

2020 First Extraordinary Session

HOUSE BILL NO. 40

BY REPRESENTATIVE IVEY

LEGISLATIVE PROCEDURE: (Constitutional Amendment) Provides for laws relative to statutory dedications (Item #11)

## 1 A JOINT RESOLUTION

2 Proposing to add Article VII, Section 9.1 of the Constitution of Louisiana, to create a  
3 category of dedicated funds in the state treasury and require the enactment of a law  
4 by two-thirds of the elected members of each house of the legislature to create or  
5 modify any fund designated as a protected fund; to provide for submission of the  
6 proposed amendment to the electors; and to provide for related matters.

7 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
8 elected to each house concurring, that there shall be submitted to the electors of the state of  
9 Louisiana, for their approval or rejection in the manner provided by law, a proposal to add  
10 Article VII, Section 9.1 of the Constitution of Louisiana, to read as follows:

11 §9.1. Protected funds

12 Section 9.1.(A) There is hereby created a category of dedicated funds in the  
13 state treasury to be known as "protected funds". The creation or modification of any  
14 fund designated as a protected fund shall require a specific law which receives a  
15 favorable vote of two-thirds of the elected members of each house of the legislature.

16 (B) Notwithstanding the provisions of Paragraph A of this Section, if the  
17 legislature recognizes a projected deficit pursuant to Article VII, Section 10 of this  
18 constitution, the legislature may redirect by a majority vote of the elected members  
19 of each house any projected revenues included in the official forecast adopted by the

1        Revenue Estimating Conference for a protected fund to the state general fund for the  
2        fiscal year in which the deficit is recognized.

3        Section 2. Be it further resolved that this proposed amendment shall be submitted  
4 to the electors of the state of Louisiana at the statewide election to be held on November 3,  
5 2020.

6        Section 3. Be it further resolved that on the official ballot to be used at the election,  
7 there shall be printed a proposition, upon which the electors of the state shall be permitted  
8 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
9 follows:

10                    Do you support an amendment to authorize the legislature to create a  
11                    category of dedicated funds in the state treasury which shall require the  
12                    enactment of a law by two-thirds of the elected members of each house of the  
13                    legislature to create or modify? (Adds Article VII, Section 9.1)

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#### 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)]

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HB 40 Original

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Ivey

**Abstract:** Creates a category of protected funds in the state treasury which requires the enactment of a law by 2/3 of the elected members of each house of the legislature to create or modify.

Proposed constitutional amendment creates a category of protected funds which requires the enactment of a law by 2/3 of the elected members of each house of the legislature to create or modify.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2020.

(Adds Const. Art. VII, §9.1)