

2016 First Extraordinary Session

HOUSE BILL NO. 100

BY REPRESENTATIVE TALBOT

FUNDS/FUNDING: Eliminates certain statutory dedication and eliminates certain dedications of certain funds (Item #7)

1 AN ACT

2 To amend and reenact R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S.

3 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S.

4 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5),

5 R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2)

6 and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S.

7 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E),

8 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and

9 (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361,

10 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 and

11 Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to

12 repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.

13 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2,

14 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised

15 Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), and

16 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6),

17 and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of

18 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.

19 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana

20 Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of

1 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
2 comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title  
3 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart  
4 K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
5 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle  
6 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41,  
7 Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
8 Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1  
9 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
10 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
11 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 of  
12 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
13 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I  
14 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126,  
15 Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
16 Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of  
17 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
18 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3)  
19 and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e),  
20 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and  
21 Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013  
22 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997  
23 Regular Session of the Legislature, relative to special treasury funds; to provide for  
24 the elimination of certain special treasury funds; to eliminate certain dedications into  
25 certain special treasury funds; to eliminate certain required expenditures from special  
26 treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund,  
27 Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund,  
28 Indigent Parent Representation Program Fund, Innocence Compensation Fund,  
29 Academic Improvement Fund, Support Education in Louisiana First Fund,

1 Workforce Training Rapid Response Fund, Higher Education Initiatives Fund,  
2 Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund,  
3 Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund,  
4 Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement  
5 Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health  
6 Studies Program Fund, Southern University AgCenter Program Fund, Video Draw  
7 Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund,  
8 Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports  
9 Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State  
10 Emergency Response Fund, Louisiana Interoperability Communications Fund,  
11 Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State  
12 University Firemen Training Program Film Library Fund, Marketing Fund, Tobacco  
13 Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response  
14 Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program  
15 Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty  
16 Collections Fund, Workforce and Innovation for a Strong Economy Fund,  
17 Competitive Core Growth Fund, Science, Technology, Engineering and Math  
18 (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center  
19 of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded  
20 Accrued Liability and Specialized Educational Institutions Support Fund, MediFund,  
21 Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency  
22 Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need  
23 of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of  
24 Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund,  
25 Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund,  
26 Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid  
27 Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New  
28 Orleans Public Safety Fund; to provide for the deposits into the New Opportunities  
29 Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the

1 Video Draw Poker Device Fund to authorize the transfer of balances between funds;  
2 to provide for deposit of monies into the state general fund; and to provide for related  
3 matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3) are hereby amended and  
6 reenacted to read as follows:

7 §2. Creation, powers, and duties of Department of Agriculture and Forestry and the  
8 commissioner of agriculture and forestry

9 \* \* \*

10 C. All funds derived from the sale of timber on state lands under this Section  
11 shall be deposited in the state treasury for deposit into the state general fund. ~~Monies~~  
12 ~~derived from the sale of timber on state lands in the custody of the Department of~~  
13 ~~Health and Hospitals shall be deposited into the Department of Health and Hospitals'~~  
14 ~~Facility Support Fund as provided in R.S. 40:16.2.~~ The legislature shall annually  
15 appropriate to the Department of Agriculture and Forestry the costs incurred by that  
16 department under the provisions of this Section.

17 \* \* \*

18 §277. Trust funds

19 Subject to the exceptions contained in Article VII, Section 9 of the  
20 Constitution of Louisiana, all funds received by the authority shall be deposited  
21 immediately upon receipt in the state treasury and shall be credited to the Bond  
22 Security and Redemption Fund. ~~After a sufficient amount is allocated from the fund~~  
23 ~~to pay all obligations secured by the full faith and credit of the state which become~~  
24 ~~due and payable within any fiscal year, the state treasurer, prior to placing the~~  
25 ~~remaining funds in the state general fund, shall pay an amount equal to the total~~  
26 ~~amount of funds paid into the state treasury by the authority into a special fund~~  
27 ~~which is hereby created in the state treasury and designated as the Louisiana~~  
28 ~~Agricultural Finance Authority Fund. The monies in the Louisiana Agricultural~~  
29 ~~Finance Authority Fund shall be used solely for the programs and purposes of the~~

1 ~~authority and only in the amount appropriated each year to the authority by the~~  
 2 ~~legislature. All unexpended and unencumbered monies in the fund at the end of the~~  
 3 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~  
 4 ~~state treasurer in the same manner as monies in the state general fund. All interest~~  
 5 ~~earned from the investment of the monies in the Louisiana Agricultural Finance~~  
 6 ~~Authority Fund shall be deposited in that fund.~~

7 \* \* \*

8 §4321. Forest protection assessment

9 \* \* \*

10 B. The assessment shall be entered on the tax rolls by the assessor and shall  
 11 be paid by the owner of such timberland to the sheriff and ex officio tax collector of  
 12 the parish in which the timberland is located in the same manner as parish ad  
 13 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~  
 14 solely as provided in this Part for deposit into the state general fund.

15 \* \* \*

16 §4411. Forestry Productivity Fund; disposition of funds

17 A. Funds equal to seventy-five percent of that portion of the severance tax  
 18 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of  
 19 Louisiana shall be deposited immediately upon receipt into the state treasury for  
 20 deposit into the state general fund.

21 \* \* \*

22 §4423. Definitions

23 As used in this Part, the following terms shall have the meanings ascribed  
 24 below:

25 \* \* \*

26 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax  
 27 deduction, rebate, investment, contract, or grant made available by the state to  
 28 directly support the purchase of forestry products. "Incentives" shall not mean any  
 29 such benefit available under statutorily provided programs including Louisiana

1 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act  
 2 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax  
 3 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program  
 4 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and Tax  
 5 Equalization (R.S. 47:3201, et seq.), ~~Rapid Response Fund (R.S. 51:2361), and~~  
 6 ~~Mega-Project Development Fund (R.S. 51:2365).~~

7 Section 2. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as follows:

8 §5073. Certifications; directory; tax stamps

9 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this  
 10 state, whether directly or through a distributor, retailer, or similar intermediary or  
 11 intermediaries, shall execute and deliver on a form prescribed by the attorney general  
 12 a certification to the secretary and attorney general, no later than the thirtieth day of  
 13 April each year, certifying under penalty of perjury that, as of the date of such  
 14 certification, such tobacco product manufacturer either: is a participating  
 15 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all  
 16 installment payments required by R.S. 13:5075(J). For the initial certification  
 17 submitted no later than the thirtieth of April each year, a manufacturer shall pay to  
 18 the attorney general a fee of five hundred dollars. The fees generated pursuant to this  
 19 Section shall be deposited in the ~~Tobacco Settlement Enforcement Fund~~ state general  
 20 fund and used solely and exclusively for purposes of enforcement of the Master  
 21 Settlement Agreement, pursuant to R.S. 39:98.7.

22 \* \* \*

23 Section 3. R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3) are hereby  
 24 amended and reenacted to read as follows:

25 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood  
 26 development and enrichment activity classes; financial assistance

27 \* \* \*

1 B.

2 \* \* \*

3 (3) As provided in this Subsection, when a participating school district  
4 receives privately funded scholarship funds pursuant to this Subsection, the annual  
5 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program  
6 shall be reduced by the amount of the private scholarship program funds so received.  
7 The commissioner of administration shall determine and specify the amount of the  
8 reduction from the source of the funds to provide the maximum benefit to the state  
9 from the privately funded scholarship program. The state treasurer shall deposit the  
10 amount of the reduction as specified by the commissioner of administration into the  
11 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~  
12 ~~within the fund hereby established and created to be known as the "Program~~  
13 ~~Participation Savings Account"~~ state general fund.

14 \* \* \*

15 §3046.3 Private Scholarships

16 \* \* \*

17 C. As provided in this Section, when an eligible college or university  
18 receives privately funded scholarship funds on behalf of a student, the state funds for  
19 the Louisiana GO Grant program shall be reduced by the amount of the private  
20 scholarship program funds so received. The commissioner of administration shall  
21 determine and specify the amount of the reduction from the source of the funds to  
22 provide the maximum benefit to the state from the privately funded scholarship  
23 program. The state treasurer shall deposit the amount of the reduction as specified  
24 by the commissioner of administration into the ~~Overcollections Fund created in R.~~  
25 ~~S. 39:100.21 and credit the deposit to an account within the fund hereby established~~  
26 ~~and created to be known as the "Program Participation Savings Account"~~ state  
27 general fund.

28 \* \* \*

1 §4019. Private scholarships

2 \* \* \*

3 C. As provided in this Section, when a participating school receives privately  
4 funded scholarship funds on behalf of a student pursuant to this Section, the annual  
5 appropriation of state funds for the program shall be reduced by the amount of such  
6 private scholarship program funds so received. The commissioner of administration  
7 shall determine and specify the amount of the reduction from the source of the funds  
8 to provide the maximum benefit to the state from the privately funded scholarship  
9 program. The state treasurer shall deposit the amount of such reduction as specified  
10 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~  
11 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~  
12 ~~and created to be known as the "Program Participation Savings Account" state~~  
13 general fund.

14 \* \* \*

15 §5068. Miscellaneous

16 \* \* \*

17 D.

18 \* \* \*

19 (3) As provided in this Subsection, if an eligible college or university  
20 receives privately funded scholarship funds on behalf of a student, the state funds for  
21 the Taylor Opportunity Program for Students shall be reduced by the amount of the  
22 private scholarship program funds so received. A reduction shall not affect the  
23 estimated nature of the Taylor Opportunity Program for Students appropriation as  
24 provided in the Act or Acts that contain such appropriations. The commissioner of  
25 administration shall determine and specify the amount of the reduction from the  
26 source of the funds to provide the maximum benefit to the state from the privately  
27 funded scholarship program. The state treasurer shall deposit the amount of such  
28 reduction as specified by the commissioner of administration into the  
29 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~





1 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c)  
2 and (2) and (C)(2), (3), and (4) are hereby amended and reenacted to read as follows:

3 §27.1. Uniform compulsive and problem gambling program

4 \* \* \*

5 F. In any proceeding brought against any licensee, permittee, or casino  
6 gaming operator and any employee thereof for a willful violation of the self-  
7 exclusion rules of the board, the board may order the forfeiture of any money or  
8 thing of value obtained by the licensee or the casino gaming operator from any self-  
9 excluded person. Any money or thing of value so forfeited shall be deposited into  
10 the ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ state  
11 general fund.

12 \* \* \*

13 §92. Collection and disposition of fees

14 \* \* \*

15 B.

16 \* \* \*

17 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
18 the state treasurer shall, each fiscal year, credit the following amounts to the  
19 following funds:

20 (a)(i) ~~One percent, not to exceed five hundred thousand dollars, to the~~  
21 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

22 (ii) The amounts of winnings withheld and remitted in accordance with R.S.  
23 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~  
24 ~~Fund provided for in R.S. 28:842~~ state general fund.

25 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ The franchise  
26 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

27 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~  
28 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~



1 fiscal year. These monies shall first be credited to the Bond Security and  
 2 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
 3 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the  
 4 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general  
 5 fund.

6 (b) Quarterly, the corporation shall transfer to the state treasury for deposit  
 7 into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state  
 8 general fund the amount of revenues withheld and remitted in accordance with R.S.  
 9 27:260(D).

10 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit  
 11 into certain funds in the treasury, as provided in this Paragraph, the amount of net  
 12 revenues which the corporation determines are surplus to its needs. After first being  
 13 credited to the Bond Security and Redemption Fund in accordance with Article VII,  
 14 Section 9(B) of the Constitution of Louisiana, and after satisfying any other  
 15 requirements of the Constitution and laws of Louisiana, such net revenues shall be  
 16 deposited as follows:

17 (i) In each year for which the Joint Legislative Committee on the Budget  
 18 disapproves or does not act upon the amount of the casino support services contract  
 19 as provided in R.S. 27:247 and no monies are deposited in and credited to the Casino  
 20 Support Services Fund: .

21 ~~(aa) Ten percent shall be deposited in and credited to the Support Education~~  
 22 ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~  
 23 ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

24 ~~(bb) Ninety percent shall be deposited in and credited to the Support~~  
 25 ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

26 (ii) In each year for which the Joint Legislative Committee on the Budget  
 27 approves the amount of the casino support services contract as provided in R.S.  
 28 27:247: .



1 received by the division pursuant to the provisions of this Section, ~~less any monies~~  
2 ~~credited to another fund pursuant to the provisions of Subparagraph (a) of this~~  
3 ~~Paragraph.~~

4 C.

5 \* \* \*

6 ~~(2) An amount shall be allocated to the Department of Public Safety and~~  
7 ~~Corrections and to the Department of Justice, pursuant to legislative appropriation,~~  
8 ~~for regulatory, administrative, investigative, enforcement, legal, and such other~~  
9 ~~expenses as may be necessary to carry out the provisions of this Chapter and for~~  
10 ~~activities associated with enforcement of laws and regulations governing video draw~~  
11 ~~poker devices.~~

12 ~~(3)~~ (2) Any monies in the fund not required to meet the purposes provided  
13 for in Paragraphs ~~(1) and (2)~~ Paragraph (1) shall be credited to and deposited in the  
14 state general fund as they become available. Any unexpended or unencumbered  
15 monies remaining in the Video Draw Poker Device Fund at the end of the fiscal year  
16 shall revert to the state general fund.

17 ~~(4)~~ (3) An amount equal to all franchise payments exempted pursuant to R.S.  
18 27:321 shall be considered to be part of the Video Draw Poker Device Fund for  
19 purposes of calculating the distribution of the fund pursuant to Paragraphs ~~(1) and~~  
20 ~~(2)~~ Paragraph (1).

21 Section 7. R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3) are hereby amended  
22 and reenacted to read as follows:

23 §9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and  
24 Gaming Control Assistance District

25 \* \* \*

26 E. Tax.

27 \* \* \*

28 (3) The district is specifically authorized to transfer to the state such amounts  
29 as are necessary to address the policies established by this Chapter and Chapter 7 of

1 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district  
 2 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state  
 3 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~  
 4 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
 5 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~  
 6 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~  
 7 ~~amount~~ into the state general fund; however, five percent of the total proceeds  
 8 transferred to the state shall be deposited in the St. Landry Parish Excellence Fund  
 9 created by R.S. 27:392(B)(3)(b).

\* \* \*

11 §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and  
 12 Gaming Control Assistance District

\* \* \*

14 E. Tax.

\* \* \*

16 (3) The district is specifically authorized to transfer to the state such amounts  
 17 as are necessary to address the policies established by this Chapter and Chapter 7 of  
 18 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically (a) the~~ The district  
 19 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state  
 20 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~  
 21 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
 22 ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~  
 23 ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~  
 24 ~~amount~~ into the state general fund; however, five percent of the total proceeds  
 25 transferred to the state shall be deposited in the Bossier Educational Excellence  
 26 Fund.

\* \* \*

1 §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and  
2 Gaming Control Assistance District

3 \* \* \*

4 E. Tax.

5 \* \* \*

6 (3) The district is specifically authorized to transfer to the state such amounts  
7 as are necessary to address the policies established by this Chapter and Chapter 7 of  
8 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically, the~~ The district  
9 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state, and the state  
10 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~  
11 ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
12 ~~in R.S. 27:392(B)(1) and (2); and the district shall transfer three-fourths of the net~~  
13 ~~proceeds of such tax to the state, and the state treasurer is directed to deposit any~~  
14 ~~such amount~~ into the state general fund. However, five percent of the total proceeds  
15 transferred to the state shall be deposited in the Calcasieu Parish Excellence Fund  
16 created by R.S. 27:392(B)(3)(c).

17 \* \* \*

18 Section 8. R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2)  
19 are hereby amended and reenacted to read as follows:

20 §82. Remission of cash balances to the state treasurer; authorized withdrawals of  
21 state monies after the close of the fiscal year

22 A. All cash balances occurring from appropriations made by legislative act  
23 or by the Interim Emergency Board regardless of date of passage to any state agency  
24 for which no bona fide liability exists on the last day of each fiscal year shall be  
25 remitted to the state treasurer by the fifteenth day following the last day of the fiscal  
26 year. Any appropriations including those made by the Interim Emergency Board of  
27 the preceding fiscal year remaining at the end of the fiscal year against which bona  
28 fide liabilities existed as of the last day of the fiscal year may be withdrawn from the  
29 state treasury during the forty-five day period after the last day of the fiscal year only

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 as such liabilities come due for payment. Prior to placing monies associated with  
 2 such unexpended appropriations into the state general fund, the state treasurer shall  
 3 transfer all cash balances identified and reported by the commissioner of  
 4 administration as being from unexpended and unencumbered state general fund  
 5 (direct) ~~and Overcollections Fund~~ appropriations for professional, personal, and  
 6 consulting service contracts not approved by the Joint Legislative Committee on the  
 7 Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for  
 8 deposit in and credit to the Higher Education Financing Fund as are necessary to  
 9 satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the  
 10 Payments Towards the UAL Fund as are necessary to satisfy the requirements of  
 11 R.S. 39:100.11 state general fund.

\* \* \*

13 §100.61. New Opportunities Waiver Fund

14 \* \* \*

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

16 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~  
 17 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~  
 18 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~  
 19 ~~Official Forecast at the beginning of the current fiscal year into the New~~  
 20 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~  
 21 ~~used for appropriation in the ensuing fiscal year.~~

22 (b) ~~Monies designated for the fund and~~ monies received by the state treasurer  
 23 ~~from donations, gifts, grants, appropriations, or other revenue pursuant to the~~  
 24 provisions of R.S. 47:120.171.

25 \* \* \*

26 §352. Cancellation of unexpended portions of appropriations; exceptions

27 Whenever any specific appropriation is made to meet any item of expenditure  
 28 which occurs annually by provision of law or for contingent expense, and any  
 29 portion of it remains unexpended at the end of the year for which the specific

1 appropriation was made, after all legal claims against it for the year have been paid,  
 2 the commissioner of administration shall cancel any balance of the appropriation,  
 3 and each succeeding year he shall open a new account for the appropriation which  
 4 may be made for that particular year, without carrying forward any unexpended  
 5 balance of appropriation made for any previous year. This provision shall not apply  
 6 to appropriations made to pay the debt of the state, principal and interest. Prior to  
 7 placing monies associated with such unexpended appropriations into the state general  
 8 fund, the state treasurer shall transfer all cash balances identified and reported by the  
 9 commissioner of administration as being from unexpended and unencumbered state  
 10 general fund (direct) and Overcollections Fund appropriations for professional,  
 11 personal, and consulting service contracts not approved by the Joint Legislative  
 12 Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each  
 13 fiscal year for deposit in and credit to the ~~Higher Education Financing Fund~~ as is  
 14 ~~necessary to satisfy the requirements of R.S. 39:100.146 and then shall make~~  
 15 ~~deposits to the Payments Towards the UAL Fund as are necessary to satisfy the~~  
 16 ~~requirements of R.S. 39:100.11~~ state general fund.

\* \* \*

18 §1590. Approval of certain professional, personal, and consulting services contracts  
 19 for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

20 A.

21 \* \* \*

22 (2) If within thirty days of receipt of the contract, the contract is placed on  
 23 the agenda for review, the Joint Legislative Committee on the Budget may take the  
 24 following action:

25 \* \* \*

26 (b) Reject the contract and notify the commissioner of administration that  
 27 such funds otherwise proposed for this purpose shall be deposited into the ~~Higher~~  
 28 ~~Education Financing Fund~~ as provided in R.S. 39:100.146 state general fund.

1 (c) Recommend revisions to the contract. If the Joint Legislative Committee  
 2 on the Budget recommends revisions to the contract, the contract shall not become  
 3 effective until it is revised, resubmitted to the Joint Legislative Committee on the  
 4 Budget, and acted upon again by the committee. If the commissioner of  
 5 administration, in consultation with the state chief procurement officer, does not  
 6 resubmit the contract to the Joint Legislative Committee on the Budget within thirty  
 7 days after the committee recommends revisions to the contract, the contract shall be  
 8 deemed to be rejected and funds otherwise proposed for this purpose shall be  
 9 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~  
 10 state general fund.

11 B.

12 \* \* \*

13 (2) Following each determination required pursuant to the provisions of this  
 14 Subsection, the commissioner of administration shall report to the state treasurer the  
 15 amount of state general fund (direct) and Overcollections Fund monies appropriated  
 16 for professional, personal, and consulting service contracts that are expected to  
 17 remain unexpended and unencumbered at the end of the fiscal year as a result of  
 18 implementation of this Section. These monies shall be available for deposit in and  
 19 credit to the ~~Higher Education Financing Fund as provided for in R.S. 39:100.146~~  
 20 state general fund.

21 \* \* \*

22 Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6)(b) are hereby amended and  
 23 reenacted to read as follows:

24 §1582. Emergency elevator access; master key; substitute emergency measures;  
 25 enforcement; penalty; rulemaking authority

26 \* \* \*

27 E. The office of state fire marshal shall enforce this Section. Any person  
 28 who fails to comply with the requirements of this Section is subject to an  
 29 administrative fine of not more than one thousand dollars, in addition to any other

1 penalty provided by law. All administrative fines shall be deposited into the  
2 ~~Louisiana Fire Marshal Fund~~ state general fund.

3 \* \* \*

4 §1593. Volunteer firefighters; medical and life insurance

5 The state fire marshal is authorized to negotiate for and to purchase ~~out of~~  
6 ~~funds available for such purpose in the Two Percent Fire Insurance Fund provided~~  
7 ~~for in R.S. 22:347(A)~~ a group insurance policy to provide medical benefits, death  
8 benefits, and burial benefits for volunteer firefighters of the state suffering injury or  
9 death while engaged in the scope of their duties as volunteer firefighters. Such  
10 policy shall cover all bona fide volunteers starting the day upon which their  
11 membership begins without any prior certification to the state fire marshal's office  
12 or to the insurer. The state fire marshal shall deliver to each volunteer unit a printed  
13 notice concerning the policy requirements as to written notice of claim and written  
14 proof of loss including the period in which such must be filed. The volunteer unit  
15 shall post such notice in a conspicuous place at its facilities.

16 \* \* \*

17 §2845. Board; functions, powers, and duties

18 A. The board shall:

19 \* \* \*

20 (6) Establish and maintain a statewide trauma registry to collect and analyze  
21 data on the incidence, severity, and causes of trauma, including traumatic brain  
22 injury. The registry shall be used to improve the availability and delivery of pre-  
23 hospital or out-of-hospital care and hospital trauma care services.

24 \* \* \*

25 (b) Required reporting to the state trauma registry is contingent on LERN  
26 providing adequate financial support ~~through the Louisiana Emergency Response~~  
27 ~~Network Fund~~ to cover administrative costs.

28 \* \* \*

1 Section 10. R.S. 42:262(B) is hereby amended and reenacted to read as follows:

2 §262. Special attorney or counsel

3 \* \* \*

4 B. Any recovery or award of attorney fees, including settlement, in litigation  
5 involving the attorney general or any state agency, board, or commission, not  
6 including any public postsecondary education institution, belongs to the state and  
7 shall be deposited into the state treasury into the ~~Department of Justice Legal~~  
8 ~~Support Fund in accordance with R.S. 49:259~~ state general fund. No payment of  
9 attorney fees shall be made out of state funds in the absence of express statutory  
10 authority, including R.S. 17:100.10, R.S. 23:1669, R.S. 37:2153, R.S. 41:724 and  
11 922, R.S. 42:1157.3, R.S. 46:15, R.S. 47:1512, 1515.3, 1516, 1516.1, and 1676,  
12 except such payment of attorney fees as may be approved by the Joint Legislative  
13 Committee on the Budget during the interim between legislative sessions.

14 \* \* \*

15 Section 11. R.S. 46:977.13 is hereby amended and reenacted to read as follows:

16 §977.13. Louisiana Children and Youth Health Insurance Program premium  
17 monies; ~~Health Care Redesign Fund~~

18 Monies received by the state as a result of premiums paid for coverage  
19 through the program shall be ~~credited to the Health Care Redesign Fund~~ deposited  
20 into the state general fund.

21 Section 12. R.S. 47:1061(A)(4) and (B) and 9029(B) are hereby amended and  
22 reenacted to read as follows:

23 §1061. Telecommunication tax for the deaf

24 A.

25 \* \* \*

26 (4) The revenues so collected shall be remitted by the secretary immediately  
27 upon receipt to the treasurer and the treasurer shall credit the full amount of such  
28 taxes to the Bond Security and Redemption Fund and then deposit the amount into  
29 the state general fund. ~~After a sufficient amount is allocated from that fund to pay~~

1 all obligations secured by the full faith and credit of the state which become due and  
2 payable within any fiscal year, the treasurer shall pay the remainder of such funds  
3 into a special fund which is hereby created within the state treasury and designated  
4 as the "Telecommunications for the Deaf Fund".

5 ~~B. The monies in the Telecommunications for the Deaf Fund shall be used~~  
6 ~~solely to establish, administer, and promote a statewide program to provide~~  
7 ~~accessibility services and assistive technology for persons who are deaf, deaf/blind,~~  
8 ~~hard of hearing, speech impaired, or others with similar disabilities or impairments,~~  
9 ~~in the amounts appropriated each year by the legislature to the Louisiana~~  
10 ~~Commission for the Deaf. Any surplus monies remaining to the credit of the fund~~  
11 ~~on June thirtieth of each year and any funds earned through the investment of the~~  
12 ~~monies in the fund shall remain to the credit of the fund.~~

13 \* \* \*

14 §9029. Deposit of revenues; expenditures and investments authorized; transfer of  
15 revenues to state treasury; dedication and use of proceeds; corporation  
16 operating account; audit of corporation books and records; audits

17 \* \* \*

18 B.(1) A Louisiana Lottery Proceeds Fund is hereby established in the state  
19 treasury. Net lottery proceeds shall be credited to this fund as provided in  
20 Subsection A of this Section. Monies credited to the Louisiana Lottery Proceeds  
21 Fund shall be invested by the state in accordance with state investment practices and  
22 all earnings from such investments shall accrue to this account. ~~Except as provided~~  
23 ~~in Paragraph (2) of this Subsection, no~~ No monies shall be allotted or expended from  
24 this account unless pursuant to an appropriation by the legislature in accordance with  
25 law.

26 (2) ~~The state treasurer is authorized and directed to transfer annually an~~  
27 ~~amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to~~  
28 ~~the Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

29 \* \* \*

1 Section 13. R.S. 51:1927.1, 2211(A), 2332(3), 2341(F), 2361, 2362(A)(introductory  
2 paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 are hereby amended and reenacted  
3 to read as follows:

4 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~  
5 ~~Louisiana Economic Development Fund~~

6 A. Following a decertification of a pool that was certified on or after January  
7 1, 1999, and for which insurance premium tax credits were granted, an independent  
8 certified public accountant shall perform a review of all distributions other than tax  
9 distributions and management fees from such pool to the equity holders of the pool  
10 to determine if such distributions produce an annual internal rate of return to the  
11 equity holders of the pool of at least fifteen percent calculated on the original amount  
12 of certified capital contributed to such pool as well as any additional capital  
13 contributed to such pool. Within thirty days following the issuance of the  
14 accountant's report, the certified capital company shall remit to the ~~Louisiana~~  
15 ~~Economic Development Fund~~ state general fund twenty-five percent of all  
16 distributions in excess of the amount required to produce an annual internal rate of  
17 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ state  
18 general fund shall have received an amount equal to the amount of tax credits  
19 granted for the pool. Thereafter, the certified capital company shall remit to the  
20 ~~Louisiana Economic Development Fund~~ state general fund five percent of such  
21 excess distributions.

22 B. Following a decertification of a pool that was certified on or after January  
23 1, 2002, and for which income tax credits or insurance premium tax credits were  
24 granted, an independent certified public accountant shall annually perform a review  
25 of all distributions, other than tax distributions and management fees, from such pool  
26 to the equity holders of the pool to determine if such distributions produce a rate of  
27 return to the equity holders of the pool of at least ten percent calculated on the  
28 original amount of certified capital contributed to such pool as well as any additional  
29 capital contributed to such pool. Within thirty days following the issuance of the

1 accountant's annual report, the certified capital company shall remit twenty-five  
2 percent of all distributions in excess of the amount required to produce a rate of  
3 return of ten percent to the ~~Louisiana Economic Development Fund~~ state general  
4 fund.

5 C. The calculation of internal rate of return shall include all cash  
6 distributions to equity investors out of the certified capital company's investment  
7 pool, except for tax distributions and management fees. Management fees shall not  
8 exceed two and one-half percent per annum of the total certified capital of the pool  
9 without the prior approval of the secretary. Notwithstanding any other provisions  
10 in this Chapter to the contrary, for all certified capital pools formed after December  
11 31, 2001, if a certified Louisiana capital company does not place (1) forty percent of  
12 the investment pool in qualified investments within three years after the investment  
13 date, (2) sixty percent of the investment pool in qualified investments within five  
14 years of the investment date, and (3) upon the certified Louisiana capital company's  
15 option either (a) one hundred percent of the investment pool in qualified investments  
16 within seven years of the investment date or (b) one hundred and ten percent of the  
17 investment pool in qualified investments within eight years of the investment date,  
18 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall  
19 remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five  
20 percent of all distributions, other than tax distributions and management fees, until  
21 the ~~Louisiana Economic Development Fund~~ state general fund shall have received  
22 one hundred percent of the tax credits granted for such pool and thereafter the  
23 company shall remit ten percent of all distributions, other than tax distributions and  
24 management fees to the ~~Louisiana Economic Development Fund~~ state general fund.  
25 If a certified Louisiana capital company has not decertified an investment pool  
26 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years  
27 from the investment date, such company shall remit to the ~~Louisiana Economic~~  
28 ~~Development Fund~~ state general fund fifty percent of all distributions until the  
29 ~~Louisiana Economic Development Fund~~ state general fund shall have received one

1 hundred percent of the tax credits granted for such pool, and thereafter the company  
2 shall remit twenty percent of all distributions to the ~~Louisiana Economic~~  
3 ~~Development Fund~~ state general fund.

4 D. Notwithstanding any other provision of this Chapter to the contrary and  
5 considering the adverse impact of Hurricanes Katrina and Rita, all investment  
6 deadlines required by this Section which would have fallen between August 25,  
7 2005, and December 30, 2005, shall be extended to March 31, 2006.

8 \* \* \*

9 §2211. Purpose and goals

10 A. The provisions of this Chapter ~~establish the MediFund as a special fund~~  
11 ~~within the state treasury~~ shall be to support advancement of biosciences, biomedical,  
12 and medical centers of excellence in Louisiana. The MediFund governing board  
13 shall endeavor to achieve this purpose by coordinating and deploying public and  
14 private resources to strategically develop and enhance this state's competitiveness in  
15 biosciences, biomedical, and medical centers of excellence.

16 \* \* \*

17 §2332. Definitions

18 As used in this Chapter, the following terms shall have the following  
19 definitions:

20 \* \* \*

21 (3) "Fund" means the ~~Louisiana Economic Development Fund~~ state general  
22 fund.

23 \* \* \*

24 §2341. Economic Development Award Program

25 \* \* \*

26 F. The legislature shall make an annual appropriation to EDAP ~~for deposit~~  
27 ~~in the Louisiana Economic Development Fund under the terms and conditions as~~

1 ~~provided for in R.S. 51:2315.~~ Project awards shall be disbursed by the corporation's  
2 board.

3 \* \* \*

4 PART VI-A RAPID RESPONSE ~~FUND~~ PROJECTS

5 §2361. Rapid Response ~~Fund~~ Projects

6 A.~~(1)~~ ~~The Rapid Response Fund, hereinafter referred to as the "fund", is~~  
7 ~~hereby created as a special fund within the state treasury.~~

8 ~~(2) Beginning July 1, 2005, the state treasurer is directed to deposit into the~~  
9 ~~fund at the beginning of each fiscal year ten million dollars. The legislature may~~  
10 ~~appropriate additional monies to the fund notwithstanding the balance in the fund.~~

11 ~~B.(1) All unexpended and unencumbered monies in the fund at the end of~~  
12 ~~the fiscal year shall remain in the fund. Monies in the fund shall be invested by the~~  
13 ~~treasurer in the same manner as those in the state general fund, and any interest~~  
14 ~~earned on the investment of monies in the fund shall be credited to the fund.~~

15 ~~(2) Monies in the fund shall be~~ The legislature may make available for  
16 appropriation to the Department of Economic Development, hereinafter referred to  
17 as the "department": ~~Such appropriations~~ monies that shall be used by the secretary  
18 of the department for immediate funding of all or a portion of economic development  
19 projects which may be necessary in order to successfully secure the creation or  
20 retention of jobs by a business entity under such circumstances as may be determined  
21 by the secretary and the governor.

22 ~~(3)~~ B.(1) The secretary shall report to the Joint Legislative Committee on  
23 the Budget twice yearly, on the first day of October and the first day of April, with  
24 respect to all actual expenditures of monies ~~appropriated from the fund.~~ The reports  
25 shall be available electronically, and the secretary shall include in these reports any  
26 other information which the committee may require with respect to use of monies  
27 ~~appropriated from the fund,~~ including but not limited to the following information  
28 on each economic development project which receives funding:

29 (a) Performance targets.

1 (b) Outcomes.

2 (c) Numbers of jobs created and retained.

3 (d) Overall payroll generated.

4 ~~(4)~~ (2) The department shall make available upon request the economic  
5 impact analysis on an economic development project which receives monies ~~from~~  
6 ~~the fund~~.

7 C. At the same time as the secretary submits to the official journal for the  
8 state a notice containing general information regarding active negotiations for an  
9 economic development project which is eligible for funding ~~from the fund~~, which  
10 active negotiations the secretary desires to keep confidential as provided in R.S.  
11 44:22, upon request by a member of the legislature in whose legislative district a  
12 project is located, the secretary may provide information regarding the project if the  
13 member submits his signature under oath that all information shall remain  
14 confidential and privileged.

15 §2362. Accountability requirements; legal agreements; Rapid Response ~~Fund~~  
16 projects

17 A. All legal agreements for Rapid Response ~~Fund~~ projects shall include all  
18 of the following:

19 \* \* \*

20 §2363. Accountability requirements; reports; Rapid Response ~~Fund~~ projects

21 A. The secretary of the Department of Economic Development shall develop  
22 a uniform accountability report for economic development created by the Rapid  
23 Response ~~Fund~~ projects. The secretary shall also develop a formula for measuring  
24 the return on investment for each Rapid Response ~~Fund~~ project.

25 B. The Department of Economic Development shall compile and make  
26 available a list of the cooperative endeavor agreements, the name of the entity  
27 receiving funds, and the amount of the incentive received for all Rapid Response  
28 ~~Fund~~ projects in both written and electronic form.

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

## 1 PART VI-B. LOUISIANA MEGA-PROJECT DEVELOPMENT FUND

2 §2365. Louisiana Mega-Project Development Fund

3 A. ~~The Louisiana Mega-Project Development Fund, hereinafter referred to~~  
4 ~~as the "fund", is hereby created as a special fund within the state treasury.~~5 ~~B. The state treasurer is hereby authorized and directed to transfer one~~  
6 ~~hundred fifty million dollars from the Louisiana Economic and Port Development~~  
7 ~~Infrastructure Fund to the Louisiana Mega-Project Development Fund on June 29,~~  
8 ~~2007. The legislature may appropriate additional monies to the fund if it deems~~  
9 ~~necessary to accomplish the purposes of the fund.~~10 ~~C. Monies in the fund shall be invested by the treasurer in the same manner~~  
11 ~~as monies in the state general fund and any interest earned on the investment of~~  
12 ~~monies in the fund shall be credited to the fund. All unexpended and unencumbered~~  
13 ~~monies in the fund at the end of the fiscal year shall remain in the fund.~~14 ~~D.(1) Monies in the fund shall be~~ (1) The legislature may make available for  
15 ~~appropriation for general purposes and for use by~~ to the Department of Economic  
16 ~~Development, hereinafter referred to as the "department".~~ ~~Such appropriations~~  
17 monies that shall be used by the secretary of the department for immediate funding  
18 of all or a portion of economic development mega-projects which may be necessary  
19 in order to successfully secure the creation or retention of jobs by a business entity  
20 or a qualified major event under such circumstances as established by this Part.21 (2) The secretary shall report to the Joint Legislative Committee on the  
22 Budget twice yearly, on the first day of October and the first day of April, with  
23 respect to all actual expenditures of monies ~~appropriated from the fund~~. The reports  
24 shall be available electronically, and the secretary shall include in these reports any  
25 other information which the committee may require with respect to use of monies  
26 appropriated from the fund, including but not limited to the following information  
27 on each economic development project which receives funding:

28 (a) Performance targets.

29 (b) Outcomes.

1 (c) Numbers of jobs created and retained.

2 (d) Overall payroll generated.

3 (3) The department shall make available upon request the economic impact  
4 analysis on an economic development project which receives monies ~~from the fund~~.

5 This Subparagraph shall not apply to a mega-project which is a qualified major event  
6 as defined in R.S. 51:2365.1.

7 E. B. Monies ~~in the fund~~ shall be expended only upon recommendation by  
8 the secretary and concurrence by the governor. Any such recommendation shall be  
9 implemented pursuant to a cooperative endeavor agreement executed in accordance  
10 with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative  
11 Committee on the Budget.

12 F. C.(1) For purposes of this Section, "mega-project" means:

13 (a) A project which will provide the following:

14 (i) Either five hundred new direct jobs to the state or a minimum initial  
15 investment of five hundred million dollars by the private sector or the United States  
16 Government through the creation of a new facility or the expansion of an existing  
17 facility.

18 (ii) A substantial return on the investment by the state as measured by  
19 projected tax revenues.

20 (b) A project for a military or federal installation which is important to the  
21 Louisiana economy and that may be subject to base realignment and closure, or for  
22 the purchase of land for a mega-project.

23 (c) A project resulting in re-creating or saving at least five hundred direct  
24 jobs in this state, through the transfer of ownership of a facility that has been closed  
25 or a facility that is at risk of closure due to conditions arising out of or relating to a  
26 proceeding under Title 11 of the United States Code.

27 (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets  
28 all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).



1           ~~(4) Subject to legislative appropriation and the approval of the Joint~~  
2           ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~  
3           ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~  
4           ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

5           C.(1) B.(1) Subject to legislative appropriation and the approval of the Joint  
6           Legislative Committee on the Budget, the secretary of the Department of Economic  
7           Development is hereby authorized to enter into a contract with a local organizing  
8           committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire  
9           for Louisiana any qualified event that will have a significant positive impact on  
10          economic development in the state. The contract shall provide for a financial  
11          commitment to the local organizing committee, endorsing parish, or endorsing  
12          municipality which shall be subject to legislative appropriation.

13          (2) The amount of the incremental increase in certain state tax receipts  
14          generated within the designated area by the occurrence of the qualified event during  
15          a specified period shall be determined by the secretary. ~~The secretary shall notify the~~  
16          ~~Joint Legislative Committee on the Budget and the treasurer of his determination~~  
17          ~~and, upon the direction of the Joint Legislative Committee on the Budget, the~~  
18          ~~treasurer shall transfer the amount of the incremental increase to the subfund. Such~~  
19          ~~state tax receipts shall be limited to excise tax and sales and use taxes, excluding~~  
20          ~~state hotel and motel occupancy taxes.~~ The amount of the incremental increase shall  
21          not include local tax receipts.

22          D. C. An event not included in the definition of qualified event is ineligible  
23          for funding under R.S. 51:2365. A qualified event may receive funding under R.S.  
24          51:2365 only if all of the following conditions are met:

25          (1) After considering through a highly competitive selection process one or  
26          more sites that are not located in this state, a site selection organization selects a site  
27          located in this state for an event to be held once, or for an event scheduled to be held  
28          annually for a period of years under an event contract.

1 (2) A site selection organization selects a site in this state as the sole site for  
2 the event.

3 (3) The event is held not more frequently than annually.

4 §2366. Accountability requirements; Mega-Project Development Fund

5 A. The secretary of the Department of Economic Development shall develop  
6 a uniform accountability report for economic development created by the ~~Louisiana~~  
7 ~~Mega-Project Development Fund~~ Louisiana mega-projects. The secretary shall also  
8 develop a formula for measuring the return on investment for each mega-project.

9 B. The Department of Economic Development shall compile and make  
10 available a list of the cooperative endeavor agreements, the name of the entity  
11 receiving funds, and the amount of the incentive received for all Louisiana Mega-  
12 Project Development Fund projects in both written and electronic form.

13 Section 14. Section 4(B) of Act No. 421 of the 2013 Regular Session of the  
14 Legislature is hereby amended and reenacted to read as follows:

15 \* \* \*

16 Section 4.

17 \* \* \*

18 B.(1) After satisfaction of the requirements of Subsection A of this Section,  
19 all remaining monies collected pursuant to this Act shall be paid into the state  
20 treasury. After compliance with the requirements of Article VII, Section 9(B) of the  
21 Constitution of Louisiana relative to the Bond Security and Redemption Fund ~~and~~  
22 ~~prior to any monies being placed into the state general fund or any other fund; an~~  
23 amount equal to the remaining collections shall be credited by the state treasurer to  
24 ~~a special fund hereby created in the state treasury to be known as the 2013 Amnesty~~  
25 ~~Collections Fund, hereinafter referred to as "fund". The monies in the fund shall be~~  
26 ~~available for appropriation for any public purpose; the state general fund.~~

27 (2) ~~Monies in the fund shall be invested by the state treasurer in the same~~  
28 ~~manner as those in the state general fund and interest earned on such investment shall~~  
29 ~~be credited to the fund after compliance with the requirements of the Bond Security~~



1 6351(G)(3) and (4), R.S. 49:259, and R.S. 51:2212(3), 2213, and 2315, Code of Criminal  
2 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the  
3 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature  
4 are hereby repealed in their entirety.

5 Section 16. The state treasurer is hereby authorized and directed to transfer any  
6 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through  
7 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year  
8 2015-2016.

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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)]

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HB 100 Original

2016 First Extraordinary Session

Talbot

**Abstract:** Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain funds.

#### VARIOUS FUNDS

Proposed law eliminates the following funds:

|  |   |
|--|---|
| 2013 Amnesty Collections Fund                                      | §4(B) of Act No. 421 of the 2013<br>R.S. of the Legislature   |
| Academic Improvement Fund  | R.S. 17:354   |
| Center for Excellence for Autism Spectrum<br>Disorder              | R.S. 39:100:122   |
| Competitive Core Growth Fund                                       | R.S. 17:3138.2  |
| Compulsive and Problem Gaming Fund                                 | R.S. 27:27.1(F), 92(B)(2)(a), 249(A),<br>270(A)(2), 392(B)(2)(a) and 437,<br>R.S. 28:842, and R.S. 47:9029(B) |
| Community Water Enrichment Fund                                    | R.S. 39:100.81  |
| Department of Health and Hospitals Facility<br>Support Fund        | R.S. 40:16.2 and R.S. 3:2(C)  |
| Department of Justice Legal Support Fund                           | R.S. 49:259 and R.S. 42:262(B)  |
| Department of Revenue Alcohol and Tobacco<br>Control Officers Fund | R.S. 11:544   |
| DNA Testing Post-Conviction Relief for<br>Indigents Fund           | CCrP. Art. 926.1(K) and R.S.<br>15:147(B)(14)   |
| Equine Health Studies Program Fund                                 | R.S. 27:392(B)(6)(a)  |
| FEMA Reimbursement Fund  | R.S. 39:100.26 and 100.31   |
| Fiscal Administrator Revolving Loan Fund                           | R.S. 39:1357  |
| FMAP Stabilization Fund  | §7 of Act No. 420 of the 2013 R.S.<br>of the Legislature  |
| Forest Productivity Fund   | R.S. 3:4411   |
| Forest Protection Fund   | R.S. 3:4321(C) through (D)  |

|   |   |
|---|---|
| Fund for Louisianians in Need of Civil Legal Assistance               | §3 of Act No. 1065 of the 1997 R.S. of the Legislature                      |
| Health Care Redesign Fund   | R.S. 39:100.51 and R.S. 46:977.13   |
| Higher Education Initiatives Fund                                     | R.S. 17:3129.6  |
| Higher Education Financing Fund                                       | R.S. 39:100.146, 352, and 1590(A)(2)(b) and (c) and (B)(2)                  |
| Indigent Parent Representation Program Fund                           | R.S. 15:185.5   |
| Innocence Compensation Fund   | R.S. 15:572.8(N)  |
| Legislative Capitol Technology Enhancement Fund                       | R.S. 24:39  |
| Louisiana Agricultural Finance Authority Fund                         | R.S. 3:277, and R.S. 27:392(B)(4)   |
| Louisiana Asbestos Detection and Abatement Fund                       | R.S. 39:97.3  |
| Louisiana Charter School Start-Up Loan Fund                           | R.S. 17:4001  |
| Louisiana Economic Development Fund                                   | R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1, 2315, 2332(3), and 2341 |
| Louisiana Emergency Response Network Fund                             | R.S. 40:2845(A)(6), (D)(2) and (3), and (E)                                 |
| Louisiana Fire Marshal Fund   | R.S. 22:835 and R.S. 40:1582(E)   |
| Louisiana Interoperability Communications Fund                        | R.S. 39:100.41  |
| Louisiana Mega-Project Development Fund                               | R.S. 51:2365 and 2366, R.S. 3:4423(3)                                       |
| Louisiana Public Defender Fund  | R.S. 15:167   |
| Louisiana State Police Salary Fund                                    | R.S. 22:831(B)  |
| Louisiana State University Firemen Training Program Film Library Fund | R.S. 40:1547  |
| Major Events Fund   | R.S. 39:100.126   |
| Major Events Incentive Program Subfund                                | R.S. 51:2365.1  |
| Marketing Fund  | R.S. 47:318   |
| MediFund  | R.S. 51:2211-13   |
| Municipal Fire and Police Civil Service Operating Fund                | R.S. 22:1476(A)(2)  |
| New Orleans Public Safety Fund  | R.S. 40:1402  |
| Overcollections Fund  | R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)    |
| Pari-Mutuel Live Racing Facility Gaming Control Fund                  | R.S. 27:392(B)(2), and R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3)       |
| Payments Towards the UAL Fund   | R.S. 39:100.11, R.S. 39:82(A) and 352                                       |
| Rapid Response Fund   | R.S. 51:2361,2362, 2363, R.S. 3:4423(3), R.S. 23:1514(D)(5)                 |
| Riverboat Gaming Enforcement Fund                                     | R.S. 27:92(B)(2)(c) and (C)   |
| Sickle Cell Fund  | R.S. 39:100.123   |
| Southern University AgCenter Program Fund                             | R.S. 27:392(B)(6)(b)  |
| Sports Facility Assistance Fund                                       | R.S. 39:100.1, and R.S.47:1602.1 and 1520(A)(1)(e)                          |
| State Emergency Response Fund   | R.S. 39:100.26(A) and 100.31  |
| Status of Grandparents Raising Grandchildren Fund                     | R.S. 46:2913  |
| Science, Technology, Engineering, and Math (STEM) Upgrade Fund        | R.S. 17:3138.3  |

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| Support Education in Louisiana First Fund   | R.S. 17:421.7, R.S. 27:92(B)(2),<br>270(A)(3)      |
| Telecommunications for the Deaf Fund  | R.S. 47:301.1(F) and 1061                          |
| Tobacco Regulation Enforcement Fund   | R.S. 47:841(G)                                     |
| Tobacco Settlement Enforcement Fund   | R.S. 13:5073(A)(1) and R.S. 39:98.7                |
| Tobacco Tax Health Care Fund  | R.S. 47:841.1                                      |
| Tobacco Tax Medicaid Match Fund   | R.S. 47:841.2                                      |
| Unfunded Accrued Liability and Specialized<br>Educational Institutions Support Fund | R.S. 39:100.136; and R.S.<br>47:6351(G)(3) and (4) |
| Video Draw Poker Device Purse<br>Supplement Fund                                    | R.S. 27:439  |
| Workforce and Innovation for a Strong<br>Economy                                    | R.S. 17:3138.2, 3138.3, and 3138.4                 |
| Workforce Training Rapid Response Fund  | R.S. 17:1874                                       |

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

#### NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

#### TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.
- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

VIDEO DRAW POKER DEVICE FUND (R.S. 27:437)

Present law provides for the collection of taxes, fees, fines and penalties related to video draw poker devices.

Present law creates the Video Draw Poker Device Fund and, after the deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Video Draw Poker Device Fund. Monies in the fund are dedicated as follows:

- (1) 25% of the monies in the fund are distributed as follows:
  - (a) Compensation for district attorneys and assistant district attorneys, not to exceed \$5.4 million.
  - (b) Governing authorities of municipalities in which video draw poker devices are operated.
  - (c) Sheriffs of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Corrections and the Dept. of Justice to enforce the laws and regulations governing video draw poker devices.
- (3) Monies in the fund that are not required to meet the other dedications as required in present law are deposited into the state general fund.

Proposed law eliminates the allocation to the Dept. of Public Safety and Corrections and the Dept. of Justice to enforce the laws and regulations governing video draw poker devices. Proposed law further requires the deposit of any unexpended or unencumbered money at the end of the fiscal year into the state general fund.

Effective July 1, 2016.

(Amends R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro. para.), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(intro. para.), 2363, 2365, 2365.1(B) through (D), and 2366 and §4(B) of Act No. 421 of the 2013 Regular Session of the Legislature; Repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and R.S. 17:4001, R.S.22:347(A)(1),(2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146 and 1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), §7 of Act No. 420 of the 2013 R.S. of the Legislature, and §3 of Act No. 1065 of the 1997 R.S. of the Legislature)