

RÉSUMÉ DIGEST

ACT 681 (SB 201)

2016 Regular Session

Allain

Present constitution provides for the purposes of the budget estimate and enactment of the budget for the next fiscal year, when the official forecast of recurring revenues for the next fiscal year is at least 1% less than the official forecast for the current fiscal year, in order to avoid a budget deficit in the next fiscal year, an amount not to exceed 5% of the total appropriations or allocations for the current fiscal year from any statutory or constitutional fund shall be available for expenditure in the next fiscal year for a purpose other than as specifically provided by law or this constitution.

Proposed constitution revises present constitution to provide that when the official forecast of recurring revenues for the next fiscal year is at least 1% less than the official forecast for the current fiscal year, or at any time when the official forecast of recurring revenues for the next fiscal year has been reduced by at least 1% from the most recently adopted estimate for the ensuing fiscal year, the following procedures may be employed to avoid a budget deficit in the next fiscal year:

- (1) An amount not to exceed 5% of the total appropriations or allocations for the current fiscal year from any fund established by law or this constitution shall be available for expenditure in the next fiscal year for a purpose other than as specifically provided by law or the constitution.
- (2) An amount not to exceed 1% of the balance in the current fiscal year from any fund established by the constitution shall be available in the next fiscal year for a purpose other than as specifically provided by law or the constitution.

Present constitution provides that for purposes of this provision, an amount not to exceed 1% of the current fiscal year appropriation for Minimum Foundation Program expenditures shall be available for expenditures for other purposes in the next fiscal year and such reductions shall not be applicable to instructional activities.

Proposed constitution retains present constitution.

Present constitution further provides that monies made available as authorized under this provision may be transferred to a fund for which revenues have been forecast to be less than the revenues in the current fiscal year for such fund.

Proposed constitution retains present constitution and further provides that monies may also be transferred to a fund at any time when the official forecast of recurring revenues for the next fiscal year has been reduced by at least 1% from the most recently adopted estimate for the ensuing fiscal year.

Present constitution provides that monies transferred as a result of the budget actions authorized by present constitution are deemed available for appropriation and expenditure, but in no event shall the aggregate amount of any such transfers exceed the amount of the difference between the official forecast for the current fiscal year and the next fiscal year.

Proposed constitution retains present constitution regarding the monies transferred being deemed available for appropriation and expenditure, but provides that the aggregate amount of such transfers shall not exceed the projected deficit for the next fiscal year due to the reduction in the official forecast.

Present constitution provides for certain exceptions to transfers of monies to avoid a budget deficit. Proposed constitution adds to the list of exceptions monies associated with the Coastal Protection and Restoration Fund, the Conservation Fund, the Oilfield Site Restoration Fund, any health care provider fees or assessments in the Hospital Stabilization Fund, the La. Medical Assistance Trust Fund, and supplements to the salaries of full-time local law enforcement and fire protection officers.

Specifies submission of the amendment to the voters at the statewide election to be held on November 8, 2016.

(Amends Const. Art. VII, Sec. 10(F)(2)(b) and (4)(h), (i), (j), (k), and (l))