

# ACT No. 723

2024 Regular Session

HOUSE BILL NO. 786

BY REPRESENTATIVE MCFARLAND

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AN ACT

To amend and reenact R.S. 39:100.52(B), 100.62(B)(1)(a), and 100.121(B)(1) and R.S. 49:259(B)(1) and (C)(3), to enact R.S. 39:100.112(F)(2)(c), 100.211(D)(3), 100.251 through 100.253 and R.S. 46:122(B)(6) and to repeal R.S. 24:586, relative to certain treasury funds; to provide for the transfer, deposit, and use, as specified, of monies in certain treasury funds and accounts; to provide for an effective date; to provide for uses of the monies in the Court Modernization and Technology Fund; to provide for uses of the monies in the Louisiana Military Family Assistance Fund; to provide for retention of funds in the Water Sector Fund; to provide for deposits into the Community Options Waiver Fund; to provide for utilization of the Revenue Stabilization Trust Fund; to create the Criminal Justice and First Responder Fund; to create the Higher Education Campus Revitalization Fund; to create the Louisiana Transportation Infrastructure Fund; to provide for the withdrawal of monies from the Capital Outlay Savings Fund under certain circumstances; to provide for certain limitations and restrictions on monies in the Capital Outlay Savings Fund; to provide for collections in the Department of Justice Legal Support Fund; to repeal the Louisiana Transparency Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.(A) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer \$81,359,358 to be comprised wholly of nonrecurring revenues out of the State General Fund from the Fiscal Year 2022-2023 surplus, as recognized by the Revenue Estimating Conference, to the Budget Stabilization Fund.

1 (B) Notwithstanding any provision of law to the contrary, the state treasurer is  
2 hereby authorized and directed to transfer \$15,000,000 from the State General Fund by Fees  
3 and Self-generated Revenues of the Department of Insurance to the Louisiana Fortify Homes  
4 Program Fund.

5 (C) Notwithstanding any provision of law to the contrary, the state treasurer is  
6 hereby authorized and directed to transfer \$500,000 from the Small Business Innovation  
7 Recruitment Fund to the Small Business Innovation Retention Fund.

8 (D) Notwithstanding any provision of law to the contrary, the state treasurer is  
9 hereby authorized and directed to transfer \$10,000,000 from the Major Events Fund to the  
10 Major Events Incentive Fund.

11 (E) Notwithstanding any provision of law to the contrary, the state treasurer is  
12 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)  
13 to the Voting Technology Fund.

14 (F) Notwithstanding any provision of law to the contrary, the state treasurer is  
15 hereby authorized and directed to transfer \$16,000,000 from the State General Fund (Direct)  
16 to the Louisiana Economic Development Fund.

17 (G) Notwithstanding any provision of law to the contrary, the state treasurer is  
18 hereby authorized and directed to transfer \$500,000 from the State General Fund (Direct)  
19 to the Small Business Innovation Retention Fund.

20 (H) Notwithstanding any provision of law to the contrary, the state treasurer is  
21 hereby authorized and directed to transfer \$91,800,000 from the State General Fund (Direct)  
22 to the Transportation Trust Fund - Regular.

23 (I) Notwithstanding any provision of law to the contrary, the state treasurer is hereby  
24 authorized and directed to transfer \$7,000,000 from the State General Fund (Direct) to the  
25 Louisiana State Parks Improvement and Repair Dedicated Fund Account.

26 (J) Notwithstanding any provision law to the contrary, the state treasurer is hereby  
27 authorized and directed to transfer \$5,000,000 from the State General Fund (Direct) to the  
28 Louisiana Agricultural Finance Authority Fund.

1 (K) Notwithstanding any law to the contrary, the state treasurer is hereby authorized  
2 and directed to transfer \$8,000,000 from the State General Fund (Direct) to the Riverboat  
3 Gaming Enforcement Fund.

4 (L) Notwithstanding any provision of law to the contrary, the state treasurer is  
5 hereby authorized and directed to transfer any balance from the Scenic Rivers Fund to the  
6 Conservation Fund.

7 (M) Notwithstanding any provision of law to the contrary, the state treasurer is  
8 hereby authorized and directed to transfer any balance from the Natural Heritage Account  
9 to the Conservation Fund.

10 (N) Notwithstanding any provision of law to the contrary, the state treasurer is  
11 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)  
12 to the Louisiana Outdoors Forever Fund.

13 (O) Notwithstanding any provision of law to the contrary, the state treasurer is  
14 hereby authorized and directed to transfer \$2,900,000 from the Water Sector Fund, from the  
15 State General Fund (Direct) transferred to the fund in Act 410 of the 2023 Regular Session,  
16 to the Louisiana Main Street Recovery Rescue Plan Fund.

17 (P) Notwithstanding any provision of law to the contrary, the state treasurer is  
18 hereby authorized and directed to transfer \$2,900,000 from the Louisiana Main Street  
19 Recovery Rescue Plan Fund to the Water Sector Fund.

20 (Q) Notwithstanding any provision of law to the contrary, the state treasurer is  
21 hereby authorized and directed to transfer \$112,300,000 from the State General Fund  
22 (Direct) to the Capital Outlay Savings Fund.

23 (R) Notwithstanding any provision of law to the contrary, the state treasurer is  
24 hereby authorized and directed to transfer \$35,800,000 from the State General Fund (Direct)  
25 to the Overcollections Fund.

26 (S) Notwithstanding any provision of law to the contrary, the treasurer is hereby  
27 authorized and directed to transfer \$20,000,000 from the State General Fund (Direct) to the  
28 Louisiana Mega-Project Development Fund.

1 (T) Notwithstanding any provision of law to the contrary, the treasurer is hereby  
2 authorized and directed to transfer \$1,347,006 from the Louisiana Rescue Plan Fund to the  
3 Water Sector Fund.

4 (U) Notwithstanding any provision of law to the contrary, the treasurer is hereby  
5 authorized and directed to transfer \$3,500,000 from the Louisiana Transparency Fund to the  
6 State General Fund (Direct).

7 (V) Notwithstanding any provision of law to the contrary, the state treasurer is  
8 hereby authorized and directed to transfer \$100,000 from the State General Fund (Direct)  
9 to the Louisiana Military Family Assistance Fund.

10 (W) Notwithstanding any provision of law to the contrary, the treasurer is hereby  
11 authorized and directed to transfer \$1,000,000 from the State General Fund (Direct) to the  
12 Dyslexia Fund contingent upon the Act that originated as Senate Bill No. 440 of the 2024  
13 Regular Session of the Legislature becoming law.

14 (X) Notwithstanding any provision of law to the contrary, the state treasurer is  
15 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)  
16 to the Postsecondary Inclusive Education Fund.

17 (Y) Notwithstanding any provision of law to the contrary, the state treasurer is  
18 hereby authorized and directed to transfer \$3,008,881 from the Events Incentive Fund to the  
19 Major Events Incentive Fund contingent upon the Act that originated as Senate Bill No. 341  
20 of the 2024 Regular Session of the Legislature becoming law.

21 (Z) Notwithstanding any law to the contrary, the state treasurer is authorized and  
22 directed to deposit into the Overcollections Fund from the revenues in the state general fund  
23 an amount equal to the amount of the State General Fund (Direct) for each line item  
24 appropriation in the Act that originated as House Bill No. 782 of the 2024 Regular Session  
25 of the Legislature that has a State General Fund (Direct) appropriation that is vetoed by the  
26 governor other than pursuant to his authority under Article IV, Section 5(G)(2) of the  
27 Constitution of Louisiana and that is not overridden by the legislature.

28 (AA) Notwithstanding any provision of law to the contrary, the state treasurer is  
29 hereby authorized and directed to transfer \$2,000,000 from the Events Incentive Fund to the  
30 Overcollections Fund.

1           Section 2. Notwithstanding any law to the contrary, the state treasurer is authorized  
2 and directed to deposit into the Overcollections Fund from the revenues in the state general  
3 fund an amount equal to the amount of the State General Fund (Direct), for each line item  
4 in the Act that originated as House Bill No. 1 of the 2024 Regular Session of the Legislature  
5 that has a State General Fund (Direct) appropriation that is vetoed by the governor other than  
6 pursuant to his authority under Article IV, Section 5(G)(2) of the Constitution of Louisiana  
7 and that is not overridden by the legislature.

8           Section 3. R.S. 39:100.52(B) and 100.62(B)(1)(a) are hereby amended and reenacted  
9 and R.S. 39:100.112(F)(2)(c), 100.211(D)(3), and 100.251 through 100.253 are hereby  
10 enacted to read as follows:

11           §100.52. Water Sector Fund

12                                       \*       \*       \*

13                           B. Monies in the fund shall be invested in the same manner as monies in the  
14 state general fund. Interest earned on the investment of monies in the fund shall be  
15 deposited in and credited to the fund. All unexpended and unencumbered monies  
16 remaining in the fund at the end of each fiscal year shall remain in the fund.

17                                       \*       \*       \*

18           §100.62. Community Options Waiver Fund

19                                       \*       \*       \*

20                           B.(1) The source of monies in the fund shall be as follows:

21                           (a) In any fiscal year, ~~after deposits required pursuant to R.S. 39:100.61~~, the  
22 state treasurer is directed to deposit twelve percent of the total of recurring state  
23 general fund revenue as recognized by the Revenue Estimating Conference in excess  
24 of the official forecast at the beginning of the current fiscal year, not to exceed fifty  
25 million dollars in any fiscal year, into the fund, and monies in the fund from this  
26 Subparagraph shall be used for appropriation in the ensuing fiscal year. Such  
27 deposits shall not affect the deposits required pursuant to R.S. 39:100.61.

28                                       \*       \*       \*

29           §100.112. Revenue Stabilization Trust Fund

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(c) Notwithstanding any provision of this Paragraph to the contrary, for fiscal year 2024-2025, the minimum fund balance shall equal two billion two hundred million dollars and the allowable percentage shall equal thirty-three percent.

\* \* \*

§100.211. Court Modernization and Technology Fund

\* \* \*

D. The Judicial Council shall administer monies in the fund as follows:

\* \* \*

(3) To provide for statewide judicial technology projects, including the following:

(a) Supreme Court integrated case management system.

(b) Centralized online judicial portal for data collection and electronic payment submission.

\* \* \*

§100.251. Criminal Justice and First Responder Fund

A. There is hereby established in the state treasury, as a special fund, the Criminal Justice and First Responder Fund, hereinafter referred to in this Section as the "fund".

B. Any money transferred, donated, or appropriated to the fund by the legislature shall be deposited into the fund after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund.

C. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund and interest earned on the investment of monies in the fund shall be credited to the fund.

1                    D. The monies in the fund shall be utilized for the following:

2                    (1) In the event that Senate Bill No. 431 of the 2024 Regular Session of the  
3                    Legislature is enacted into law, the state treasurer shall deposit the first one hundred  
4                    million dollars of monies received into the fund into the Criminal Justice Priority  
5                    Fund for the purposes provided in the Act that originated as Senate Bill No. 431 of  
6                    the 2024 Regular Session of the Legislature.

7                    (2) The remaining monies in the fund shall be used solely for initiatives  
8                    associated with criminal justice, first responders, and law enforcement.

9                    §100.252. Louisiana Transportation Infrastructure Fund

10                   A. There is hereby established in the state treasury, as a special fund, the  
11                   Louisiana Transportation Infrastructure Fund, hereinafter referred to in this Section  
12                   as the "fund".

13                   B. Any money transferred, donated, or appropriated to the fund by the  
14                   legislature shall be deposited into the fund after compliance with the requirements  
15                   of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond  
16                   Security and Redemption Fund.

17                   C. All unexpended and unencumbered monies in the fund at the end of the  
18                   fiscal year shall remain in the fund. The monies in the fund shall be invested by the  
19                   state treasurer in the same manner as monies in the state general fund and interest  
20                   earned on the investment of monies in the fund shall be credited to the fund.

21                   D. The monies in the fund shall be utilized for the following:

22                   (1) The amount of two hundred eighty-five million seven hundred fifteen  
23                   thousand one hundred dollars shall be utilized in the Highway Priority Program.

24                   (2) The amount of twenty-five million dollars shall be used for road transfer  
25                   needs identified by the Department of Transportation and Development.

26                   (3) The remaining monies in the fund shall be used solely for initiatives  
27                   associated with transportation infrastructure and capital outlay projects.

1           §100.253. Higher Education Campus Revitalization Fund

2                   A. There is hereby established in the state treasury, as a special fund, the  
3           Higher Education Campus Revitalization Fund, hereinafter referred to in this Section  
4           as the "fund".

5                   B. Any money transferred, donated, or appropriated to the fund by the  
6           legislature shall be deposited into the fund after compliance with the requirements  
7           of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond  
8           Security and Redemption Fund.

9                   C. All unexpended and unencumbered monies in the fund at the end of the  
10           fiscal year shall remain in the fund. The monies in the fund shall be invested by the  
11           state treasurer in the same manner as monies in the state general fund and interest  
12           earned on the investment of monies in the fund shall be credited to the fund.

13                   D. The monies in the fund shall be utilized for the following:

14                   (1) In the event that House Bill No. 940 of the 2024 Regular Session of the  
15           Legislature is enacted into law, the state treasurer shall deposit the first seventy-five  
16           million dollars of monies received into the fund into the College and University  
17           Deferred Maintenance and Capital Improvement Fund for the purposes provided in  
18           the Act that originated as House Bill No. 940 of the 2024 Regular Session of the  
19           Legislature.

20                   (2) Any remaining monies in the fund shall be used solely for various  
21           improvements throughout Louisiana public institutions of higher education.

22           Section 4. R.S. 46:122(B)(6) is hereby enacted to read as follows:

23           §122. Louisiana Military Family Assistance Fund

24   \*       \*       \*

25                   B. The money in the fund shall be used solely for the following purposes:

26   \*       \*       \*

27                   (6) To pay for educational benefits for children, spouses, and surviving  
28           spouses of veterans in accordance with R.S. 29:288.



1 Section 5. R.S. 39:100.121(B)(1) is hereby amended and reenacted to read as  
2 follows:

3 §100.121. Capital Outlay Savings Fund

4 \* \* \*

5 B. Monies in the fund shall be used only for the following purposes:

6 (1) Providing funding for capital outlay projects; however, no withdrawals  
7 shall be made from the fund pursuant to the provisions of this Paragraph except by  
8 a specific appropriation made in a bill enacted by the legislature.

9 \* \* \*

10 Section 6. R.S. 49:259(B)(1) and (C)(3) are hereby amended and reenacted to read  
11 as follows:

12 §259. Department of Justice Legal Support Fund

13 \* \* \*

14 B.(1) After satisfying the requirements of the Bond Security and Redemption  
15 Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the  
16 treasurer shall transfer into the fund each fiscal year from proceeds received as  
17 provided in Subsection A of this Section an amount which together with the balance  
18 in the fund as of each July first is sufficient to bring the balance in the fund to ~~ten~~  
19 fifteen million dollars annually. Annual deposits into the fund shall not exceed a total  
20 of ~~ten~~ fifteen million dollars and the balance of the fund shall not exceed ~~ten~~ fifteen  
21 million dollars. Any proceeds received as provided in Subsection A of this Section,  
22 after making the total annual deposit into the fund of ~~ten~~ fifteen million dollars shall  
23 be deposited into the state general fund.

24 \* \* \*

25 C.(1)

26 \* \* \*

27 (3) Each fiscal year, monies shall be deposited into the fund in an amount  
28 sufficient to bring the unencumbered balance in the fund to ~~ten~~ fifteen million  
29 dollars.

30 \* \* \*

1           Section 7. R.S. 24:586 is hereby repealed in its entirety.

2           Section 8. Notwithstanding any provision of law to the contrary, the treasurer is  
3 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)  
4 to the Coastal Protection and Restoration Fund.

5           Section 9. In accordance with the provisions of Article VII, Section 10.15(F)(3) of  
6 the Constitution of Louisiana, the Legislature of Louisiana, two-thirds of each house  
7 concurring, does hereby authorize appropriation from the Revenue Stabilization Trust Fund  
8 for the purpose of addressing emergency conditions across the state in Fiscal Year 2024-  
9 2025.

10           Section 10.(A) This Section and Sections 1, 3, 4, and 9 of this Act shall become  
11 effective upon signature by the governor or, if not signed by the governor, upon expiration  
12 of the time for bills to become law without signature by the governor, as provided by Article  
13 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently  
14 approved by the legislature, this Section and Sections 1, 3, 4, and 9 of this Act shall become  
15 effective on the day following such approval.

16           (B) Sections 2, 7, and 8 of this Act shall become effective on July 1, 2024; if vetoed  
17 by the governor and subsequently approved by the legislature, Sections 2, 7, and 8 of this  
18 Act shall become effective on July 1, 2024, or on the day following such approval by the  
19 legislature, whichever is later.

20           (C) Section 5 of this Act shall become effective on January 1, 2025.

21           (D) Section 6 of this Act shall become effective on July 1, 2025.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_