

RÉSUMÉ DIGEST

ACT 410 (HB 550)

2023 Regular Session

Zeringue

New law transfers 25% of the FY 2021-2022 surplus (\$181,630,129) to the Budget Stabilization Fund.

New law transfers the following amounts from the state general fund in Fiscal Year 2022-2023:

- (1) \$340,000,000 to the Transportation Trust Fund.
- (2) \$15,500,000 to the Higher Education Initiatives Fund.
- (3) \$1,000,000 to the La. Postsecondary Inclusive Education Fund
- (4) \$1,500,000 to the Jump Start Your Heart Fund if Senate Bill No. 12 of the 2023 R.S. becomes law.
- (5) \$10,000,000 to the Power-Based Violence and Safety Fund as provided in new law.
- (6) \$24,904,474 to the State Emergency Response Fund.
- (7) \$20,000,000 to the Voting Technology Fund.
- (8) \$10,000,000 to the Oyster Resource Management Account.
- (9) \$15,000,000 to the Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund.
- (10) \$7,500,000 to the Insure La. Incentive Fund.
- (11) \$5,000,000 to the Law Enforcement Recruitment Incentive Fund, if House Bill No. 563 of the 2023 R.S. becomes law.
- (12) \$5,000,000 to the Geaux Teach Fund.
- (13) \$5,000,000 to the La. Economic Development Fund.
- (14) \$4,000,000 to the Major Events Incentive Fund.
- (15) \$2,500,000 to the Reading Enrichment and Academic Deliverables (R.E.A.D.) Fund, as provided in new law.
- (16) \$2,500,000 to the Imagination Library of La. Fund if House Bill No. 412 of the 2023 R.S. becomes law.
- (17) \$1,500,000 to the Hazard Mitigation Revolving Loan Fund.
- (18) \$40,000,000 to the Coastal Protection and Restoration Fund.
- (19) \$50,000,000 to the Water Sector Fund.
- (20) \$15,000,000 to the Capital Outlay Savings Fund.
- (21) \$20,000,000 to the Fortify Homes Program Fund.
- (22) \$5,000,000 to the Court Modernization and Technology Fund.

New law transfers the following amounts in Fiscal Year 2023-2024:

- (1) \$57,500,000 to the Capital Outlay Savings Fund.

- (2) \$10,000,000 to the to the La. Fortify Homes Program Fund from Fees and Self-generated Revenues of the Dept. of Insurance.
- (3) \$2,500,000 to the Insure La. Incentive Fund from Fees and Self-generated Revenues of the Dept. of Insurance.
- (4) \$50,000,000 to the Construction Subfund Preservation Account of the Transportation Trust Fund.

New law (R.S. 17:4033.1) establishes the R.E.A.D. Fund as a special fund in the treasury. Requires monies in the fund to be invested in the same manner as monies in the state general fund and that interest earned on investment of monies in the R.E.A.D. Fund are to be credited to the R.E.A.D. Fund. Provides that monies in the fund are to be used by the state Dept. of Education for administration and implementation of the R.E.A.D. Program (provided in existing law).

Existing law (R.S. 39:100.44.1) establishes the La. Main Street Recovery Rescue Plan Fund and provides for deposit of monies into the fund, to be used for: economic support grants for La. timber harvesting and timber hauling businesses; economic support grants for eligible movie theater owners, as provided in existing law; and for the La. Agriculture Transportation Group Self-Insured Fund. Prior law required that any remaining monies in the La. Rescue Plan Fund on June 30, 2023, be transferred to the La. Rescue Plan Fund. New law extends until June 30, 2024, the date on which monies in the fund are to be transferred to the La. Rescue Plan Fund.

Existing law (R.S. 39:100.101) establishes a special fund in the state treasury relative to Title IX at public postsecondary institutions in the state. Prior law established the fund as the Power-Based Fund. New law changes the name to the Power-Based Violence and Safety Fund. Prior law required monies deposited into the fund to be used for Title IX offices at every public postsecondary institution in the state. New law provides that monies in the fund are to be used for power-based violence, Title IX, and safety initiatives at every public postsecondary institution in the state.

Existing law (R.S. 39:100.171) establishes the Hurricane Ida Recovery Fund (fund) and provides for the administration and use of monies deposited into the fund. New law provides that unexpended and unencumbered monies in the fund at the end of the fiscal year to remain in the fund.

Existing law requires monies in the fund be used to make full or partial payments to political subdivisions, including school boards, (eligible entities) that suffered property loss or damage caused by Hurricane Ida. Further requires any payment from the fund to an eligible entity to be applied by the governing authority of the eligible entity to the cost of repair or replacement of the damaged property. New law further authorizes monies received pursuant to existing and new law to be applied toward the cost of an approved project replacing such damaged property. If federal assistance funds have been received for the damaged property and monies disbursed to the eligible entity pursuant to the provisions of existing and new law remain after the eligible entity has satisfied its portion of any required local match for such damage, new law requires the eligible entity to apply any remaining monies received from the fund to one or more of the following for expenses incurred since Aug. 29, 2021:

- (1) A facility owned by an eligible entity that is open to the public for public use.
- (2) A public facility that an eligible entity owns or has legal responsibility for maintaining, including any:
 - (a) Flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility.
 - (b) Non-Federal-aid street, road, or highway.
 - (c) Other public building, structure, or system, including those used for educational, recreational, or cultural purposes.

- (d) Park.
- (3) A facility owned by a private, nonprofit entity and used to provide services to the general public.
- (4) A mixed use facility provided that more than 50% of the physical space of the facility is used for a public purpose.
- (5) A facility that meets both of the following conditions:
 - (a) At least 50% of the total square footage of the facility was used by the owner for a public purpose before Hurricane Ida.
 - (b) All or part of the facility was under repair or remodeling when Hurricane Ida struck the facility.
- (6) Debris Removal.
- (7) Emergency Protection Measures.

Existing law (R.S. 39:100.201) establishes the Political Subdivision Federal Grant Assistance Fund and provides for deposit and use of monies in the fund. Requires monies in the fund to be used for the administration of a program to assist political subdivisions with competitive federal grant opportunities made pursuant to the Infrastructure Investment and Jobs Act. Prior law required monies in the fund to be appropriated to the division of administration via BA-7. New law deletes the requirement that monies be appropriated by BA-7. Additionally adds the office of rural development within the office of the governor as an entity eligible to use monies in the fund.

New law (R.S. 39:100.211) establishes the Court Modernization and Technology Fund as a special fund in the state treasury. Provides that the Judicial Council of the Supreme Court shall administer the fund to provide technology upgrades in courts under the supervisory jurisdiction of the Supreme Court pursuant to existing constitution (Art. V). Requires monies in the fund to be invested in the same manner as monies in the state general fund. Provides that interest earned on investment of monies in the fund shall be credited to the fund. Requires any unexpended or unencumbered monies in the fund at the end of the fiscal year to remain in the fund. Requires the Supreme Court to promulgate rules for the administration of the fund. Further sets forth requirements for the Judicial Council's administration of fund monies. Requires the council to submit a quarterly status report to the Joint Legislative Committee on the Budget beginning October 1, 2023.

New law (R.S. 39:100.221) establishes the Public Safety and Crime Prevention Fund in the state treasury. Provides that the fund may receive any monies appropriated by the legislature and that any unexpended and unencumbered funds in the fund at the end of the fiscal year shall remain in the fund. Requires monies in the fund to be invested by the treasurer in the same manner as monies in the state general fund and that any interest earned on such investment be deposited into the fund. New law provides that, subject to appropriation, monies in the fund are to be used by the office of state police for public safety services, including patrol and law enforcement, in any parish having a population of not less than 280,000 persons and not more than 420,000 persons according to the latest federal decennial census.

Effective upon signature of governor (June 15, 2023), except that transfers for FY 2023-2024 are effective July 1, 2023.

(Amends R.S. 39:100.44.1(H)(3), the heading of Subpart P-3 of Part II-A of Chapter 1 of Subtitle I of Title 39, 100.101, 100.171, and 100.201(B)-(D); Adds R.S. 17:4033.1(F) and R.S. 39:100.211 and 100.221)