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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

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DIGEST

SB 245 Reengrossed

2025 Regular Session

Cloud

Present law requires the commissioner of administration to establish and maintain the Louisiana Checkbook website, a centralized, searchable website, that provides information to the public about data and reports of state expenditures, contracts, incentive expenditures, revenues, and other financial matters. The website serves as an interactive portal for the public to access state fiscal information.

Proposed law retains present law and further requires the commissioner to ensure the website includes a nongovernmental entity database that is categorized according to the type of service that the nongovernmental entity provides and is electronically searchable by the public.

Proposed law requires all state agencies to provide information as provided by rules promulgated by the commissioner. Further requires the database to have the following functionality:

- (1) Search and aggregate records by agency.
- (2) Search and aggregate records by nongovernmental entities.
- (3) Download information yielded by a search of the database.
- (4) Provide access or integration into the database Louisiana Checkbook information from reports on contracts required by law.

Proposed law requires the nongovernmental entity database to include but not be limited to the following data:

- (1) The name and physical address of the nongovernmental entity, excluding the physical address of an entity that is confidential under state or federal law, rule, or regulation.
- (2) The amount of the contract or appropriation and total means of finance, including state and federal sources, if applicable.
- (3) The date the nongovernmental entity signed the contract, the status of the funding, and the completion date of the contract.
- (4) The purpose of the contract or appropriation and an outcome assessment by the state agency administering the contract of whether the nongovernmental entity has completed the

purposes of the contract or appropriation or met performance goals as defined in a cooperative endeavor agreement.

(5) A keyword index for the category of service the nongovernmental entity is providing.

(6) The compliance status of all reports submitted pursuant to proposed law.

Proposed law requires the division of administration to submit a comprehensive annual report to the Joint Legislative Committee on the Budget (JLCB), on or before Jan. 1 of each year, on information contained in the nongovernmental entity database and the compliance status of all reports submitted pursuant to proposed law. Further requires the report to be categorized by the type of service and include the amount of investment made in the service that the nongovernmental entity provides.

Present law requires any nongovernmental entity which is neither a budget unit nor a political subdivision of the state that is requesting funding from the state to transmit certain information to the legislature in an online, searchable database.

Proposed law retains present law.

Present law provides disclosure requirements for elected officials or their immediate family members who receive compensation from, hold an ownership interest in, or contract with a nongovernmental entity requesting state funding.

Proposed law repeals present law.

Present law further provides disclosure requirements for a nongovernmental entity with a contract with the state or any political subdivision of the state.

Proposed law retains present law.

Present law (R.S. 14:133) provides for the crime of filing or maintaining false public records and provides for penalties including imprisonment for not more than five years with or without hard labor or a fine of not more than \$5,000 or both.

Proposed law retains present law and provides that knowingly submitting false or misleading information in a nongovernmental entity funding request form shall constitute a violation of present law.

Proposed law establishes the "Transparent Responsible Use of State Tax-dollars Act" or "T.R.U.S.T. Act".

Proposed law provides for legislative intent including the purpose of establishing clear expectations and consistent standards for nongovernmental entities in order to protect the interests of the taxpayers of Louisiana and promoting accountability for funds appropriated to nongovernmental entities by enabling access to data through the nongovernmental entity database within Louisiana

Checkbook maintained by the division of administration.

Proposed law requires each nongovernmental entity that receives a legislative appropriation or an appropriation as part of a departmental or agency budget, including any federal funding sources, to submit to the state agency distributing the appropriation or administering the contract or cooperative endeavor agreement the following information prior to the disbursement of funds:

- (1) An itemized report of the nongovernmental entity's administrative expenses associated with the distribution and utilization of state appropriated funds.
- (2) The nongovernmental entity's most recent financial report in accordance with audit requirements of present law. Further requires the report to be a sworn financial statement, compilation, review, or audit, as required based on the total revenues and other funding sources received by the entity in any one fiscal year.

Proposed law requires the completed financial report to be submitted to and formally accepted by the legislative auditor in order to be deemed compliant for purposes of eligibility to receive appropriated funds.

Proposed law requires certain audit reports to include an unqualified auditor's opinion and a certification that there are no unresolved audit findings, or that the nongovernmental entity is actively working with the appropriate governmental authority to resolve them.

Proposed law requires all financial reports to be reviewed and accepted by the legislative auditor pursuant to the audit provisions of present law. No report shall be deemed compliant without such acceptance.

Proposed law authorizes the state agency to require the nongovernmental entity to submit a corrective action plan to address noncompliance with the provisions of proposed law or any outstanding audit issues or findings.

Proposed law prohibits any nongovernmental entity that fails to comply with the provisions of proposed law from receiving disbursement of an appropriation for a period of three years or until the entity has achieved compliance as determined by the state agency.

Proposed law prohibits any public official, public employee, or immediate family member thereof from receiving anything of economic value or any form of compensation, whether direct or indirect, from a nongovernmental entity or contract with a nongovernmental entity receiving appropriated funds.

Proposed law shall not preclude a public official or public employee from accepting a thing of economic value, gift, or complimentary admission, lodging, and reasonable transportation in compliance with the ethics provisions of present law.

Proposed law provides that nongovernmental entities that receive appropriated funds shall refrain

from political activities, including endorsement of any political party or candidate for public office, or the use of machinery, equipment, postage, stationary, or personnel on behalf of any political party or candidate.

Proposed law prohibits nongovernmental entities from using appropriated funds for the following purposes:

- (1) Lobbying the legislature or a state or local government agency, including funding for employee hours spent lobbying.
- (2) Making contributions, directly or indirectly, to political action committees, political parties, or candidates for public office.

Proposed law provides that a nongovernmental entity shall not include any school governing authority required to post fiscal information through the School Transparency Project Portal pursuant to present law.

Proposed law requires the head of each state agency distributing or awarding appropriated funds to a nongovernmental entity to ensure compliance with the nongovernmental entity database requirements as provided in proposed law.

Proposed law requires each state agency distributing or awarding appropriated funds to nongovernmental entities to comply with the requirements of proposed law and submit all documentation as prescribed herein upon receipt and by rules promulgated by the commissioner of administration.

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

(Amends R.S. 39:51.1(B)(11); adds R.S. 39:16.15, 51.1(I) and (J), and 89.1-89.4; repeals R.S. 39:51.1(B)(10) and (F))

#### Summary of Amendments Adopted by Senate

##### Senate Floor Amendments to engrossed bill

1. Require the division of administration to submit a comprehensive annual report to JLCB, on or before Jan. 1 of each year, on information contained in the nongovernmental entity database and the compliance status of all reports submitted pursuant to proposed law.
2. Require the report to be categorized by the type of service and include the amount of investment made in the service that the nongovernmental entity provides.
3. Provide that a nongovernmental entity shall not include any school governing authority required to post fiscal information through the School Transparency Project

Portal pursuant to present law.

4. Prohibit nongovernmental entities using appropriated funds for lobbying the legislature or a state or local government agency, including funding for employee hours spent lobbying.