

SENATE BILL NO. 308

BY SENATOR HEWITT AND REPRESENTATIVE EDMONDS

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AN ACT

To amend and reenact R.S. 49:308.5(B), (C)(1) and the introductory paragraph of (3)(a), and (D), relative to the Dedicated Fund Review Subcommittee of the Joint Legislative Committee on the Budget; to provide relative to a plan of review by the Dedicated Fund Review Subcommittee of certain special funds and dedications in the state treasury, including those containing fees and self-generated revenues; to provide relative to the scheduling of funds in the plan of review; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 49:308.5(B), (C)(1) and the introductory paragraph of (3)(a), and (D) are hereby amended and reenacted to read as follows:

§308.5. Legislative review and recommendation on special funds and dedication of money

\* \* \*

~~B.(1) The division of administration shall establish a procedure to assure that the activities supported by a special fund are subject to the same level of transparency and accountability as activities supported by the state general fund. The procedure shall include the annual submission of reports no later than December first of each year for all entities and activities supported by appropriations from the fund.~~

~~(2) The reports shall be submitted to the president of the Senate, the speaker of the House of Representatives, and the division of administration. The reports to the division of administration shall be submitted electronically in a form and format as specified and established by the commissioner of administration. The division of administration shall publish the reports in an electronic database so as to ensure transparency and accountability.~~

1                   (3)(a) No later than August 1, 2019 **2020**, the division of administration shall  
 2 submit **to the Joint Legislative Committee on the Budget** a plan ~~of~~ **to review** all  
 3 special funds and dedications that contain fees and self-generated revenues of the  
 4 special dedicated funds in law as of the date of the submission, ~~of the plan to the~~  
 5 ~~Joint Legislative Committee on the Budget.~~ The **Joint Legislative Committee on**  
 6 **the Budget shall refer the plan to the** Dedicated Fund Review Subcommittee of the  
 7 Joint Legislative Committee on the Budget, hereinafter referred to as "the  
 8 subcommittee"; **The subcommittee** shall meet ~~and~~ **to** review **and to make**  
 9 **recommendations, as provided in this Section, on** each dedicated fund that  
 10 contains fees and self-generated revenues prior to ~~January 15, 2020~~ **the thirtieth**  
 11 **calendar day prior to the start of the 2021 Regular Session of the Legislature.**

12                   (b)(2) On or before ~~February 1, 2020, and every four years thereafter,~~  
 13 **August 1, 2021, and on or before August first of the first year of every term of**  
 14 **the legislature,** the ~~state treasurer's office~~ **division of administration** shall submit  
 15 a list of all dedicated funds and statutorily dedicated fund accounts in law as of the  
 16 date of the submission of the list, to the Joint Legislative Committee on the Budget.  
 17 **The Joint Legislative Committee on the Budget may review and amend the list**  
 18 **prior to submission to the subcommittee.**

19                   (c) The ~~Joint Legislative Committee on the Budget~~ **list shall be referred to**  
 20 **the subcommittee which** shall **develop a plan to** review each ~~submitted item on~~  
 21 **the** list and may add special funds and statutorily dedicated fund accounts to the lists  
 22 ~~submitted by the state treasurer's office.~~ (d) ~~The Joint Legislative Committee on the~~  
 23 ~~Budget.~~ **The subcommittee** shall ensure that all ~~special funds established by law,~~  
 24 ~~including all statutorily dedicated fund accounts,~~ will have been included in the list  
 25 and reviewed at least once every four years. (4) ~~The Joint Legislative Committee on~~  
 26 ~~the Budget shall devise a plan for the subcommittee to review. The subcommittee~~  
 27 ~~shall conduct a review of the special funds, dedications, and statutorily dedicated~~  
 28 ~~fund accounts specified in each such plan, resulting in a recommendation for each~~  
 29 ~~specified fund, dedication, or statutorily dedicated fund account in the plan. The~~  
 30 ~~subcommittee shall meet at least once every two years and may hold other meetings~~

1 upon the call of the chairperson or majority of the members. The subcommittee shall  
 2 meet ~~only between the fifteenth day of August and the fifteenth day of January of~~  
 3 each fiscal year **each item is reviewed at least once every four years.**

4 C.(1) ~~After the approval of the plan by the Joint Legislative Committee on~~  
 5 ~~the Budget, the subcommittee shall cause to be posted on the website of the~~  
 6 Louisiana Legislature, a schedule of funds, dedications, and statutorily dedicated  
 7 fund accounts to be reviewed each year. The subcommittee shall have the authority  
 8 to amend the schedule. Additionally, **The subcommittee, acting on behalf of** the  
 9 Joint Legislative Committee on the Budget, shall notify the commissioner of  
 10 administration and the treasurer of the schedule **date each fund is scheduled for**  
 11 **review.** The state treasurer's office **commissioner of administration** shall notify any  
 12 agency or entity receiving an appropriation from a special fund, dedication, or  
 13 statutorily dedicated fund specified in the schedule **of the date the fund is**  
 14 **scheduled for review.**

15 \* \* \*

16 (3)(a) ~~No later than the first day of August of each year in which the fund is~~  
 17 ~~scheduled, the~~ **The** head of each agency or entity receiving an appropriation or  
 18 allocation from a special dedicated fund, dedication, or statutorily dedicated fund  
 19 account ~~included in the plan~~ **scheduled for review that fiscal year** shall submit to  
 20 the subcommittee the following:

21 \* \* \*

22 D.(1) Following the review of each special fund as required in this Section,  
 23 members of the subcommittee shall offer motions as are necessary to produce a  
 24 report of findings and recommendations on each ~~special dedicated fund~~ **item**  
 25 reviewed **by the subcommittee.** Such findings and recommendations may include  
 26 but are not limited to no change to the fund, a change to the **fund's** revenue source  
 27 ~~into the fund,~~ a change in the amount dedicated ~~into~~ **to** the fund, a change in the use  
 28 of the fund, or elimination of the fund.

29 (2) ~~The~~ **No later than thirty days prior to the beginning of the regular**  
 30 **session of the legislature, the** subcommittee shall report the findings and

1 recommendations to the Joint Legislative Committee on the Budget for review. The  
 2 Joint Legislative Committee on the Budget may recommend modifications to the  
 3 report submitted by the subcommittee, however, such modifications shall be noted  
 4 in the report along with any original findings or recommendations of the  
 5 subcommittee.

\* \* \*

7 Section 2. This Act shall become effective on July 1, 2020. If vetoed by the governor  
 8 and subsequently approved by the legislature, this Act shall become effective on July 1,  
 9 2020.

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_