

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 new or additional
9 federal funds shall be expended by any agency for the same disaster or emergency
10 unless approved by the committee or appropriated by the legislature prior to
11 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 Engrossed

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 at 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 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 new or additional federal funds from being expended by any agency 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))

Summary of Amendments Adopted by House

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

1. Clarify the prohibition on expending new or additional federal funds after JLCB has met to consider the previous expenditures applies to all agencies.