

2020 Second Extraordinary Session

HOUSE BILL NO. 84

BY REPRESENTATIVE EDMONDS

EMERGENCY PREPAREDNESS: Provides relative to the expenditure of federal funds received as a result of a disaster or emergency (Item #27)

1 AN ACT

2 To amend and reenact R.S. 39:134(C), relative to the expenditure of federal funds; to modify  
3 requirements for Joint Legislative Committee on the Budget approval of the  
4 expenditure of federal funds received under certain circumstances; to provide for  
5 certain requirements; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 39:134(C) is hereby amended and reenacted to read as follows:

8 §134. Legislative appropriation authority

9 \* \* \*

10 C.(1) When the legislature is not in session, the Joint Legislative Committee  
11 on the Budget may approve the expenditure of available federal funds and  
12 appropriate necessary state matching funds. However, the delegated authority shall  
13 apply only when new or additional federal funds are available at a time which  
14 precludes their appropriation by the legislature in session.

15 (2) Federal funds received pursuant to a federally declared disaster or  
16 emergency may be expended prior to approval by the Joint Legislative Committee  
17 on the Budget when both of the following occur:

18 (a) The secretary of the agency requesting the funds certifies in writing to the  
19 governor and the Joint Legislative Committee on the Budget that any delay would  
20 be detrimental to the state.

1           (b) The Joint Legislative Committee on the Budget is unable to meet to  
2           approve the expenditure.

3           (3) The Joint Legislative Committee on the Budget shall meet to consider  
4           approval of the expenditure at its next meeting following receipt of the certification  
5           made pursuant to Subparagraph (2)(a) of this Subsection. The agency requesting the  
6           funds shall submit a request in writing for approval of the expenditure prior to the  
7           meeting on a form and according to procedures determined by the committee.

8           (4) Once the committee meets to consider the request, no additional federal  
9           funds shall be expended for the same disaster or emergency unless approved by the  
10          committee or appropriated by the legislature prior to expenditure.

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 84 Original

2020 Second Extraordinary Session

Edmonds

**Abstract:** Authorizes the expenditure of federal funds received due to a federally declared disaster or emergency if the Joint Legislative Committee on the Budget (JLCB) is unable to meet. Requires JLCB to approve the expenditures and its next meeting and prohibits further expenditure of the federal funds received for the same disaster or emergency unless approved by JLCB prior to expenditure.

Present law prohibits any state agency from expending federal funds without a specific appropriation made by the legislature.

Present law authorizes JLCB to approve the expenditure of new or additional federal funds that were not available when the legislature was in session.

Proposed law allows the expenditure of federal funds received due to a federally declared disaster or emergency prior to approval by JLCB if the secretary requesting to expend the funds certifies in writing to the governor and the JLCB that any delay would be detrimental to the state and JLCB is unable to meet.

Proposed law further adds a requirement for JLCB to consider the expenditures at its next meeting following notification of the secretary's certification and prohibits any further federal funds from being expended for the same disaster or emergency unless approved by the committee or appropriated by the legislature prior to expenditure.

(Amends R.S. 39:134(C))