

2020 Second Extraordinary Session

HOUSE BILL NO. 38

BY REPRESENTATIVE HARRIS

FUNDS/FUNDING: Provides relative to funding university, parish, and municipal police departments (Items #15 and 16)

1 AN ACT

2 To enact Part VIII of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of
3 1950, to be comprised of R.S. 39:291 through 293, relative to funding for parish,
4 municipal, and postsecondary education agency police departments; to provide for
5 budget submission requirements; to provide for the authority of the Joint Legislative
6 Committee on the Budget; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. Part VIII of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised
9 Statutes of 1950, comprised of R.S. 39:291 through 293, is hereby enacted to read as
10 follows:

11 PART VIII. POLICE FUNDING PROTECTION

12 §291. Short title

13 This Part shall be known and may be cited as the "Louisiana Police Funding
14 Protection Act".

15 §292. Postsecondary education institutions

16 A. Each postsecondary education institution shall submit a report that details
17 the annual operating budget for its college or university police department for the
18 current fiscal year and the ensuing fiscal year to the Joint Legislative Committee on
19 the Budget by November thirtieth of each year.

1 B. If the annual operating budget for the police department for the ensuing
2 fiscal year indicates a funding decrease of ten percent or greater as compared to the
3 current fiscal year, the Joint Legislative Committee on the Budget may require the
4 institution to appear before the committee to provide a description of the proposed
5 budget reductions and the effect of the reductions on the police department's ability
6 to provide for public safety.

7 C. If the committee determines the proposed reductions submitted pursuant
8 to this Section will have a significant and harmful effect on public safety, the
9 postsecondary education institution shall be ineligible to apply for or receive funding
10 for new capital outlay projects for the ensuing fiscal year.

11 §293. Municipal police departments and sheriff's offices

12 A.(1) Each governing authority of a political subdivision which is required
13 to adopt a budget pursuant to the Louisiana Local Government Budget Act and
14 which includes a municipal police department or sheriff's office shall notify the Joint
15 Legislative Committee on the Budget if the annual operating budget for the
16 municipal police department or sheriff's office for the ensuing fiscal year indicates
17 a decrease of ten percent or greater as compared to the current fiscal year. The
18 governing authority shall notify the committee in writing no later than fifteen days
19 prior to the beginning of the ensuing fiscal year.

20 (2) The governing authority shall notify the Joint Legislative Committee on
21 the Budget if the annual operating budget for the municipal police department or
22 sheriff's office is reduced by ten percent or greater at any point in the current fiscal
23 year. The governing authority shall notify the committee in writing no later than
24 fifteen days following the effective date of the reduction.

25 B. Upon receipt of notification pursuant to Subsection A of this Section, the
26 Joint Legislative Committee on the Budget may require the governing authority to
27 appear before the committee and provide a description of the proposed budget
28 reductions and the effect of the reductions on the governing authority's ability to
29 provide for public safety.

1 C. If the committee determines the reductions submitted pursuant to this
 2 Section will have a significant and harmful effect on public safety, the governing
 3 authority shall be ineligible to apply for or receive funding for any new capital outlay
 4 projects for the ensuing fiscal year and to receive appropriations from sales tax
 5 dedications for the ensuing fiscal year.

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 38 Engrossed

2020 Second Extraordinary Session

Harris

Abstract: Requires public colleges and universities to report to the Joint Legislative Committee on the Budget (JLCB) regarding funding for its college or university police department. Requires municipalities and parishes to notify JLCB if funding for their police department or sheriff's office is reduced by 10% or more. If JLCB determines the reductions will have a significant and harmful effect on public safety, the college, university, municipality, or parish is ineligible to apply for or receive funding for new capital outlay projects or, for municipalities and parishes, receive sales tax dedications for the next fiscal year.

Proposed law requires public colleges and universities to submit a report of the annual operating budgets for the campus police department for the current and ensuing fiscal years to JLCB by Nov. 30th of each year.

Proposed law authorizes JLCB to require the college or university to appear before the committee if the report shows a decrease of 10% or more from the current to ensuing fiscal year for the campus police department.

Proposed law provides that if JLCB determines the reductions will have a significant and harmful effect on public safety, the college or university shall be ineligible to apply for or receive funding for any new capital outlay project for the ensuing fiscal year.

Proposed law requires any governing authority with a municipal police department or sheriff's office to notify JLCB if the annual operating budget for the police department or sheriff's office decreases by 10% or more from the current to ensuing fiscal year or any time during the current year.

Proposed law authorizes JLCB to require the governing authority to appear before the committee and if JLCB determines the reductions will have a significant and harmful effect on public safety, the governing authority shall be ineligible to apply for or receive funding for any new capital outlay projects or receive appropriations from sales tax dedications for the ensuing fiscal year.

(Adds R.S. 39:291-293)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Clarify that public colleges and universities and governing authorities with a municipal police department or sheriff's office would be ineligible to apply for or receive funding for new capital outlay projects.
2. Make a technical change.