

2017 First Extraordinary Session

HOUSE BILL NO. 9

BY REPRESENTATIVE EDMONDS

FUNDS/FUNDING: Provides for the review of special funds and dedications and requires certain recommendations by the Joint Legislative Committee on the Budget (Item #2)

1 AN ACT

2 To amend and reenact R.S. 49:308.5(B)(3)(b) and (c) and (4), relative to special funds and  
3 dedications; to provide for the review of and recommendations for certain special  
4 funds and dedications; to require the submission of a report; to provide for  
5 effectiveness; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 49:308.5(B)(3)(b) and (c) and (4) are hereby amended and reenacted  
8 to read as follows:

9 §308.5. Special funds and dedication of money

10 \* \* \*

11 B.

12 \* \* \*

13 (3)

14 \* \* \*

15 (b) Each plan and schedule shall provide for the review of at least ten  
16 percent, but not more than twenty-five percent of the special funds and dedications.

17 The plan and schedule shall specify the funds and dedications that are to be  
18 reviewed. The division of administration shall establish a revolving rotation of the  
19 special funds and dedications subject to review to ensure that each eligible special

1 fund and dedication is evaluated at least once prior to the beginning of a new  
2 rotation.

3 (c) The Joint Legislative Committee on the Budget, hereinafter referred to  
4 as "the committee", shall conduct a review of the special funds and dedications as  
5 specified in each such plan and schedule to determine whether the return on  
6 investment of the activities funded by monies deposited in the special funds warrants  
7 the continuation of this method of funding.

8 (4)(a) No later than February 15, 2010 and every two years thereafter, the  
9 committee shall ~~report~~ submit a report of the findings and recommendations of each  
10 biennial review to the ~~speaker of the House of Representatives, the president of the~~  
11 ~~Senate~~ members of the legislature, the governor, and the commissioner of  
12 administration.

13 (b) The report shall contain a recommendation by the committee to either  
14 continue or terminate each special fund or dedication that is reviewed. The  
15 recommendation to continue or terminate shall require approval of a majority of the  
16 members of the committee. If the committee recommends termination of a special  
17 fund or dedication, legislation specifically providing for repeal of the statutory  
18 authority for the special fund or dedication may be introduced in the regular session  
19 immediately following submission of the report.

20 \* \* \*

21 Section 2. This Act shall become effective upon signature by the governor or, if not  
22 signed by the governor, upon expiration of the time for bills to become law without signature  
23 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
24 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
25 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. 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 9 Original

2017 First Extraordinary Session

Edmonds

**Abstract:** Provides relative to the review of certain special funds and statutory dedications by the Joint Legislative Committee on the Budget and requires recommendations with respect to continuing or terminating the funds and dedications reviewed.

Present law requires the division of administration (DOA) to develop a plan for the review of no more than 25% of the state's special funds and dedications.

Present law requires the Joint Legislative Committee on the Budget (JLCB) to conduct a review of the funds and dedications in the plan and to report its findings to the speaker of the House of Representatives, the president of the Senate, the governor, and the commissioner of administration.

Proposed law clarifies that the JLCB review of the special funds and dedications is for the purpose of determining whether return on investment of the activities funded is great enough to sustain the fund or dedication. Proposed law changes present law to require the JLCB report to be submitted to all members of the legislature, in addition to the governor and commissioner of administration.

Proposed law changes present law by requiring a minimum of 10% of the state's special funds and dedications be reviewed biennially. Further requires the DOA to establish a revolving rotation of special funds and dedications eligible to be reviewed so that each special fund and dedication is reviewed at least once before the beginning of a new rotation.

Proposed law requires the JLCB to include in its report a recommendation that the reviewed funds and dedications either be continued or terminated and requires the recommendation to be approved by a majority of the members of the committee.

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

(Amends R.S. 49:308.5(B)(3)(b) and (c) and (4))