

Regular Session, 2013

HOUSE BILL NO. 550

BY REPRESENTATIVES THIERRY AND BROSSETT

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNDS/FUNDING: Creates the My Safe Louisiana Home Program within the Louisiana Housing Corporation and provides for funding of the program

1 AN ACT

2 To enact Chapter 3-H of Title 40 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 40:600.121 and 600.122, relative to the Louisiana Housing
4 Corporation; to establish the My Safe Louisiana Home Program; to provide for the
5 purpose of the program; to establish the My Safe Louisiana Home Program Fund as
6 a special treasury fund; to provide for the deposit into and use of monies in the fund;
7 to provide for an effective date; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. Chapter 3-H of Title 40 of the Louisiana Revised Statutes of 1950,
10 comprised of R.S. 40:600.121 and 600.122 is hereby amended and reenacted to read as
11 follows:

12 CHAPTER 3-H. MY SAFE LOUISIANA HOME PROGRAM

13 §600.121. Short title; purpose

14 A. This Chapter shall be known and may be cited as the "My Safe Louisiana
15 Home Program Act".

16 B. There is established within the Louisiana Housing Corporation the My
17 Safe Louisiana Home Program. The corporation shall provide fiscal accountability,
18 contract management, and strategic leadership for the program, consistent with this
19 Chapter. This Chapter does not create an entitlement for property owners or obligate
20 the state in any way to fund the inspection or retrofitting of residential property in

1 this state. Implementation of this program is subject to annual legislative
2 appropriations.

3 §600.122. My Safe Louisiana Home Program Fund; sources; administration

4 A. There is hereby established as a special fund in the state treasury the "My
5 Safe Louisiana Home Program Fund", hereinafter referred to as "the fund".

6 B.(1) After compliance with the requirements of Article VII, Section 9(B)
7 of the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
8 and prior to monies being placed in the state general fund, the lesser of the following
9 shall be annually credited to the fund:

10 (a) An amount equal to the amount of surcharges, market equalization
11 charges, or assessments paid by taxpayers during the taxable year as a result of the
12 2005 regular assessment or the emergency assessments levied due to Hurricanes
13 Katrina and Rita by Louisiana Citizens Property Insurance Corporation for the FAIR
14 Plan and Coastal Plan, as they are defined in R.S. 22:2292, less the amount of the tax
15 credit claimed pursuant to R.S. 47:6025 during the same period.

16 (b) The sum of one million dollars.

17 (2) The source of monies in the fund shall be funds credited to the fund,
18 funds from specific legislative appropriations, and from donations, gifts, grants, and
19 matching or other funds. Monies in the fund shall be used solely as provided by
20 Subsection C of this Section and only in the amounts appropriated by the legislature.
21 All unexpended and unencumbered monies in the fund at the end of the fiscal year
22 shall remain in the fund. The monies in this fund shall be invested by the state
23 treasurer in the same manner as monies in the state general fund and interest earned
24 on the investment of these monies shall be credited to the fund.

25 C. Monies in the fund shall be used for the following:

26 (1) To provide for operating expenses of the program.

27 (2) To provide for free home-retrofit inspections of site-built, single-family,
28 residential property throughout the state to determine what mitigation measures are
29 needed, what insurance premium discounts may be available, and what

1 improvements to existing residential properties are needed to reduce the property's
2 vulnerability to hurricane damage.

3 (3) To provide grants to encourage single-family, site-built, owner-occupied,
4 residential property owners insured by Louisiana Citizens Property Insurance
5 Corporation to retrofit their properties to make them less vulnerable to hurricane
6 damage. The residence must be located in a coastal parish, and the maximum
7 amount for an individual grant shall not exceed ten thousand dollars. For the
8 purposes of this Paragraph "coastal parish" means any one of the following parishes:
9 Cameron, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Mary,
10 Terrebonne, and Vermilion Parish.

11 D. The Louisiana Housing Corporation, within six months of the effective
12 date of this Act, shall promulgate rules and regulations for the implementation of this
13 program in accordance with the Administrative Procedure Act. These rules shall
14 include but not be limited to:

15 (1) Eligibility criteria for participation.

16 (2) Criteria for ranking and selecting applicants.

17 (3) Criteria for the certification of and reimbursement to inspectors for the
18 home-retrofit inspections.

19 Section 2. This Act shall become effective on July 1, 2014.

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)]

Thierry

HB No. 550

Abstract: Creates the My Safe Louisiana Home Fund and establishes a program to pay for inspections and retrofitting homes to make them less vulnerable to hurricane damage. Annually dedicates the lesser of \$1 million or an amount equal to La. Citizens Property Insurance Corp. assessments related to Hurricanes Katrina and Rita less the amount paid to taxpayers for credits into a fund for such program.

Proposed law establishes the My Safe Louisiana Home Program within the Louisiana Housing Corporation (LHC). Provides that the program, subject to appropriations from the My Safe Louisiana Home Program Fund, shall provide for free home-retrofit inspections of site-built, single-family, residential properties to provide recommendations to reduce the property's vulnerability to hurricane damage; grants for retrofitting single-family, site-built,

owner-occupied, residences insured by La. Citizens Property Insurance Corp. to make them less vulnerable to hurricane damage. Grants are for residences located in coastal parishes (Cameron, Iberia, Jefferson, Lafourche, Orleans, Plaquemines, St. Bernard, St. Mary, Terrebonne, and Vermilion) and are limited to \$10,000 per grant.

Proposed law provides that the treasurer shall deposit into the fund whichever is less - \$1 million per year or an amount equal to the surcharges, market equalization charges, or assessments paid by a taxpayer during the taxable year as a result of the 2005 regular assessment or the emergency assessments levied due to Hurricanes Katrina and Rita by La. Citizens Property Insurance Corp. for the FAIR Plan and Coastal Plan, less the amount claimed pursuant to R.S. 47:6025 during the same period.

Present law (R.S. 47:6025) authorizes a refundable tax credit against Louisiana income tax due in a taxable year for the amount of surcharges, market equalization charges, or assessments paid by a taxpayer during the taxable year as a result of the 2005 regular assessment or the emergency assessments levied due to Hurricanes Katrina and Rita by Louisiana Citizens Property Insurance Corporation for the FAIR Plan and Coastal Plan, as they are defined in R.S. 22:2292.

Proposed law requires the LHC to promulgate rules and regulations for the program within six months of the effective date of proposed law, including eligibility criteria for participation; criteria for ranking and selecting applicants; and criteria for the certification of and reimbursement to inspectors for the home-retrofit inspections.

Effective July 1, 2014.

(Adds R.S. 40:600.121 and 600.122)