

2017 Regular Session

HOUSE BILL NO. 52

BY REPRESENTATIVE CONNICK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNDS/FUNDING: Changes the dedication of a portion of the truck and trailer fees collected in certain parishes and creates the Regional Maintenance and Improvement Fund

1 AN ACT

2 To amend and reenact R.S. 47:481 and R.S. 48:196(A)(introductory paragraph) and 197 and

3 to repeal R.S. 48:25.2(D), relative to certain registration and license fees and taxes

4 collected on trucks and trailers; to provide for the collection, deposit, and

5 appropriation of such registration and license fees and taxes collected in certain

6 parishes; to create the Regional Maintenance and Improvement Fund; to provide for

7 the deposit, use, and investment of monies in the fund; to provide for the New

8 Orleans Ferry Fund; to repeal the termination date of the New Orleans Ferry Fund;

9 and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 47:481 is hereby amended and reenacted to read as follows:

12 §481. Disposition of collections

13 Except as provided in R.S. 47:480, all fees and taxes provided for in this

14 Chapter, including the permit fees, shall be paid to the state treasurer on or before the

15 tenth day of each month following their collection and shall be credited to the

16 account of the Transportation Trust Fund, the State Highway Improvement Fund,

17 state highway fund No. 2, ~~and~~ the New Orleans Ferry Fund, and the Regional

18 Maintenance and Improvement Fund, as provided by law.

1 Section 2. R.S. 48:196(A)(introductory paragraph) and 197 are hereby amended and
2 reenacted to read as follows:

3 §196. State Highway Improvement Fund

4 A. There is hereby created, as a special fund in the state treasury, the State
5 Highway Improvement Fund, hereinafter referred to as the "fund". The source of
6 monies in this fund shall be registration and license fees and taxes collected by the
7 state pursuant to R.S. 47:462, and as provided in R.S. 47:481, in such amounts as
8 remain after payment of amounts due on bonds and related expenses as provided in
9 the documents pursuant to which the bonds were issued under the provisions of R.S.
10 48:196.1. Beginning July 1, 2007, and each fiscal year thereafter, after satisfaction
11 of the requirements of the provisions of R.S. 48:196.1 and compliance with the
12 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, and after
13 making the allocation for state highway fund No. 2, ~~and the New Orleans Ferry~~
14 ~~Fund, and the Regional Maintenance and Improvement Fund,~~ the treasurer shall
15 deposit into the fund the following amounts:

16 * * *

17 §197. Motor vehicle license tax; ~~Transportation Trust Fund~~ Regional Maintenance
18 and Improvement Fund

19 A.(1) Beginning From January 1, 2013, ~~and each fiscal year thereafter,~~
20 through June 30, 2017, after compliance with the requirements of Article VII,
21 Section 9(B) of the Constitution of Louisiana, and after making the allocation for
22 state highway fund No. 2, the treasurer shall deposit into the Transportation Trust
23 Fund fifty percent of all funds derived from the collection of registration and license
24 fees and taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S.
25 47:481, in the parishes of Orleans, Jefferson, St. John the Baptist, St. Charles,
26 Tangipahoa, and St. Tammany.

27 (2) Beginning July 1, 2017, and each fiscal year thereafter, after compliance
28 with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana,
29 after making the allocation for state highway fund No. 2 for the Greater New Orleans

1 Expressway Commission, and after making the allocation for the New Orleans Ferry
2 Fund pursuant to R.S. 48:25.2, the treasurer shall deposit into the Transportation
3 Trust Fund fifty percent of the remaining monies derived from the collection of
4 registration and license fees and taxes collected by the state pursuant to R.S. 47:462,
5 and as provided in R.S. 47:481, in the parishes of Jefferson, St. Charles, St. John the
6 Baptist, Tangipahoa, and St. Tammany.

7 B. There is hereby created, as a special fund in the state treasury, the
8 Regional Maintenance and Improvement Fund, hereinafter referred to as the "fund".
9 Beginning July 1, 2017, and each fiscal year thereafter, after compliance with the
10 requirements of Article VII, Section 9(B) of the Constitution of Louisiana, after
11 making the allocation for state highway fund No. 2 for the Greater New Orleans
12 Expressway Commission, and after making the allocation for the New Orleans Ferry
13 Fund pursuant to R.S. 48:25.2, the treasurer shall deposit into the fund fifty percent
14 of the remaining monies derived from the collection of registration and license fees
15 and taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S.
16 47:481, in the parishes of Jefferson, St. Charles, St. John the Baptist, Tangipahoa,
17 and St. Tammany.

18 C. The monies in the fund shall be subject to an annual appropriation by the
19 legislature and shall be used only as provided in Subsection D of this Section. The
20 monies in the fund shall be invested by the treasurer in the same manner as the
21 monies in the state general fund, and all interest earned shall be deposited and
22 credited to the fund. All unexpended or unencumbered monies remaining in the fund
23 at the end of the fiscal year shall remain to the credit of the fund.

24 D. Monies appropriated from the fund shall be used exclusively for
25 maintenance and improvements of state highways in the respective parishes. Monies
26 collected in the parishes of Jefferson, Tangipahoa, and St. Tammany shall be
27 appropriated to the Regional Planning Commission. Monies collected in the parishes
28 of St. Charles and St. John the Baptist shall be appropriated to the South Central
29 Planning and Development Commission.

1 Section 3. R.S. 48:25.2(D) is hereby repealed in its entirety.

2 Section 4. This Act shall become effective on July 1, 2017; if vetoed by the governor
3 and subsequently approved by the legislature, this Act shall become effective on July 1,
4 2017, or on the day following such approval by the legislature, whichever is later.

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)]

HB 52 Engrossed

2017 Regular Session

Connick

Abstract: Changes the dedication of motor vehicle license taxes on trucks and trailers collected in Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes from the Transportation Trust Fund to the Regional Maintenance and Improvement Fund and repeals the termination date for the New Orleans Ferry Fund.

Present law dedicates 50% of all motor vehicle license taxes collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to state highway fund No. 2 for the Greater New Orleans Expressway Commission.

Present law (R.S. 48:197) dedicates 50% of motor vehicle license taxes on trucks and trailers collected in Orleans, Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes to the Transportation Trust Fund.

Proposed law terminates the 50% dedication to the Transportation Trust Fund in present law beginning on July 1, 2017, and instead dedicates 50% of the motor vehicle license taxes on trucks and trailers collected in Jefferson, St. Charles, St. John the Baptist, Tangipahoa, and St. Tammany parishes, net of allocations to the Bond Security and Redemption Fund, state highway fund No. 2, and the New Orleans Ferry Fund, into the newly created Regional Maintenance and Improvement Fund and 50% into the Transportation Trust Fund.

Proposed law creates the Regional Maintenance and Improvement Fund as a special treasury fund. Provides that monies in the fund shall be appropriated exclusively for maintenance and improvement for state highways in the parish in which the monies are collected. Provides for the appropriation of Jefferson, Tangipahoa, and St. Tammany parish collections to the Regional Planning Commission and the appropriation of St. Charles and St. John the Baptist parish collections to the South Central Planning and Development Commission.

Present law (R.S. 48:25.2) dedicates a portion of the motor vehicle license tax on trucks and trailers collected in Orleans Parish to the New Orleans Ferry Fund. Present law creating the New Orleans Ferry Fund terminates on June 30, 2018.

Proposed law repeals the termination date of the New Orleans Ferry Fund in present law.

Effective July 1, 2017.

(Amends R.S. 47:481 and R.S. 48:196(A)(intro. para.) and 197; Repeals R.S. 48:25.2(D))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Change the name of the fund from the Regional Maintenance and *Lighting* Fund to the Regional Maintenance and *Improvement* Fund and change the uses of the fund from maintenance and *lighting* to maintenance and *improvement*.
2. Reduce the allocation of net collections from truck and trailer fees from specified parishes into the fund from 100% of net collections to 50% of net collections. Provide that 50% of net collections shall be deposited into the Transportation Trust Fund.
3. Delete references to collections of truck and trailer fees from Orleans Parish from the deposits into the Regional Maintenance and Improvement Fund.