

2019 Regular Session

HOUSE BILL NO. 442

BY REPRESENTATIVE IVEY

FUNDS/FUNDING: (Constitutional Amendment) Establishes the State Cybersecurity and Information Technology Infrastructure Fund and dedicates revenues into the fund

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A JOINT RESOLUTION

Proposing to add Article VII, Section 10(F)(4)(i) and 10.17 of the Constitution of Louisiana, relative to special funds; to establish the State Cybersecurity and Information Technology Infrastructure Fund; to provide for the deposit, use, and dedication of certain deposits into the fund; to provide for certain exceptions; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to add Article VII, Section 10(F)(4)(i) and 10.17 of the Constitution of Louisiana, to read as follows:

§10. Expenditure of State Funds

Section 10.

* * *

(F) Projected Deficit.

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(4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not be applicable to, nor affect:

* * *

1 (i) The State Cybersecurity and Information Technology Infrastructure Fund,
2 as provided in Article VII, Section 10.17 of this constitution.

3 * * *

4 §10.17. State Cybersecurity and Information Technology Infrastructure Fund

5 Section 10.17. State Cybersecurity and Information Technology
6 Infrastructure Fund.

7 (A) The State Cybersecurity and Information Technology Infrastructure
8 Fund is hereby established in the state treasury as a special fund, hereinafter referred
9 to as the "fund". After allocation of money to the Bond Security and Redemption
10 Fund as provided in Article VII, Section 9(B) of this constitution, the treasurer shall
11 deposit in and credit to the fund the revenues as provided for in Paragraph (B) of this
12 Section.

13 (B)(1) Except as provided in Subparagraph (2) of this Paragraph, the
14 treasurer shall deposit twenty-five hundredths of all money available for
15 appropriation from the state general fund.

16 (2) Monies in the state general fund received by the state or by any state
17 board, agency, or commission, but pledged in connection with issuance of bonds
18 shall not be deposited in the fund.

19 (3) All unexpended and unencumbered monies in the fund at the end of the
20 fiscal year shall remain in the fund. Monies deposited into the fund shall be
21 permanently credited to the fund and shall be invested by the treasurer in a manner
22 provided for by law and any earnings realized on investment of money in the fund
23 shall be deposited in and credited to the fund.

24 (4) The legislature may authorize changes to this Paragraph regarding the
25 rate of dedicated revenue and source of the funds but only by enactment of a law by
26 a two-thirds vote of the elected members of each house of the legislature.

27 (C)(1) Appropriations from the State Cybersecurity and Information
28 Technology Infrastructure Fund shall be expended solely for support of projects to

1 enhance or upgrade the state's information technology infrastructure or cybersecurity
2 needs.

3 (2) The legislature may authorize the creation and establishment of a
4 committee to assist in the consideration of priorities for the funding of cybersecurity
5 and information technology infrastructure projects through appropriations of the
6 fund with the consent of a majority of the elected members of each house of the
7 legislature.

8 Section 2. Be it further resolved that this proposed amendment shall be submitted
9 to the electors of the state of Louisiana at the statewide election to be held on October 12,
10 2019.

11 Section 3. Be it further resolved that on the official ballot to be used at the election,
12 there shall be printed a proposition, upon which the electors of the state shall be permitted
13 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
14 follows:

15 Do you support an amendment to establish the State Cybersecurity and
16 Information Technology Infrastructure Fund for the deposit of revenues to
17 provide enhancements and upgrades to the state's information technology
18 infrastructure and cybersecurity needs? (Adds Article VII, Section
19 10(F)(4)(i) and 10.17)

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 442 Original

2019 Regular Session

Ivey

Abstract: Creates the State Cybersecurity and Information Technology Infrastructure Fund as a special treasury fund, requires .25% of monies in the state general fund to be deposited into this special fund for the state's information technology infrastructure and cybersecurity purposes.

Proposed constitutional amendment creates the State Cybersecurity and Information Technology Infrastructure Fund in the state treasury. Dedicates .75% of monies in the state general fund that are not allocated to the Bond Redemption and Security Fund or pledged in connection with the issuance of bonds to be appropriated solely for purposes of enhancing and upgrading the state's information technology infrastructure and to support cybersecurity needs.

Proposed constitutional amendment provides that unexpended and unencumbered monies in the fund at the end of the fiscal year remain in the fund. The money in the fund shall be invested as provided by law and any earnings realized on investment of money in the fund shall be deposited in and credited to the fund.

Proposed constitutional amendment authorizes the establishment of a committee to assist the legislature in consideration of priorities for the funding of information technology infrastructure projects through appropriations from the fund with consent of the majority of the legislature.

Provides for submission of the proposed amendment to the voters at the statewide election to be held October 12, 2019.

(Adds Const. Art. VII, §10(F)(4)(i) and 10.17)