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DIGEST

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SB 132 Engrossed

2023 Regular Session

Reese

Present law requires the division of administration (DOA), in order to exercise supervision over the expenditure of funds and the construction of projects in the capital outlay budget to administer and enforce the provisions of the capital outlay budget adopted by the legislature, to formulate necessary rules and forms for the enforcement of the capital outlay budget, to expend funds for the construction of projects, to supervise construction, approve estimates, and select and employ engineers, architects, and other personnel necessary in connection with the administration of contracts for projects, and to schedule the funding of projects in the event that there are more projects ready for funding than there are funds available at that time from the proceeds of the sale of bonds if such bonds are not sold at one time.

Proposed law retains present law but adds authority for DOA to delegate administration of projects, through the office of facility planning and control (FP&C), to a state agency or higher education management board through the approval and execution of a cooperative endeavor agreement (CEA) for the planning, design, bidding, contracting, construction, and management of projects. Proposed law further authorizes FP&C to delegate administration of projects to a state agency or higher education management board through the approval and execution of a CEA for the planning, design, bidding, contracting, construction, and management of projects.

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.

Present law authorizes minor repairs, renovations, or construction of buildings to be undertaken by an agency without being included in the capital outlay budget if expenditures for these undertakings do not exceed \$150,000 cumulatively per agency per fiscal year and the expenditures are first approved by the commissioner of administration and the Joint Legislative Committee on the Budget (JLCB).

Proposed law changes present law by increasing the maximum costs for these undertakings from \$150,000 to \$250,000. Proposed law removes the cumulative per agency, per fiscal year limitation for these expenditures and removes the requirement that the expenditures for these repairs be first approved by the commissioner of administration and JLCB.

Effective August 1, 2023.

(Amends R.S. 39:128(B)(4)(a)(i) and (C); Adds R.S. 39:121(8) and (9))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the engrossed bill:

1. Add authority for DOA to delegate the administration of projects through FP&C to a state agency or higher education management board through the approval and execution of a CEA for the planning, design, bidding, contracting, construction, and management of projects.

2. Add authority for FP&C to delegate administration of projects to a state agency or higher education management board through the approval and execution of a CEA for the planning, design, bidding, contracting, construction, and management of projects.
3. Increase the maximum costs an agency may incur to undertake repairs, renovations, or construction of projects not included in the capital outlay budget from \$150,000 to \$250,000 and remove the cumulative per agency, per fiscal year limitation for these expenditures and the requirement that the expenditures for these repairs be first approved by the commissioner of administration and JLCB.