

2018 Second Extraordinary Session

SENATE BILL NO. 19

BY SENATOR CARTER AND REPRESENTATIVE GARY CARTER

FUNDS/FUNDING. Repeals the termination date on the New Orleans Ferry Fund and dedicates a portion of the truck and trailer fees collected in Jefferson Parish into the Jefferson Parish Maintenance and Improvement Fund. (Item #10 and 11) (See Act)

1 AN ACT

2 To amend and reenact R.S. 47:481, the introductory paragraph of R.S. 48:196(A), and R.S.
3 48:197 and to repeal R.S. 48:25.2(D), relative to certain registration and license fees
4 and taxes 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 Jefferson Parish Maintenance and Improvement Fund; to
7 provide for the deposit, use, and investment of monies in the fund; to provide for the
8 New Orleans Ferry Fund; to repeal the termination date of the New Orleans Ferry
9 Fund; to provide for an effective date; 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 Jefferson**

1 **Parish Maintenance and Improvement Fund**, as provided by law.

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

4 §196. State Highway Improvement Fund

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

17 * * *

18 §197. Motor vehicle license tax; ~~Transportation Trust Fund~~ **Jefferson Maintenance**
19 **and Improvement Fund**

20 **A.(1) Beginning From** January 1, 2013, ~~and each fiscal year thereafter,~~
21 **through June 30, 2018,** after compliance with the requirements of Article VII,
22 Section 9(B) of the Constitution of Louisiana, and after making the allocation for
23 state highway fund No. 2, the treasurer shall deposit into the Transportation Trust
24 Fund fifty percent of all funds derived from the collection of registration and license
25 fees and taxes collected by the state pursuant to R.S. 47:462, and as provided in R.S.
26 47:481, in the parishes of Orleans, Jefferson, St. John the Baptist, St. Charles,
27 Tangipahoa, and St. Tammany.

28 **(2) Beginning July 1, 2018, and each fiscal year thereafter, after**
29 **compliance with the requirements of Article VII, Section 9(B) of the**

1 Constitution of Louisiana, after making the allocation for state highway fund
2 No. 2 for the Greater New Orleans Expressway Commission, and after making
3 the allocation for the New Orleans Ferry Fund pursuant to R.S. 48:25.2, and
4 after making the allocation for the Jefferson Parish Maintenance and
5 Improvement Fund pursuant to Subsection B of this Section, the treasurer shall
6 deposit into the Transportation Trust Fund the remaining monies derived from
7 the collection of registration and license fees and taxes collected by the state
8 pursuant to R.S. 47:462, and as provided in R.S. 47:481, in the parishes of
9 Jefferson, St. John the Baptist, St. Charles, Tangipahoa, and St. Tammany.

10 B. There is hereby created, as a special fund in the state treasury, the
11 Jefferson Parish Maintenance and Improvement Fund, hereinafter referred to
12 as the "fund". Beginning July 1, 2018, and each fiscal year thereafter, after
13 compliance with the requirements of Article VII, Section 9(B) of the
14 Constitution of Louisiana, after making the allocation for state highway fund
15 No. 2 for the Greater New Orleans Expressway Commission, the treasurer shall
16 deposit into the fund fifteen percent of the remaining monies derived from the
17 collection of registration and license fees and taxes collected by the state
18 pursuant to R.S. 47:462, and as provided in R.S. 47:481, in Jefferson Parish.

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

25 D. Monies from the fund shall be appropriated to the governing
26 authority of Jefferson Parish and shall be used exclusively for maintenance and
27 improvements of state highways and nonfederal aid routes in Jefferson Parish.

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

29 Section 4. Sections 3, 4, and 5 of this Act shall become effective upon signature of

1 this Act by the governor or, if not signed by the governor, upon expiration of the time for
 2 bills to become law without signature by the governor, as provided by Article III, Section
 3 18 of the Constitution of Louisiana. If this Act is vetoed by the governor and subsequently
 4 approved by the legislature, Sections 3, 4, and 5 of this Act shall become effective on the
 5 day.

6 Section 5. Sections 1 and 2 of this Act shall become effective on July 1, 2018; if
 7 vetoed by the governor and subsequently approved by the legislature, Sections 1 and 2 of
 8 this Act shall become effective on July 1, 2018, or on the day following such approval by
 9 the legislature, whichever is later.

The original instrument and the following digest, which constitutes no part
 of the legislative instrument, were prepared by Jerry J. Guillot.

DIGEST

SB 19 Engrossed

2018 Second Extraordinary Session

Carter

Present law dedicates 50% of all motor vehicle license taxes collected in Orleans, Jefferson, St. John the Baptist, St. Charles, 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. John the Baptist, St. Charles, Tangipahoa, and St. Tammany parishes to the Transportation Trust Fund (TTF).

Proposed law terminates the 50% dedication to the TTF in present law beginning on July 1, 2018, and instead dedicates to the TTF the remaining motor vehicle license taxes on trucks and trailers collected in Jefferson, St. John the Baptist, St. Charles, Tangipahoa, and St. Tammany parishes, net of allocations to the Bond Security and Redemption Fund (BSRF), state highway fund No. 2, New Orleans Ferry Fund, and the Jefferson Parish Maintenance and Improvement Fund.

Proposed law creates the Jefferson Parish Maintenance and Improvement Fund (the parish fund) as a special treasury fund. Dedicates 15% of the motor vehicle license taxes on trucks and trailers collected in Jefferson Parish, net of allocations to the BSRF and state highway fund No. 2, into the parish fund for appropriation to the parish governing authority for maintenance and improvements of state highways and nonfederal aid routes in the parish.

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.

Repeal of the termination of the New Orleans Ferry Fund effective upon signature of the governor. Remaining provisions of proposed law effective July 1, 2018.

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