

**ACT No. 419**

2016 Regular Session

HOUSE BILL NO. 784

BY REPRESENTATIVES ABRAMSON, BROADWATER, DAVIS, DEVILLIER,  
DWIGHT, HORTON, HUVAL, IVEY, JAY MORRIS, JIM MORRIS, AND  
THIBAUT

1 AN ACT

2 To amend and reenact R.S. 39:101(A)(1), 102(B), and 111 and to enact R.S. 39:105, relative  
3 to capital outlay; to provide with respect to the submission of the capital outlay  
4 budget; to provide for revisions; to provide relative to the contents of a capital outlay  
5 budget request; to require the resubmission of applications of certain capital outlay  
6 budget requests; to require local match information in capital outlay budget requests;  
7 to require certain information to be annually reported to the Joint Legislative  
8 Committee on Capital Outlay; to provide for certain requirements; and to provide for  
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 39:101(A)(1), 102(B), and 111 are hereby amended and reenacted  
12 and R.S. 39:105 is hereby enacted to read as follows:

13 §101. Capital outlay budget request; feasibility studies

14 A.(1)(a) Except as provided in Paragraph (2) of this Subsection, no later than  
15 the first day of November each year, the head of each budget unit shall present to the  
16 office of facility planning and control of the division of administration a request for  
17 all expenditures for capital projects falling within the definition contained in R.S.  
18 39:2(9), on forms provided by the office. However, if a legislator is finally elected  
19 after November first, the legislator shall have until the fifteenth day of December to  
20 present such request. A copy of the request shall also be provided by the head of  
21 each budget unit to the Legislative Fiscal Office, the Joint Legislative Committee on  
22 Capital Outlay, the House Committee on Appropriations, the House Committee on

1           Ways and Means, the Senate Committee on Finance, and the Senate Committee on  
2           Revenue and Fiscal Affairs. Such annual requests shall contain the information  
3           necessary for the feasibility study required pursuant to Article VII, Section 11(C) of  
4           the Constitution of Louisiana and shall include projects proposed to be funded within  
5           the next five years.

6                   **(b) The application for any capital outlay budget request which receives**  
7                   **funding in the capital outlay budget shall be updated each year that the project**  
8                   **remains active in the budget process to reflect all changes in the project that occurred**  
9                   **since the previous submission. The resubmission of the capital outlay budget request**  
10                   **shall be subject to all of the requirements and the November first submission**  
11                   **deadline as all other capital outlay budget requests.**

12   \*       \*       \*

13           §102. Capital outlay budget request contents

14   \*       \*       \*

15                   B.(1) The detailed project description and justification shall include an  
16                   analysis of need with corroborative data, a reasonable estimate of the date when the  
17                   project will be needed, the project's proposed location, the estimated construction  
18                   cost, the estimated local match requirement and amount of local funds expended on  
19                   the project, the cost of equipping and furnishing the project, the space utilization plan  
20                   of the requesting agency, the cost of opening and operating the facility for the first  
21                   year, the estimated annual operating and maintenance costs of the facility, and the  
22                   method and source of financing for each of the next five years, and the estimated  
23                   completion date of the project as well as an identification and description of other  
24                   similar facilities and projects in the given area and an evaluation of their capabilities  
25                   to meet needs. The request shall indicate the order of priority.

26                   (2)(a) The detailed project description for all statewide programs including  
27                   but not limited to the statewide roofing program, the major repairs of state office  
28                   buildings program, the Americans with Disabilities Act implementation for state  
29                   facilities program, the local government assistance program, the community water  
30                   enrichment program, and the deferred maintenance programs for all higher education

1 institutions and community college facilities shall include specific information and  
2 details of the projects qualifying for funding through the programs proposed to be  
3 funded with the appropriations included in the capital outlay budget.

4 (b) Any project receiving an individual appropriation in the capital outlay  
5 budget shall submit a capital outlay application by the November first deadline  
6 regardless if the project is eligible for funding through a statewide program.

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8 §105. Capital Outlay reports to Joint Legislative Committee on Capital Outlay

9 A. The office of facility planning and control and any state agency  
10 authorized to administer capital outlay appropriations shall submit to the Joint  
11 Legislative Committee on Capital Outlay, an annual written report no later than the  
12 first day of February, of each project included in the prior year's capital outlay  
13 budget which includes the following information:

14 (1) The title of the project.

15 (2) The total budget for the project from all means of financing.

16 (3) A breakdown of the funding of the project including all cash and general  
17 obligation bond funding of the project.

18 (4) The amount of state and local funds, including local match funds,  
19 expended on the project.

20 (5) The amount of project funding that has been encumbered, including all  
21 cash and general obligation bond cash and noncash lines of credit approved for the  
22 project.

23 (6) The total amount of funds the project will need to spend in the next fiscal  
24 year.

25 (7) The current status of the project as either active or complete.

26 (8) If the project is complete, the total amount of unspent appropriations  
27 remaining on the project, including the means of finance of the funds.

28 B. The office of facility planning and control shall submit the report in a  
29 format that can be edited.

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1           §111. Capital outlay budget submission

2                       ~~Not~~ No later than the eighth day of each regular session, the governor shall  
3           submit ~~to the legislature~~ his capital outlay budget to the legislature, the proposed  
4           capital outlay bill implementing the first year of the five-year program, and the bond  
5           authorization bill for the sale of bonds to fund projects included in the bond portion  
6           of the capital outlay bill.

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_