

2020 Second Extraordinary Session

HOUSE BILL NO. 38

BY REPRESENTATIVE HARRIS

FUNDS/FUNDING: Provides relative to funding university, parish, and municipal police departments (Items #15 and 16)

1 AN ACT

2 To enact Part VIII of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
3 1950, to be comprised of R.S. 39:291 through 293, relative to funding for parish,  
4 municipal, and postsecondary education agency police departments; to provide for  
5 budget submission requirements; to provide for the authority of the Joint Legislative  
6 Committee on the Budget; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VIII of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
9 Statutes of 1950, comprised of R.S. 39:291 through 293, is hereby enacted to read as  
10 follows:

11 PART VIII. POLICE FUNDING PROTECTION

12 §291. Short title

13 This Part shall be known and may be cited as the "Louisiana Police Funding  
14 Protection Act".

15 §292. Postsecondary education institutions

16 A. Each postsecondary education institution shall submit a report that details  
17 the annual operating budget for its college or university police department for the  
18 current fiscal year and the ensuing fiscal year to the Joint Legislative Committee on  
19 the Budget by November thirtieth of each year.

1           B. If the annual operating budget for the police department for the ensuing  
2           fiscal year indicates a funding decrease of ten percent or greater as compared to the  
3           current fiscal year, the Joint Legislative Committee on the Budget may require the  
4           institution to appear before the committee to provide a description of the proposed  
5           budget reductions and the effect of the reductions on the police department's ability  
6           to provide for public safety.

7           C. If the committee determines the proposed reductions submitted pursuant  
8           to this Section will have a significant and harmful effect on public safety, the  
9           postsecondary education institution shall be ineligible for new capital outlay projects  
10          for the ensuing fiscal year.

11          §293. Municipal police departments and sheriff's offices

12           A.(1) Each governing authority of a political subdivision which is required  
13           to adopt a budget pursuant to the Louisiana Local Government Budget Act and  
14           which includes a municipal police department or sheriff's office shall notify the Joint  
15           Legislative Committee on the Budget if the annual operating budget for the  
16           municipal police department or sheriff's office for the ensuing fiscal year indicates  
17           a decrease of ten percent or greater as compared to the current fiscal year. The  
18           governing authority shall notify the committee in writing no later than fifteen days  
19           prior to the beginning of the ensuing fiscal year.

20           (2) The governing authority shall notify the Joint Legislative Committee on  
21           the Budget if the annual operating budget for the municipal police department or  
22           sheriff's office is reduced by ten percent or greater at any point in the current fiscal  
23           year. The governing authority shall notify the committee in writing no later than  
24           fifteen days following the effective date of the reduction.

25           B. Upon receipt of notification pursuant to Subsection A of this Section, the  
26           Joint Legislative Committee on the Budget may require the governing authority to  
27           appear before the committee and provide a description of the proposed budget  
28           reductions and the effect of the reductions on the governing authority's ability to  
29           provide for public safety.

1                    C. If the committee determines the reductions submitted pursuant to this  
 2                    Section will have a significant and harmful effect on public safety, the governing  
 3                    authority shall be ineligible for any new capital outlay projects for the ensuing fiscal  
 4                    year and appropriations from sales tax dedications for the ensuing fiscal year.

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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 38 Original

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Harris

**Abstract:** Requires public colleges and universities, municipalities, and parishes to notify the Joint Legislative Committee on the Budget (JLCB) if funding for their police department is reduced by 10% or more. Further authorizes JLCB to recommend the college, university, municipality, or parish be ineligible for appropriations for certain capital outlay projects or sales tax dedications for the next fiscal year.

Proposed law requires public colleges and universities to submit a report of the annual operating budgets for the campus police department for the current and ensuing fiscal years to JLCB by Nov. 30<sup>th</sup> of each year.

Proposed law authorizes JLCB to require the college or university to appear before the committee if the report shows a decrease of 10% or more from the current to ensuing fiscal year for the campus police department.

Proposed law provides that if JLCB determines the reductions will have a significant and harmful effect on public safety, the college or university shall be ineligible for any new capital outlay project funding for the ensuing fiscal year.

Proposed law requires any governing authority with a municipal police department or sheriff's office to notify JLCB if the annual operating budget for the police department or sheriff's office decreases by 10% or more from the current to ensuing fiscal year or any time during the current year.

Proposed law authorizes JLCB to require the governing authority to appear before the committee and if JLCB determines the reductions will have a significant and harmful effect on public safety, the governing authority shall be ineligible for any new capital outlay project funding or appropriations from sales tax dedications for the ensuing fiscal year.

(Adds R.S. 39:291-293)