

2023 Regular Session

SENATE BILL NO. 132

BY SENATOR REESE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

CAPITAL OUTLAY. Provides relative to exemptions to capital outlay procedure. (8/1/23)

1 AN ACT

2 To amend and reenact R.S. 39:128(B)(4)(a)(i), relative to capital outlay procedure; to
3 provide relative to exemptions to capital outlay procedure; to increase the threshold
4 for the exemption for universities, higher education facilities, or consortiums to
5 undertake new construction or repair projects; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:128(B)(4)(a)(i) is hereby amended and reenacted to read as
8 follows:

9 §128. Exemptions

10 * * *

11 B.(1)

12 * * *

13 (4)(a)(i) A university, higher education facility, or consortium shall be
14 allowed to undertake any new construction, maintenance, or repair project not
15 exceeding ~~five~~ **ten** million dollars solely funded from self-generated revenues,
16 grants, donations, or local or federal funds without being included in the Capital
17 Outlay Bill provided the project is approved by the appropriate governing board or

1 management board; the Board of Regents; the division of administration, office of
 2 facility planning and control; and the Joint Legislative Committee on the Budget.
 3 The office of facility planning and control shall issue the necessary contracts for the
 4 project and shall disburse funds to pay the costs of the project. The university, higher
 5 education facility, or consortium shall remit project funding to the office of facility
 6 planning and control for deposit in the state treasury at such time as may be deemed
 7 necessary by the office of facility planning and control in order to cover the amount
 8 of contracts or other project expenses. Any surplus of such project funding and any
 9 interest earned on such funds shall be refunded to such university, higher education
 10 facility, or consortium by the state treasurer.

11 * * *

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 132 Engrossed 2023 Regular Session Reese

Present law authorizes a university, higher education facility, or consortium to undertake any new construction, maintenance, or repair project not exceeding \$5,000,000 solely funded from self-generated revenues, grants, donations, or local or federal funds without being included in the Capital Outlay Bill provided the project is approved by the appropriate governing board or management board; the Board of Regents; the division of administration, office of facility planning and control; and the Joint Legislative Committee on the Budget.

Proposed law increases the maximum threshold from \$5,000,000 to \$10,000,000 and otherwise retains present law.

Effective August 1, 2023.

(Amends R.S. 39:128(B)(4)(a)(i))