SLS 20RS-895 ENGROSSED

2020 Regular Session

SENATE BILL NO. 503

BY SENATOR WHITE

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APPROPRIATIONS. Provides relative to actions of Joint Legislative Committee on the Budget relative to the forty-five day close period. (gov sig)

AN ACT

2	To amend and reenact R.S. 39:82(B) and to enact R.S. 39:82.2, relative to appropriations
3	to provide relative to the deadline to withdraw appropriations from the preceding
4	year against which bona fide liabilities existed as of the last day of the fiscal year
5	to provide for the suspension of laws; and to provide for related matters.
6	Be it enacted by the Legislature of Louisiana:
7	Section 1. R.S. 39:82(B) is hereby amended and reenacted and R.S. 39:82.2 is hereby
8	enacted to read as follows:
9	§82. Remission of cash balances to the state treasurer; authorized withdrawals of
10	state monies after the close of the fiscal year; reports
11	A. * * *
12	B. The commissioner of administration may, with the approval of the Join
13	Legislative Committee on the Budget, incorporate into the new fiscal year's
14	appropriation any appropriations from the prior fiscal year against which bona fide
15	obligations existed on the last day of the fiscal year. No transactions shall be
16	approved in this manner after the forty-fifth day following the last day of the fisca
17	year; provided, however, that in any year in which the Joint Legislative

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Committee on the Budget is unable to meet to approve the transactions before
the forty-fifth day following the last day of the fiscal year due to a declared
disaster or emergency, the transactions shall be placed on the agenda of the next

Joint Legislative Committee on the Budget meeting for approval and may be
approved after the forty-fifth day following the last day of the fiscal year.

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§82.2. Suspension of laws; appropriations

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The provisions of R.S. 39:82(B) which establish a procedure for incorporating appropriations from the preceding year against which bona fide liabilities existed as of the last day of the fiscal year with the approval of the of the Joint Legislative Committee on the Budget are hereby suspended in the event the Joint Legislative Committee on the Budget is unable to meet to approve such transactions due to a declared disaster or emergency. The suspension shall only be in effect until the day after the next meeting of the Joint Legislative Committee on the Budget which shall take place no later than thirty days after the end of the declared disaster or emergency.

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

The original instrument was prepared by Michelle D. Ridge. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

DIGEST 2020 Regular Session

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White

<u>Present law</u> provides any appropriations remaining at the end of the fiscal year against which bona fide liabilities existed as of the last day of the fiscal year may be withdrawn from the state treasury during the 45-day period after the last day of the fiscal year only as such liabilities come due for payment.

<u>Present law</u> further provides that the commissioner of administration may, with the approval of the Joint Legislative Committee on the Budget (JLCB), incorporate into the new fiscal year's appropriation any appropriations from the prior fiscal year against which bona fide

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

obligations existed on the last day of the fiscal year. No transactions shall be approved in this manner after the 45th day following the last day of the fiscal year.

<u>Proposed law</u> provides that in any year in which the JLCB is unable to meet to approve the transactions before the 45th day following the last day of the fiscal year due to a declared disaster or emergency, the transactions shall be placed on the agenda of the next JLCB meeting for approval and may be approved after the 45th day following the last day of the fiscal year.

<u>Proposed law</u> further provides that the law establishing a procedure for incorporating appropriations from the last fiscal year against which bona fide liabilities existed as of the last day of the fiscal year with the approval of the JLCB, are suspended in the event the JLCB is unable to approve the transactions due to a declared emergency or disaster. The suspension shall only be in effect until the day after the next meeting of the JLCB which shall take place no later than 30 days after the end of the declared disaster or emergency.

Effective upon signature of the governor or lapse of time for gubernatorial action.

(Amends R.S. 39:82(B); adds R.S. 39:82.2)

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

- 1. Provides that in any year in which the JLCB is unable to meet to approve the transactions before the 45th day following the last day of the fiscal year due to a declared disaster or emergency, the transactions shall be placed on the agenda of the next JLCB meeting for approval and may be approved after the 45th day following the last day of the fiscal year.
- 2. Provides for suspension of the law establishing a procedure for incorporating appropriations from the last fiscal year against which bona fide liabilities existed as of the last day of the fiscal year with the approval of the JLCB, are suspended in the event the JLCB is unable to approve the transactions due to a declared emergency or disaster.
- 3. Provides that the suspension shall only be in effect until the day after the next meeting of the JLCB which shall take place no later than 30 days after the end of the declared disaster or emergency.