

ACT No. 8

2020 First Extraordinary Session

HOUSE BILL NO. 8

BY REPRESENTATIVES SCHEXNAYDER AND THOMPSON

1 AN ACT

2 To appropriate funds for Fiscal Year 2020-2021 to defray the expenses of the Louisiana
3 Legislature, including the expenses of the House of Representatives and the Senate,
4 of legislative service agencies, and of the Louisiana State Law Institute; to provide
5 for the salary, expenses, and allowances of members, officers, staff, and agencies of
6 the legislature; to provide with respect to the appropriations and allocations herein
7 made; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. The sum of Seventy-Four Million Ninety-Three Thousand Eight Hundred
10 Eighty-One and No/100 (\$74,093,881.00) Dollars, or so much thereof as may be necessary,
11 is hereby appropriated out of the state general fund and the sum of Twenty-Three Million
12 Five Hundred Twenty-Five Thousand Forty-Three and No/100 (\$23,525,043.00) Dollars is
13 hereby appropriated out of self-generated funds to defray the expenses of the legislature,
14 including the House of Representatives and the Senate, the staffs of the House of
15 Representatives and of the Senate, the Legislative Auditor, the Legislative Fiscal Office, the
16 Legislative Budgetary Control Council, and the Louisiana State Law Institute.

17 Section 2.(A)(1) Out of the total amount herein appropriated from the state general
18 fund, Fifty Million Seven Hundred Sixty-Two Thousand Seven Hundred Ninety-Eight and
19 No/100 (\$50,762,798.00) Dollars is hereby allocated to provide the salary and allowances
20 of members, officers, and staff of the House of Representatives, and the salary and
21 allowances for the speaker of the House of Representatives and for expenses of his office,
22 including reimbursement for actual expenses as presiding officer and for his service to or for
23 the benefit of the House of Representatives, the legislature, the legislative branch of

1 government, or the state, as determined by the speaker, and to provide the salary and
2 allowances of members, officers, and staff of the Senate, and the salary and allowances for
3 the president of the Senate and for expenses of his office, including reimbursement for actual
4 expenses as presiding officer and for his service to or for the benefit of the Senate, the
5 legislature, the legislative branch of government, or the state, as determined by the president
6 of the Senate. These funds also shall be used to pay mileage and per diem of the members
7 of the legislature and mileage and per diem expenses of committees; salaries and/or expense
8 allowances of officers and employees of the legislature; costs of renovations, maintenance,
9 repairs, and necessary additions to the House and/or Senate chambers and other legislative
10 rooms; audio-visual systems, information networks, technological enhancements, and
11 technical support; printing the bills, journals, and calendars; computer equipment and
12 services; library services; provision of accessibility services for persons with disabilities
13 during sessions of the legislature and during the interim; and for all other expenses of the
14 legislature. Notwithstanding any other provision of the law to the contrary, any and all
15 monies paid to an employee of the legislature shall be used to determine full-time status and
16 for the eligibility and calculation of all benefits, including, but not limited to, retirement and
17 insurance. This provision shall be remedial in nature and shall not eliminate or reduce any
18 current benefits of a legislative employee. In addition to the amounts and limitations
19 provided in R.S. 24:31.5, these funds shall also be used to provide an additional two hundred
20 seventy-five dollars per month to the total amount available to each legislator for the salary
21 of his legislative assistants which shall be obtained and disbursed as hereinafter provided.

22 (2) Notwithstanding the provisions of R.S. 24:31.5, any legislative assistant
23 employed on or before December 1, 2007, may retain the salary they were earning on
24 December 1, 2007.

25 (B) Of the sum above allocated to the two houses of the legislature, Twenty-Eight
26 Million Nine Hundred Ninety-Eight Thousand Three Hundred and No/100 (\$28,998,300.00)
27 Dollars is hereby set aside and allocated for the use of the House of Representatives and
28 Twenty-One Million Seven Hundred Sixty-Four Thousand Four Hundred Ninety-Eight and
29 No/100 (\$21,764,498.00) Dollars for the use of the Senate.

30 (C) The presiding officer of each house shall warrant on the state treasurer in favor
31 of the House of Representatives or the Senate, as the case may be, for the allocation herein

1 provided, or for so much thereof as may be necessary. The aforesaid warrants shall be paid
2 out of the state general fund, and the state treasurer shall pay said warrants by preference
3 over all other warrants, except warrants for the salaries of constitutional officers of the state,
4 which shall be concurrent with the warrants provided for by this Act.

5 (D)(1) The funds drawn as provided herein shall be deposited in the name of the
6 House of Representatives or the Senate, as the case may be, in an approved bank located in
7 this state selected by the presiding officer of each house. Payment of per diem and mileage,
8 salaries of the members, officers, and employees, and other expenses of the legislature shall
9 be made by individual check, payable to the person or firm entitled thereto, signed by the
10 presiding officer of the House of Representatives as to disbursements by the House, and as
11 to disbursements by the Senate, signed by the president of the Senate. Facsimile or
12 electronic signatures may be used; such payment also may be made by electronic funds
13 transfer through the automated clearing house and deposited into the account of the person
14 or firm entitled to such payment.

15 (2) Copies of legislative documents of the Senate and the House shall be provided
16 at fees according to policy and schedules adopted by the secretary of the Senate and clerk
17 of the House, jointly, and approved by the president of the Senate and the speaker of the
18 House, jointly. Funds derived from the sale of legislative documents of the Senate and the
19 House during legislative sessions shall be used to offset the cost of printing the journals and
20 calendars.

21 (3) The legislature is hereby expressly authorized to receive and expend any monies
22 received as a result of any grants or donations or other forms of assistance as provided for
23 in Article VII, Section 9(A)(1) of the Louisiana Constitution of 1974.

24 (E) Any portion of the funds herein allocated to the two houses, any portion of the
25 funds previously appropriated or interest earnings on such appropriations and any self-
26 generated revenues that are not required for the expenses of the 2020 Regular Session of the
27 Legislature, including printing and all expenses in connection therewith, are hereby
28 appropriated and may be used to pay the mileage, per diem, expenses of committees, and any
29 other expenses of the legislature during the 2020-2021 Fiscal Year; however, all funds
30 remaining unexpended and/or unencumbered shall be returnable to the state general fund on
31 or before October 1, 2021.

1 Section 3.(A) The sum of Ten Million Four Hundred Eighty-Three Thousand Seven
2 Hundred Eight and No/100 (\$10,483,708.00) Dollars is hereby allocated out of the total
3 appropriation from the state general fund made in Section 1 of this Act to the legislative
4 auditor, to pay the expenses of his office, including the salaries and expenses of his
5 employees, the costs of equipment, and all other expenses incurred by that office in
6 connection with the operation thereof during the 2020-2021 Fiscal Year.

7 (B)(1) The sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars
8 is hereby appropriated, payable from the state general fund, to establish an agency working
9 capital fund to be known as the Legislative Auditor Ancillary Enterprise Fund. Of the funds
10 available in the ancillary enterprise fund, the sum of Twenty-Three Million Five Hundred
11 Twenty-Five Thousand Forty-Three and No/100 (\$23,525,043.00) Dollars is authorized to
12 be used by the legislative auditor, in addition to the amount allocated in Section 3.(A) hereof,
13 to pay the expenses of his office, including the salaries and expenses of his employees, the
14 costs of equipment, and all other expenses incurred by that office in connection with the
15 operations thereof during the 2020-2021 Fiscal Year.

16 (2) The legislative auditor, in addition to the authority contained in R.S. 24:517.1,
17 shall be authorized to receive reimbursement of actual expenses of audits performed on
18 federally funded programs, both direct and indirect, and regulatory boards funded primarily
19 from fees and self-generated revenues and self-supported enterprise functions for the
20 purpose of generating revenue to pay expenses as provided in Section 3.(B)(1) of this Act.
21 Reimbursement for audits performed on federally funded programs shall be limited to
22 reimbursement authorized by federal laws and regulations.

23 (3) Notwithstanding any provision of the law to the contrary, including the General
24 Appropriation Act, in addition to the authority contained in R.S. 24:517.1 and 517.3, the
25 legislative auditor is authorized to allocate and collect from each auditee included in the
26 state's Comprehensive Annual Financial Report, exclusive of those auditees audited by
27 independent certified public accountants, such amounts as may be reasonably necessary to
28 compensate the legislative auditor for services rendered and costs incurred in connection
29 with the audit of each auditee. In the collection of such amounts, the legislative auditor
30 shall, on or after the first day of July of each year, notify and warrant, without any other
31 approval, the state treasurer of the amount allocated to each auditee. The state treasurer,

1 upon receipt of said notice and warrant, shall transfer forthwith the amounts allocated to
2 each auditee from monies accruing or available to the auditee to the Legislative Auditor
3 Ancillary Enterprise Fund. Notwithstanding the foregoing, the sum of all amounts allocated
4 to all such auditees shall not exceed the amount appropriated to the legislative auditor from
5 the Legislative Auditor Ancillary Enterprise Fund in accordance with Section 3.(B)(1)
6 herein.

7 (C) In the conduct of such functions all receipts of self-generated revenues shall be
8 deposited in the state treasury to the credit of the Legislative Auditor Ancillary Enterprise
9 Fund and disbursements made by the state treasurer to the extent of the amounts deposited
10 to the credit of such fund in accordance with provisions of law governing expenditures. All
11 monies from self-generated revenue of the legislative auditor's office shall be paid to the
12 Legislative Auditor Ancillary Enterprise Fund and shall be deemed to be available for
13 expenditure in the amount herein appropriated, and any increase in self-generated revenue
14 over the amount herein appropriated shall be available for expenditure by the legislative
15 auditor only on approval by the co-chairmen of the Legislative Budgetary Control Council.

16 (D) The legislative auditor shall warrant on the state treasurer for the monies
17 allocated by this Section, and the warrant shall be paid by the state treasurer out of the state
18 general fund. The funds so drawn shall be disbursed only in accordance with budgeted
19 amounts provided herein and such amendments as may be approved by the Legislative
20 Budgetary Control Council.

21 (E) In addition to any portion of the funds herein allocated in this Section to the
22 legislative auditor, any portion of the funds previously appropriated to the legislative auditor,
23 and all other revenue and funds of the legislative auditor, or interest earnings, are hereby
24 appropriated and may be used to defray the expenses of the legislative auditor. These funds
25 shall be subject to warrant by the legislative auditor on the state treasurer, in an amount not
26 to exceed the total balance remaining at the end of the previous fiscal year; however, all
27 funds remaining unexpended and/or unencumbered shall be returnable to the state general
28 fund on or before October 1, 2021.

29 (F) The sum of Two Million Five Hundred Thousand and No/100 (\$2,500,000)
30 Dollars is hereby appropriated to the legislative auditor in interagency transfers from the

1 Department of the Treasury for work performed pursuant to the Act that originated as Senate
2 Bill No. 189 of the 2020 Regular Session of the Legislature.

3 (G) The sum of Two Hundred Seventy-One Thousand Five Hundred One and
4 No/100 (\$271,501) Dollars is hereby appropriated to the legislative auditor in statutory
5 dedications from the Coronavirus Local Recovery Allocation Fund established pursuant to
6 R.S. 39:100.43 for work performed pursuant to the Act that originated as Senate Bill No. 189
7 of the 2020 Regular Session of the Legislature.

8 Section 4.(A) The sum of Three Million One Hundred Fifty-Eight Thousand Eight
9 Hundred Forty-Nine and No/100 (\$3,158,849.00) Dollars is hereby allocated out of the total
10 appropriation from the state general fund made in Section 1 of this Act to the Joint
11 Legislative Committee on the Budget, to be used solely for the operations of the Legislative
12 Fiscal Office and in particular to pay the expenses thereof, including the salaries and
13 expenses of its employees, the cost of equipment, and all other expenses incurred by said
14 office in connection with the operation thereof during the 2020-2021 Fiscal Year. The
15 operations and functions of the Legislative Fiscal Office shall be under the direction and
16 supervision of the Joint Legislative Committee on the Budget. Any contracts for consultant
17 services shall be approved by the Legislative Budgetary Control Council and the Joint
18 Legislative Committee on the Budget.

19 (B) The legislative fiscal officer shall warrant on the state treasurer for the allocation
20 provided by this Section, and the warrant shall be paid by the state treasurer out of the state
21 general fund. The funds so drawn shall be disbursed only in accordance with a budget
22 approved by the Joint Legislative Committee on the Budget and the Legislative Budgetary
23 Control Council.

24 (C) Any portion of the funds herein allocated to the Legislative Fiscal Office, any
25 portion of the funds previously appropriated or interest earnings on such appropriations and
26 any self-generated revenues that are not required for the expenses of the 2020 Regular
27 Session of the Legislature, including printing and all expenses in connection therewith, are
28 hereby appropriated and may be used to pay expenses of the Legislative Fiscal Office during
29 the 2020-2021 Fiscal Year; however, all funds remaining unexpended and/or unencumbered
30 shall be returnable to the state general fund on or before October 1, 2021.

1 Section 5.(A) The sum of One Million One Hundred Thirty-One Thousand Four
2 Hundred One and No/100 (\$1,131,401.00) Dollars is hereby allocated out of the total
3 appropriation from the state general fund made in Section 1 of this Act to the Louisiana State
4 Law Institute, to pay the expenses thereof, including the salaries and expenses of its
5 employees, the cost of equipment, and all other expenses incurred by said office in
6 connection with the operation thereof during the 2020-2021 Fiscal Year.

7 (B) The executive director of the Louisiana State Law Institute shall warrant on the
8 state treasurer for the allocation provided by this Section, and the warrant shall be paid by
9 the state treasurer out of the state general fund. The funds so drawn shall be disbursed only
10 in accordance with a budget approved by the Legislative Budgetary Control Council and
11 subject to the budgetary control of said council.

12 (C) Any portion of the funds herein allocated to the Louisiana State Law Institute,
13 any portion of the funds previously appropriated or interest earnings on such appropriations
14 and any self-generated revenues may be used to pay expenses of the Louisiana State Law
15 Institute during the 2020-2021 Fiscal Year; however, all funds remaining unexpended and/or
16 unencumbered shall be returnable to the state general fund on or before October 1, 2021.

17 Section 6.(A) The sum of Eight Million Five Hundred Fifty-Seven Thousand One
18 Hundred Twenty-Five and No/100 (\$8,557,125.00) Dollars is hereby allocated out of the
19 total appropriation from the state general fund made in Section 1 of this Act and the balance
20 on July 2, 2020 of the fund created pursuant to Section 13 of Act 513 of the 2008 Regular
21 Session is hereby appropriated to the Legislative Budgetary Control Council, all of which
22 may be used to pay the expenses thereof, including salaries and expenses of certain
23 legislative employees, expenses of the Huey P. Long Memorial Law Library, the David R.
24 Poynter Legislative Research Library, contracts for professional services, mileage and per
25 diem expenses of the interim activities of joint legislative committees created by statute or
26 by the presiding officers of the Senate and the House of Representatives to which no specific
27 allocation of funds is made in this Act, as approved by the council or, jointly, by the co-
28 chairmen of the council, the cost of construction, maintenance, repair, improvements,
29 renovations, and access to the capitol building, capitol annex building, building for
30 legislative use, pentagon courts, and arsenal building, and adjacent grounds, and purchase,
31 maintenance, and repair of furniture and equipment, audio-visual systems, security systems,

1 information networks, technological enhancements, technical support, and computer
2 equipment and services, as jointly approved by the president of the Senate and the speaker
3 of the House of Representatives, the cost of equipment, dues to legislative associations, to
4 pay costs to maintain actuarial integrity of the state retirement system affected by the
5 inclusion of certain legislative employees, and all other expenses incurred by said council
6 in connection with the operation thereof during the 2020-2021 Fiscal Year.

7 (B) The co-chairmen of the Legislative Budgetary Control Council shall jointly
8 warrant on the state treasurer for the monies appropriated and allocated by this Section, and
9 the state treasurer shall pay their warrants by preference over all other warrants, except
10 warrants for the salaries of constitutional officers of the state, which shall be concurrent with
11 warrants provided for by this Act.

12 (C) The funds drawn as provided herein shall be deposited in the name of the
13 Legislative Budgetary Control Council in an approved bank located in this state selected by
14 the presiding co-chairmen of the council. Payment of per diem and mileage, salaries of the
15 officers and employees, and other expenses of the Legislative Budgetary Control Council
16 shall be made by individual check, payable to the person or firm entitled thereto, signed by
17 the presiding co-chairmen of the council. Facsimile or electronic signatures may be used;
18 such payment also may be made by electronic funds transfer through the automated clearing
19 house and deposited into the account of the person or firm entitled to such payment.

20 (D) Any portion of the funds herein allocated to the Legislative Budgetary Control
21 Council, any portion of the funds previously appropriated, or interest earnings on any such
22 appropriations, and self-generated revenues are hereby appropriated and may be used to pay
23 any expenses of the Legislative Budgetary Control Council during the 2020-2021 Fiscal
24 Year; however, all funds remaining unexpended and/or unencumbered shall be returnable
25 to the state general fund on or before October 1, 2021.

26 Section 7. The appropriations, and the allocations of such appropriations, from the
27 State General Fund (Direct) contained in Section 1 of this Act shall be reduced by a total
28 amount of Twelve Million Eight Hundred Fifty-One Thousand Ten and No/100
29 (\$12,851,010) Dollars, pursuant to a plan adopted by the Legislative Budgetary Control
30 Council.

1 Section 8. In addition to the funds appropriated in this Act, an amount equal to Three
 2 Million and No/100 (\$3,000,000) Dollars is hereby appropriated payable out of the State
 3 General Fund through Interagency Transfer from the Governor's Office of Homeland
 4 Security and Emergency Preparedness to the Legislative Budgetary Control Council.

5 Section 9. Notwithstanding any other provision of law to the contrary, no legislative
 6 employee shall be eligible for or granted a market rate salary increase during the 2020-2021
 7 fiscal year. All market rate salary increases prohibited by the provisions of this Section shall
 8 be reconsidered for the same expenditure purpose no later than October 15, 2020, by the
 9 legislature or the Legislative Budgetary Control Council if the legislature has not convened
 10 by October 15, 2020. This Section does not apply to promotions.

11 Section 10. In accordance with R.S. 39:51(D), a comparative statement of the
 12 existing operating budget for FY 2019-2020 and the appropriation for FY 2020-2021 from
 13 the state general fund is as follows:

14 Entity	15 FY 2019-2020	16 FY 2020-2021
	17 (Act 70 of 2019)	
18 House of Representatives	\$ 28,998,300	\$ 28,998,300
19 Senate	\$ 21,764,498	\$ 21,764,498
20 Legislative Auditor	\$ 10,483,708	\$ 10,483,708
21 Legislative Fiscal Office	\$ 2,886,664	\$ 3,158,849
22 La. State Law Institute	\$ 1,131,401	\$ 1,131,401
23 Legislative Budgetary 24 Control Council	\$ 8,557,125	\$ 8,557,125
25 Total state general fund	\$ 73,821,696	\$ 74,093,881

26 The Legislative Auditor for FY 2019-2020 was appropriated self-generated funds in
 27 the amount of \$23,525,042 and for FY 2020-2021 is appropriated self-generated funds in the
 28 amount of \$23,525,043. The Legislative Budgetary Control Council for FY 2019-2020 was
 29 appropriated the balance of the technology fund on July 2, 2019 and for FY 2020-2021 is
 30 appropriated the balance on July 2, 2020 of said fund. The FY 2019-2020 appropriations
 31 for the Legislature and the legislative service agencies from the State General Fund (Direct)
 were reduced by \$11,620,925 and the allocation of said reduction was implemented pursuant
 to a plan adopted by the Legislative Budgetary Control Council.

1 Section 11. This Act shall become effective on July 1, 2020; if vetoed by the
2 governor and subsequently approved by the legislature, this Act shall become effective on
3 July 1, 2020, or on the day following such approval by the legislature, whichever is later.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____