

2024 Regular Session

HOUSE BILL NO. 536

BY REPRESENTATIVE BOURRIAQUE

CAPITAL OUTLAY: Increases the in-house cap for construction projects by the Department of Wildlife and Fisheries

1 AN ACT

2 To amend and reenact R.S. 38:2212(C)(1) and to enact R.S. 38:2212(C)(5) and R.S.
3 39:128(F), relative to the capital outlay process; to provide an exception to contract
4 limits for the Louisiana Department of Wildlife and Fisheries; to allow an increased
5 threshold for specific types of projects; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 38:2212(C)(1) is hereby amended and reenacted and R.S.
8 38:2212(C)(5) is hereby enacted to read as follows:

9 §2212. Advertisement and letting to lowest responsible and responsive bidder;
10 public work; electronic bidding; participation in mentor-protégé program;
11 exemptions; subpoena

12 * * *

13 C.(1) Except as provided in Paragraphs (2), (3), ~~and (4)~~, and (5) of this
14 Subsection, the term "contract limit" as used in this Section shall be equal to the sum
15 of two hundred fifty thousand dollars per project, including labor, materials, and
16 equipment as per the rates in the latest edition of the Associated Equipment Dealers
17 Rental Rate Book and administrative overhead not to exceed fifteen percent,
18 provided that beginning February 1, 2025, and annually on February first of each
19 subsequent year, the office of facility planning and control within the division of
20 administration shall adjust the "contract limit" by an amount not to exceed the annual

1 percentage increase in the Consumer Price Index in the preceding year. The office
2 of facility planning and control within the division of administration shall publish the
3 new contract limit for public works contracts in the Louisiana Register in January of
4 each year.

5 * * *

6 (5) Notwithstanding any provision of law to the contrary, the contract limit
7 for the Louisiana Department of Wildlife and Fisheries for simple construction
8 projects, limited to habitat projects and uninhabited dwellings, shall be equal to the
9 threshold for professional service contracts provided for in R.S. 38:2316.

10 * * *

11 Section 2. R.S. 39:128(F) is hereby enacted to read as follows:

12 §128. Exemptions

13 * * *

14 F. The contract limit for the Louisiana Department of Wildlife and Fisheries
15 for simple construction projects, limited to habitat projects and uninhabited
16 dwellings, shall be equal to the threshold for professional service contracts provided
17 for in R.S. 38:2316. These projects may be undertaken on land owned or managed
18 by the Louisiana Department of Wildlife and Fisheries without being included in the
19 capital outlay budget, but shall be subject to the approval of the commissioner of
20 administration. The department shall not artificially divide a project's total
21 construction cost or total purchase price in order for the project or the purchase to be
22 eligible for the capital outlay exemption provided for in this Subsection. The
23 Louisiana Department of Wildlife and Fisheries shall not utilize state general fund
24 money or incur debt to fund any project that is not included in the capital outlay
25 budget. For the purpose of this Section, "construction cost" shall not be construed
26 to include design fees or movable equipment.

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)]

HB 536 Original

2024 Regular Session

Bourriaque

Abstract: Provides an exception to contract limits for the Louisiana Department of Wildlife and Fisheries. Grants the department an increased threshold for specific types of projects.

Present law provides a contract limit for letting public works projects of \$250,000.

Proposed law implements an exception to present law for the La. Dept. of Wildlife and Fisheries for simple construction projects to utilize the threshold limit applicable to projects that must be referred to the professional services boards.

Present law provides exceptions for projects not subject to the capital outlay process.

Proposed law adds an exception to present law for the La. Dept. of Wildlife and Fisheries for simple construction projects to be subject to the threshold limit applicable to professional service contracts.

(Amends R.S. 38:2212(C)(1); Adds R.S. 38:2212(C)(5) and R.S. 39:128(F))