public Defender.

Present law (R.S. 47:302.29) establishes the East Baton Rouge Parish Community Improvement Fund into which are deposited the avails of a 2% state sales tax levied on "the furnishing of sleeping rooms, cottages, or cabins by hotels" (R.S. 47:301(14)(a)) in East Baton Rouge Parish. Proposed law retains present law.

Present law dedicates 50% of the money in the East Baton Rouge Parish Community Improvement Fund to urban mass transit in East Baton Rouge Parish and the other 50% to the Research Park Corporation domiciled in East Baton Rouge Parish. Proposed law requires \$500,000 to be remitted to the office of the East Baton Rouge Public Defender prior to any other distribution from the fund. Otherwise retains present law.

Present law (R.S. 47:322.9) establishes the East Baton Rouge Parish Enhancement Fund into which are deposited the avails of a 1% state sales tax levied on "the furnishing of sleeping rooms, cottages, or cabins by hotels" (R.S. 47:301(14)(a)) in East Baton Rouge Parish. Proposed law retains present law.

Present law dedicates the money in the East Baton Rouge Parish Enhancement Fund as follows:

- (1) \$100,000 for urban mass transit purposes in East Baton Rouge Parish.
- (2) \$100,000 to the Baton Rouge Sports Foundation.
- (3) Remainder of the funds to the Riverside Centroplex Arena and Exhibit Center.

Proposed law repeals the \$100,000 dedication to the Baton Rouge Sports Foundation. Dedicates \$400,000 to the office of the East Baton Rouge Parish Public Defender. Otherwise retains present law.

Present law (R.S. 47:332.2) establishes the East Baton Rouge Parish Riverside Centroplex Fund into which are deposited the avails of a 0.97% state sales tax levied on "the furnishing of sleeping rooms, cottages, or cabins by hotels" (R.S. 47:301(14)(a)) in East Baton Rouge Parish. Proposed law retains present law.

Present law dedicates 100% of revenues in the fund to capital improvements to the Riverside Centroplex, the La. Arts and Science Center, Riverfront Promenade, and "related projects" in the Riverfront Development Plan. Proposed law requires \$100,000 to be remitted to the office of the East Baton Rouge Parish Public Defender prior to any other distribution from the fund. Otherwise retains present law.

Effective July 1, 2020, or on the first day following legislative approval if vetoed by the governor and subsequently approved by the legislature.

(Amends R.S. 47:302.29(B), 322.9(B), and 332.2(B))