

First Extraordinary Session, 2005

HOUSE BILL NO. 140

BY REPRESENTATIVES ALARIO, SALTER, DEWITT, DORSEY, AND HAMMETT  
AND SENATORS HEITMEIER, HINES, AND MOUNT

FUNDS/FUNDING: Provides relative to the balance in the Budget Stabilization Fund (Item #19)

1 AN ACT

2 To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the  
3 balance in the Budget Stabilization Fund; to define total state revenue receipts for  
4 purposes of determining the balance in the fund; to provide for an effective date; and  
5 to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:94(C)(4) is hereby enacted to read as follows:

8 §94. Budget Stabilization Fund

9 \* \* \*

10 C. The money in the fund shall not be available for appropriation except  
11 under the following conditions:

12 \* \* \*

13 (4) No appropriation or deposit to the fund shall be made if such  
14 appropriation or deposit would cause the balance in the fund to exceed four percent  
15 of total state revenue receipts for the previous fiscal year. For the purposes of this  
16 Section, total state revenue receipts shall not include any monies received by the  
17 state from the Federal Emergency Management Administration or other federal  
18 sources providing disaster relief assistance.

19 Section 2. This Act shall become effective upon signature by the governor or, if not  
20 signed by the governor, upon expiration of the time for bills to become law without signature

- 1 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
2 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
3 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.

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Alario

HB No. 140

**Abstract:** Provides with respect to the balance in the Budget Stabilization Fund and defines "total state revenue receipts".

Present law provides for the creation of the Budget Stabilization Fund, the deposits into the fund, allocations from the fund, and appropriation of the funds in certain circumstances.

Present law does not define total state receipts.

Proposed law retains present law and provides in statute the constitutional limit on deposits to the fund. Present constitution provides that the deposits are limited to 4% of total state receipts.

Proposed law provides that total state receipts shall not include any monies received by the state from the Federal Emergency Management Administration or another federal source which provides disaster relief assistance.

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

(Adds R.S. 39:94(C)(4))

Summary of Amendments Adopted by HouseHouse Floor Amendments to the engrossed bill.

1. With respect to monies which shall not be included in the balance, adds reference to any other federal source from which the state might receive disaster relief assistance.