

2024 Regular Session

HOUSE BILL NO. 788

BY REPRESENTATIVE ZERINGUE

FUNDS/FUNDING: Relative to the Hurricane Ida Recovery Fund

1 AN ACT

2 To amend and reenact R.S. 39:100.171(C), relative to the Hurricane Ida Recovery Fund; to
3 provide relative to uses of monies in the fund; to provide for an effective date; and
4 to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:100.171(C) is hereby amended and reenacted to read as follows:

7 §100.171. Hurricane Ida Recovery Fund

8 * * *

9 C. Monies in the fund shall be used to make full or partial payments to
10 eligible entities that suffered ~~property~~ loss or damage caused by Hurricane Ida and
11 that were not fully compensated for the ~~property~~ loss or damage by insurance and
12 other federal and state disaster resources. For the purposes of this Section, the term
13 "eligible entity" shall mean a political subdivision of the state and shall include
14 school boards. ~~Except as otherwise provided in this Subsection, the~~ The governing
15 authority of an eligible entity receiving monies pursuant to the provisions of this
16 Section shall apply the money to the cost of repair or replacement of the loss or
17 damage ~~damaged property or to the cost of an approved project replacing the~~
18 ~~damaged property. If federal assistance funds have been received for the damaged~~
19 ~~property and monies disbursed to the eligible entity pursuant to the provisions of this~~
20 ~~Section remain after the eligible entity has satisfied its portion of any required local~~

1 match for the damage, the eligible entity shall apply any remaining monies received
2 from the fund to one or more of the following for expenses incurred since on or after
3 August 29, 2021:

4 (1) A facility owned by an eligible entity that is open to the public for public
5 use.

6 (2) A public facility that an eligible entity owns or has legal responsibility
7 for maintaining, including any:

8 (a) Flood control, navigation, irrigation, reclamation, public power, sewage
9 treatment and collection, water supply and distribution, watershed development, or
10 airport facility.

11 (b) Non-federal-aid street, road, or highway.

12 (c) Other public building, structure, or system, including those used for
13 educational, recreational, or cultural purposes.

14 (d) Park.

15 (3) A facility owned by a private nonprofit entity and used to provide
16 services to the general public.

17 (4) A mixed-use facility provided that more than fifty percent of the
18 physical space of the facility is used for a public purpose.

19 (5) A facility that meets both of the following conditions:

20 (a) At least fifty percent of the total square footage of the facility was used
21 by the owner for a public purpose before Hurricane Ida.

22 (b) All or part of the facility was under repair or remodeling when Hurricane
23 Ida struck the facility.

24 (6) Debris removal.

25 (7) Emergency protection measures.

26 Section 2. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

- 1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.
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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 788 Engrossed

2024 Regular Session

Zeringue

Abstract: Provides relative to allowable uses of monies in the Hurricane Ida Recovery Fund (fund).

Present law establishes the fund and provides for deposit, use, and investment of monies in the fund. Proposed law retains present law.

Present law requires the state treasurer to administer a program for distribution of these funds to eligible entities. Further defines eligible entity as a political subdivision of the state, including school boards. Proposed law retains present law.

Present law requires the monies in the fund to be used to compensate eligible entities for property loss or damage caused by Hurricane Ida (Aug. 29, 2021) if the eligible entity was not fully compensated for such loss by insurance and other federal and state disaster resources. Proposed law removes the requirement that the qualifying loss or damage be related to property.

Present law authorizes any monies from the fund held by an eligible entity in excess of amounts needed to compensate for its qualifying loss or damage to use the remaining funds on expenses incurred since Hurricane Ida on certain enumerated types of projects, including but not limited to flood control, parks, and water supply and distribution. Proposed law repeals present law.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:100.171(C))