

SENATE COMMITTEE AMENDMENTS

2017 Regular Session

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 232 by Senator LaFleur

1 AMENDMENT NO. 1

2 On page 1, line 2, after "reenact R.S.", delete the remainder of the line, and insert:

3 "39:371, 372(G), and 451 and to enact R.S. 39:372(H) and R.S. 49:320.2, relative
4 to funds and"

5 AMENDMENT NO. 2

6 On page 1, line 6, after "funds;", delete the remainder of the line, delete lines 7 and 8, and
7 insert:

8 "to provide for the establishment of, deposit to and withdrawal from escrow funds
9 in the state treasury; to provide relative to agency accounts in the state treasury; to
10 provide relative to the"

11 AMENDMENT NO. 3

12 On page 1, line 13, after R.S. change "39:371" to "39:371, 372(G),"

13 AMENDMENT NO. 4

14 On page 1, line 13, after "amended and" delete the remainder of the line and insert:

15 "reenacted and R.S. 39:372(H) is hereby enacted to read as"

16 AMENDMENT NO. 5

17 On page 2, between lines 2 and 3, insert:

18 "§372. Powers; policies; reports
19 * * *

20 **G. The review board is hereby empowered to review all state agency**
21 **requests for the establishment of escrow funds in the state treasury, and if**
22 **warranted, to approve the requests in writing. The monthly reports required**
23 **by the provisions of R.S. 39:320.2(C) for all state agencies with escrow funds in**
24 **the state treasury shall be submitted to the review board, who shall compile the**
25 **agency reports into one report and forward it to the Joint Legislative**
26 **Committee on the Budget.**

27 **H.** The legislative auditor shall review each state agency's compliance with
28 the review board's approved cash management policies and procedures. Any
29 noncompliance shall be reported to the Legislative Audit Advisory Council and to
30 the cash management review board."

31 AMENDMENT NO. 6

32 On page 2, line 5 delete "A."

33 AMENDMENT NO. 7

34 On page 2, line 21, after "**except**" delete the remainder of the line, delete lines 22 through
35 29, on page 3, delete lines 1 through 20, and insert: "**as provided in Article VII, Section**
36 **9 of the Louisiana Constitution, Article XII, Section 16 of the Louisiana Constitution,**
37 **and R.S. 49:308.**"

1 AMENDMENT NO. 8

2 On page 3, line 22, after "**revenues;**" delete the remainder of the line, and insert "**escrow**
3 **funds; reports of escrow funds and agency accounts**"

4 AMENDMENT NO. 9

5 On page 3, line 28, after "**shall**" delete the remainder of the line, delete line 29, and insert:

6 **"provide a description of all monies that may be deposited into an escrow fund,**
7 **including state monies, monies required to be deposited into a dedicated**
8 **account, or monies whose ownership is in dispute. The manual shall also**
9 **provide a description of all monies that should not be deposited into an escrow**
10 **account. The manual shall contain policies relative to the creation of an agency**
11 **account for the deposit of fees and self-generated revenues."**

12 AMENDMENT NO. 10

13 On page 4, line 1, delete "**contained in Paragraphs (B)(1) and (C)(1) of this Section.**"

14 AMENDMENT NO. 11

15 On page 4, delete lines 5 through 9, and insert:

16 **"B. No state money in an escrow fund shall be withdrawn from the state**
17 **treasury by a state agency nor transferred from an escrow fund to a state**
18 **agency's account unless:**

19 **(1) There is a specific appropriation authorizing the withdrawal or**
20 **transfer of the monies.**

21 **(2) There is no specific appropriation authorizing the withdrawal or**
22 **transfer of the monies and the commissioner of administration and the Joint**
23 **Legislative Committee on the Budget approve a budget adjustment if the**
24 **legislature is not in session."**

25 AMENDMENT NO. 12

26 On page 4, line 10, change "**(2)**" to "**(3)**" and change "**party**" to "**nonstate individual or**
27 **entity**"

28 AMENDMENT NO. 13

29 On page 4, line 12, after "**from the**" delete the remainder of the line and insert "**escrow fund**
30 **without a specific appropriation and returned to the nonstate individual or entity."**

31 AMENDMENT NO. 14

32 On page 4, delete lines 13 through 23, and at the beginning of line 24, change "**(2)**" to
33 **"C.(1)"**

34 AMENDMENT NO. 15

35 On page 4, line 24, change "**sub-fund**" to "**fund**"

36 AMENDMENT NO. 16

37 On page 4, line 25, delete "**sub-**"

38 AMENDMENT NO. 17

39 On page 4, line 26, after "**writing and**" delete the remainder of the line, delete line 27 and
40 insert:

1 "notice of the establishment of the escrow fund is given in writing to the
2 commissioner of administration and to the Joint Legislative Committee on the
3 Budget."

4 AMENDMENT NO. 18

5 On page 4, line 28, change "(3)" to "(2)"

6 AMENDMENT NO. 19

7 On page 4, delete line 29, and insert:

8 "fund, and agencies which as of January 1, 2017, have established an escrow
9 fund, shall submit a monthly report to the state treasurer who shall compile the
10 agency reports into one report and submit it to the Cash Management Review
11 Board"

12 AMENDMENT NO. 20

13 On page 5, line 2, change "sub-fund" to "fund"

14 AMENDMENT NO. 21

15 On page 5, delete line 3, and insert:

16 "to the fund including the date and the amount of the deposit to the fund, the
17 date and the amount of any withdrawal from the fund, the balance in the fund"

18 AMENDMENT NO. 22

19 On page 5, delete lines 6 through 19, and insert:

20 "(3) State agencies which as of January 1, 2017, have an agency account
21 established in the state treasury, shall give a quarterly report to the state
22 treasurer, regarding fees and self-generated revenues which have been
23 deposited or withdrawn from the account. The state treasurer shall compile the
24 agency reports into one report and shall submit the quarterly report to the Cash
25 Management Review Board and the Joint Legislative Committee on the Budget.
26 The report shall set forth:
27 (a) The beginning balance of fees and self-generated revenues in the
28 agency account.
29 (b) The date and amount of deposits of fees and self-generated revenues
30 to the agency account during the reporting period.
31 (c) The date and amount of withdrawals of fees and self-generated
32 revenues from the agency account during the reporting period.
33 (d) The balance in the agency account as of the date of the report.
34 (e) Any other information requested by the Cash Management Review
35 Board or the Joint Legislative Committee on the Budget."