

2021 Regular Session

HOUSE BILL NO. 695

BY REPRESENTATIVES SCHEXNAYDER AND ZERINGUE

1 AN ACT

2 To appropriate funds for Fiscal Year 2021-2022 to defray the expenses of the Louisiana
3 Legislature, including the expenses of the House of Representatives and the Senate,
4 of legislative service agencies, and of the Louisiana State Law Institute; to provide
5 for the salary, expenses, and allowances of members, officers, staff, and agencies of
6 the Legislature; to provide with respect to the appropriations and allocations herein
7 made; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Seventy-Three Million Six Hundred Ten Thousand One
10 Hundred Seventy-Three and No/100 (\$73,610,173.00) Dollars, or so much thereof as may
11 be necessary, is hereby appropriated out of the state general fund and the sum of Twenty-
12 Three Million Eight Hundred Twenty-Four Thousand Nine Hundred Forty-Five and No/100
13 (\$23,824,945.00) Dollars is hereby appropriated out of self-generated funds to defray the
14 expenses of the legislature, including the House of Representatives and the Senate, the staffs
15 of the House of Representatives and of the Senate, the Legislative Auditor, the Legislative
16 Fiscal Office, the Legislative Budgetary Control Council, and the Louisiana State Law
17 Institute.

18 Section 2.(A)(1) Out of the total amount herein appropriated from the state general
19 fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and
20 No/100 (\$50,762,798.00) Dollars is hereby allocated to provide the salary and allowances
21 of members, officers, and staff of the House of Representatives, and the salary and
22 allowances for the speaker of the House of Representatives and for expenses of his office,
23 including reimbursement for actual expenses as presiding officer and for his service to or for

1 the benefit of the House of Representatives, the legislature, the legislative branch of
2 government, or the state, as determined by the speaker, and to provide the salary and
3 allowances of members, officers, and staff of the Senate, and the salary and allowances for
4 the president of the Senate and for expenses of his office, including reimbursement for actual
5 expenses as presiding officer and for his service to or for the benefit of the Senate, the
6 legislature, the legislative branch of government, or the state, as determined by the president
7 of the Senate. These funds shall also be used to pay mileage and per diem of the members
8 of the legislature and mileage and per diem expenses of committees; salaries and/or expense
9 allowances of officers and employees of the legislature; costs of renovations, maintenance,
10 repairs, and necessary additions to the House and/or Senate chambers and other legislative
11 rooms; audio-visual systems, information networks, technological enhancements, and
12 technical support; printing the bills, journals, and calendars; computer equipment and
13 services; library services; provision of accessibility services for persons with disabilities
14 during sessions of the legislature and during the interim; and for all other expenses of the
15 legislature. Notwithstanding any other provision of law to the contrary, any and all monies
16 paid to an employee of the legislature shall be used to determine full-time status and for the
17 eligibility and calculation of all benefits, including but not limited to, retirement and
18 insurance. This provision shall be remedial in nature and shall not eliminate or reduce any
19 current benefits of a legislative employee. In addition to the amounts and limitations
20 provided in R.S. 24:31.5, these funds shall also be used to provide an additional two hundred
21 seventy-five dollars per month to the total amount available to each legislator for the salary
22 of his legislative assistants which shall be obtained and disbursed as hereinafter provided.

23 (2) Notwithstanding the provisions of R.S. 24:31.5, any legislative assistant
24 employed on or before December 1, 2007, may retain the salary they were earning on
25 December 1, 2007.

26 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
27 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)
28 Dollars is hereby set aside and allocated for the use of the House of Representatives and
29 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
30 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

1 (C) The presiding officer of each house shall warrant on the state treasurer in favor
2 of the House of Representatives or the Senate, as the case may be, for the allocation herein
3 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid
4 out of the state general fund, and the state treasurer shall pay said warrants by preference
5 over all other warrants, except warrants for the salaries of constitutional officers of the state,
6 which shall be concurrent with the warrants provided for by this Act.

7 (D)(1) The funds drawn as provided herein shall be deposited in the name of the
8 House of Representatives or the Senate, as the case may be, in an approved bank located in
9 this state selected by the presiding officer of each house. Payment of per diem and mileage,
10 salaries of the members, officers, and employees, and other expenses of the legislature shall
11 be made by individual check, payable to the person or firm entitled thereto, signed by the
12 presiding officer of the House of Representatives as to disbursements by the House, and as
13 to disbursements by the Senate, signed by the president of the Senate. Facsimile or
14 electronic signatures may be used; such payment also may be made by electronic funds
15 transfer through the automated clearing house and deposited into the account of the person
16 or firm entitled to such payment.

17 (2) Copies of legislative documents of the Senate and the House shall be provided
18 at fees according to policy and schedules adopted by the secretary of the Senate and clerk
19 of the House, jointly, and approved by the president of the Senate and the speaker of the
20 House, jointly. Funds derived from the sale of legislative documents of the Senate and the
21 House during legislative sessions shall be used to offset the cost of printing the journals and
22 calendars.

23 (3) The legislature is hereby expressly authorized to receive and expend any monies
24 received as a result of any grants or donations or other forms of assistance as provided for
25 in Article VII, Section 9(A)(1) of the Louisiana Constitution of 1974.

26 (E) Any portion of the funds herein allocated to the two houses, any portion of the
27 funds previously appropriated or interest earnings on such appropriations and any self-
28 generated revenues that are not required for the expenses of the 2021 Regular Session of the
29 Legislature, including printing and all expenses in connection therewith, are hereby
30 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any
31 other expenses of the legislature during the 2021-2022 Fiscal Year; however, all funds

1 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
2 or before October 1, 2022.

3 Section 3.(A) The sum of Ten Million and No/100 (\$10,000,000.00) Dollars is
4 hereby allocated out of the total appropriation from the state general fund made in Section
5 1 of this Act to the legislative auditor, to pay the expenses of his office, including the salaries
6 and expenses of his employees, the costs of equipment, and all other expenses incurred by
7 that office in connection with the operation thereof during the 2021-2022 Fiscal Year.

8 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
9 is hereby appropriated, payable from the state general fund, to establish an agency working
10 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
11 available in the ancillary enterprise fund, the sum of Twenty-Three Million Eight Hundred
12 Twenty-Four Thousand Nine Hundred Forty-Five and No/100 (\$23,824,945.00) Dollars is
13 authorized to be used by the legislative auditor, in addition to the amount allocated in
14 Section 3.(A) hereof, to pay the expenses of his office, including the salaries and expenses
15 of his employees, the costs of equipment, and all other expenses incurred by that office in
16 connection with the operations thereof during the 2021-2022 Fiscal Year.

17 (2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1,
18 shall be authorized to receive reimbursement of actual expenses of audits performed on
19 federally funded programs, both direct and indirect, and regulatory boards funded primarily
20 from fees and self-generated revenues and self-supported enterprise functions for the
21 purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act.
22 Reimbursement for audits performed on federally funded programs shall be limited to
23 reimbursement authorized by federal laws and regulations.

24 (3) Notwithstanding any provision of law to the contrary, including the General
25 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
26 legislative auditor is authorized to allocate and collect from each auditee included in the
27 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
28 independent certified public accountants, such amounts as may be reasonably necessary to
29 compensate the legislative auditor for services rendered and costs incurred in connection
30 with the audit of each auditee. In the collection of such amounts, the legislative auditor
31 shall, on or after the first day of July of each year, notify and warrant, without any other

1 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,
2 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
3 each auditee from monies accruing or available to the auditee to the Legislative Auditor
4 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
5 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
6 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
7 herein.

8 (C) In the conduct of such functions all receipts of self-generated revenues shall be
9 deposited in the state treasury to the credit of the Legislative Auditor Ancillary Enterprise
10 Fund and disbursements made by the state treasurer to the extent of the amounts deposited
11 to the credit of such fund in accordance with provisions of law governing expenditures. All
12 monies from self-generated revenue of the legislative auditor's office shall be paid to the
13 Legislative Auditor Ancillary Enterprise Fund and shall be deemed to be available for
14 expenditure in the amount herein appropriated, and any increase in self-generated revenue
15 over the amount herein appropriated shall be available for expenditure by the legislative
16 auditor only on approval by the co-chairmen of the Legislative Budgetary Control Council.

17 (D) The legislative auditor shall warrant on the state treasurer for the monies
18 allocated by this Section, and the warrant shall be paid by the state treasurer out of the state
19 general fund. The funds so drawn shall be disbursed only in accordance with budgeted
20 amounts provided herein and such amendments as may be approved by the Legislative
21 Budgetary Control Council.

22 (E) In addition to any portion of the funds herein allocated in this Section to the
23 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
24 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
25 appropriated and may be used to defray the expenses of the legislative auditor. These funds
26 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
27 to exceed the total balance remaining at the end of the previous fiscal year; however, all
28 funds remaining unexpended and/or unencumbered shall be returnable to the state general
29 fund on or before October 1, 2022.

30 Section 4.(A) The sum of Three Million One Hundred Fifty-Eight Thousand Eight
31 Hundred Forty-Nine and No/100 (\$3,158,849.00) Dollars is hereby allocated out of the total

1 appropriation from the state general fund made in Section 1 of this Act to the Joint
 2 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
 3 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
 4 expenses of its employees, the cost of equipment, and all other expenses incurred by said
 5 office in connection with the operation thereof during the 2021-2022 Fiscal Year. The
 6 operations and functions of the Legislative Fiscal Office shall be under the direction and
 7 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
 8 services shall be approved by the Legislative Budgetary Control Council and the Joint
 9 Legislative Committee on the Budget.

10 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
 11 provided by this Section, and the warrant shall be paid by the state treasurer out of the state
 12 general fund. The funds so drawn shall be disbursed only in accordance with a budget
 13 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
 14 Control Council.

15 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
 16 portion of the funds previously appropriated or interest earnings on such appropriations and
 17 any self-generated revenues that are not required for the expenses of the 2021 Regular
 18 Session of the Legislature, including printing and all expenses in connection therewith, are
 19 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
 20 the 2021-2022 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
 21 shall be returnable to the state general fund on or before October 1, 2022.

22 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
 23 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total
 24 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State
 25 Law Institute, to pay the expenses thereof, including the salaries and expenses of its
 26 employees, the cost of equipment, and all other expenses incurred by said office in
 27 connection with the operation thereof during the 2021-2022 Fiscal Year.

28 (B) The executive director of the Louisiana State Law Institute shall warrant on the
 29 state treasurer for the allocation provided by this Section, and the warrant shall be paid by
 30 the state treasurer out of the state general fund. The funds so drawn shall be disbursed only

1 in accordance with a budget approved by the Legislative Budgetary Control Council and
2 subject to the budgetary control of said council.

3 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,
4 any portion of the funds previously appropriated or interest earnings on such appropriations
5 and any self-generated revenues may be used to pay expenses of the Louisiana State Law
6 Institute during the 2021-2022 Fiscal Year; however, all funds remaining unexpended and/or
7 unencumbered shall be returnable to the state general fund on or before October 1, 2022.

8 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One
9 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the
10 total appropriation from the state general fund made in Section 1 of this Act and the balance
11 on July 2, 2021 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
12 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
13 may be used to pay the expenses thereof, including salaries and expenses of certain
14 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
15 Poynter Legislative Research Library, contracts for professional services, mileage and per
16 diem expenses of the interim activities of joint legislative committees created by statute or
17 by the presiding officers of the Senate and the House of Representatives to which no specific
18 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
19 chairmen of the council, the cost of construction, maintenance, repair, improvements,
20 renovations, and access to the capitol building, capitol annex building, building for
21 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,
22 maintenance, and repair of furniture and equipment, audio-visual systems, security systems,
23 information networks, technological enhancements, technical support, and computer
24 equipment and services, as jointly approved by the president of the Senate and the speaker
25 of the House of Representatives, the cost of equipment, dues to legislative associations, to
26 pay costs to maintain actuarial integrity of the state retirement system affected by the
27 inclusion of certain legislative employees, and all other expenses incurred by said council
28 in connection with the operation thereof during the 2021-2022 Fiscal Year.

29 (B) The co-chairmen of the Legislative Budgetary Control Council shall jointly
30 warrant on the state treasurer for the monies appropriated and allocated by this Section, and
31 the state treasurer shall pay their warrants by preference over all other warrants, except

1 warrants for the salaries of constitutional officers of the state, which shall be concurrent with
 2 warrants provided for by this Act.

3 (C) The funds drawn as provided herein shall be deposited in the name of the
 4 Legislative Budgetary Control Council in an approved bank located in this state selected by
 5 the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the
 6 officers and employees, and other expenses of the Legislative Budgetary Control Council
 7 shall be made by individual check, payable to the person or firm entitled thereto, signed by
 8 the presiding co-chairmen of the council. Facsimile or electronic signatures may be used;
 9 such payment also may be made by electronic funds transfer through the automated clearing
 10 house and deposited into the account of the person or firm entitled to such payment.

11 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
 12 Council, any portion of the funds previously appropriated, or interest earnings on any such
 13 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
 14 any expenses of the Legislative Budgetary Control Council during the 2021-2022 Fiscal
 15 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
 16 to the state general fund on or before October 1, 2022.

17 Section 7. In accordance with R.S. 39:51(D), a comparative statement of the existing
 18 operating budget for FY 2020-2021 and the appropriation for FY 2021-2022 from the state
 19 general fund is as follows:

20 Entity	FY 2020-2021	FY 2021-2022
	(Act 8 of 2020 1 st E.S.)	
22 House of Representatives	\$ 28,998,300	\$ 28,998,300
23 Senate	\$ 21,764,498	\$ 21,764,498
24 Legislative Auditor	\$ 10,483,708	\$ 10,000,000
25 Legislative Fiscal Office	\$ 3,158,849	\$ 3,158,849
26 La. State Law Institute	\$ 1,131,401	\$ 1,131,401
27 Legislative Budgetary		
28 Control Council	\$ 8,557,125	\$ 8,557,125
29 Total state general fund	\$ 74,093,881	\$ 73,610,173

30 The Legislative Auditor for FY 2020-2021 was appropriated self-generated funds in
 31 the amount of \$23,525,043 and for FY 2021-2022 is appropriated self-generated funds in the

1 amount of \$23,824,945. The Legislative Budgetary Control Council for FY 2020-2021 was
 2 appropriated the balance of the technology fund on July 2, 2020 and for FY 2021-2022 is
 3 appropriated the balance on July 2, 2021 of said fund. The FY 2020-2021 appropriations for
 4 the Legislature and the legislative service agencies from the State General Fund (Direct)
 5 were reduced by \$12,851,010 and the allocation of said reduction was implemented pursuant
 6 to a plan adopted by the Legislative Budgetary Control Council.

7 Section 8. This Act shall become effective on July 1, 2021; if vetoed by the governor
 8 and subsequently approved by the legislature, this Act shall become effective on July 1,
 9 2021, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____