

2018 Regular Session

SENATE BILL NO. 220

BY SENATOR CARTER

CAPITAL OUTLAY. Provides relative to capital outlay oversight process. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 39:105(B), and to enact R.S. 39:105(C), relative to capital outlay
3 reports; to require the office of facility planning and control to submit to the Joint
4 Legislative Committee on Capital Outlay an annual report of funded nonstate
5 projects which do not have a fully executed cooperative endeavor agreement, a
6 design contract, or are not proceeding with construction, and the reasons therefor; to
7 provide for a copy of the report to be sent to each legislator whose district includes
8 one or more projects on the list; to provide for an effective date; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 39:105(B) is hereby amended and reenacted and R.S. 39:105(C) is
12 hereby enacted to read as follows:

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

14 * * *

15 **B.(1) The office of facility planning and control and any state agency**
16 **authorized to administer capital outlay appropriations shall submit to the Joint**
17 **Legislative Committee on Capital Outlay, an annual written progress report no**

1 later than the fifteenth day of January, of the nonstate projects included in the
2 current year's capital outlay budget which have been funded by the legislature,
3 whether such funding was by appropriation or by bond authorization for
4 which:

5 (a) The cooperative endeavor agreement or any amendments thereto,
6 with the state have not been fully executed. The project manager and the
7 nonstate entity shall give a written explanation as to why the agreement has not
8 been fully executed.

9 (b) The nonstate projects which have a fully executed cooperative
10 endeavor or amendment but which have not received the approval of the office
11 of facility planning, of a proposed contract for the design or engineering of the
12 project, including an explanation by the project manager and the nonstate
13 entity as to the reason the contract has not been fully approved.

14 (c) The nonstate projects which have a fully executed cooperative
15 endeavor, have completed the design phase, and have not begun the
16 construction phase of the project, including an explanation of the reasons that
17 construction has not begun by the project manager and the nonstate entity.

18 (2) A copy of each report shall be sent to each member of the legislature
19 whose district includes one or more projects on the list.

20 C. The office of facility planning and control shall submit the report in a
21 format that can be edited.

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

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

SB 220 Engrossed

2018 Regular Session

Carter

Present law requires the office of facility planning and control and any state agency authorized to administer capital outlay appropriations to submit to the Joint Legislative Committee on Capital Outlay, an annual written report no later than February first, on information regarding each project in the prior year's capital outlay budget. Proposed law retains present law.

Proposed law requires the office of facility planning and control and any state agency authorized to administer capital outlay appropriations to submit to the Joint Legislative Committee on Capital Outlay, an annual written report no later than January 15 of the nonstate projects included in the current year's capital outlay budget which has been funded by the legislature, which:

- (1) The cooperative endeavor agreement or any amendments thereto, with the state have not been fully executed. The project manager and the nonstate entity shall give a written explanation as to why the agreement has not been fully executed.
- (2) The nonstate projects which have a fully executed cooperative endeavor or amendment but which have not received the approval of the office of facility planning, of a proposed contract for the design or engineering of the project, including an explanation by the project manager and the nonstate entity as to the reason the contract has not been fully approved.
- (3) The nonstate projects which have a fully executed cooperative endeavor, have completed the design phase, and have not begun the construction phase of the project, including an explanation of the reasons that construction has not begun by the project manager and the nonstate entity.

Proposed law provides that a copy of each report shall be sent to each member of the legislature whose district includes one or more projects on the list.

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

(Amends R.S. 39:105(B); adds R.S. 39:105(C))