
DIGEST

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HB 515 Reengrossed

2021 Regular Session

Zeringue

Abstract: Provides for the transfer, deposit, and use, as specified, of certain treasury funds.

Proposed law transfers 25% of the FY 2019-2020 surplus (\$67,608,578) to the Budget Stabilization Fund. Further transfers an additional \$22,454,333 from FY 20-21 excess revenues into the Budget Stabilization Fund.

Proposed law transfers \$5,365,837 of state general fund (direct) into the Utility and Carrier Inspection and Supervision Fund.

Proposed law transfers \$658,274 of state general fund (direct) into the Telephonic Solicitation Relief Fund.

Proposed law transfers \$5,500,000 of state general fund (direct) into the Motor Fuels Underground Storage Tank Trust Fund.

Proposed law transfers \$16,963,667 of state general fund (direct) into the La. Wildlife and Fisheries Conservation Fund.

Proposed law transfers \$4,100,000 of state general fund (direct) into the Higher Education Initiatives Fund.

Proposed law transfers \$15,000,000 of state general fund (direct) into the State Emergency Response Fund.

Proposed law transfers \$7,689,837 of state general fund (direct) into the Major Events Incentive Program Subfund of the Mega-Project Development Fund.

Proposed law transfers \$5,000,000 of state general fund (direct) into the Voting Technology Fund.

Proposed law transfers \$2,000,000 of state general fund (direct) into the La. Fire Marshal Fund.

Present law establishes multiple special treasury funds in the state treasury. Proposed law converts certain of these present law funds into special dedicated fund accounts and provides that monies deposited into such an account shall be categorized as fees and self-generated revenue for the purposes of reporting related to the executive budget, the supporting documents thereto, and general appropriations bills. The following is a list of funds converted to "special dedicated fund accounts"

by proposed law:

- (1) Vital Records Conversion Fund
- (2) La. State Parks Improvement and Repair Fund
- (3) Poverty Point Reservoir Development Fund
- (4) Right-of-Way Permit Processing Fund
- (5) LTRC Transportation Training and Education Center Fund
- (6) Insurance Fraud Investigation Fund
- (7) Automobile Theft and Insurance Fraud Prevention Authority Fund
- (8) Coastal Resources Trust Fund
- (9) Fisherman's Gear Compensation Fund
- (10) Underwater Obstruction Removal Fund
- (11) Oil and Gas Regulatory Fund
- (12) Public Safety DWI Testing, Maintenance, and Training Fund
- (13) Louisiana Towing and Storage Fund
- (14) Concealed Handgun Permit Fund
- (15) Right to Know Fund
- (16) Liquefied Petroleum Gas Commission Rainy Day Fund
- (17) Explosives Trust Fund
- (18) Office of Motor Vehicles Customer Service and Technology Fund
- (19) Criminal Identification and Information Fund
- (20) Louisiana Life Safety and Property Protection Trust Fund
- (21) Unified Carrier Registration Agreement Fund
- (22) Industrialized Building Program Fund
- (23) Insurance Verification System Fund
- (24) Drivers License Escrow Fund
- (25) Handling Fee Escrow Fund
- (26) Waste Tire Management Fund
- (27) Lead Hazard Reduction Fund
- (28) Oyster Sanitation Fund
- (29) Tax Commission Expense Fund
- (30) Children's Trust Fund
- (31) Louisiana Stadium and Exposition District License Plate Fund
- (32) Louisiana Dusk License Stamp and Print Fund
- (33) Louisiana Wild Turkey Stamp Fund
- (34) Aquatic Plant Control Fund
- (35) Motor Carrier Regulation Fund
- (36) Louisiana Entertainment Development Fund
- (37) Utility and Carrier Inspection and Supervision Fund
- (38) Telephonic Solicitation Relief Fund

Present law establishes the La. Fire Marshal Fund (R.S. 22:835) and provides for deposit of certain monies into the fund. Further provides that unexpended and unencumbered monies in the fund at the end of the fiscal year are transferred to the state general fund. Proposed law requires that such unexpended and unencumbered monies remain in the fund at the end of the fiscal year. Present law

provides that interest earned on the investment of monies in the fund shall be credited to the state general fund. Proposed law requires such interest earnings be credited to the La. Fire Marshal Fund.

Proposed law establishes the La. Superdome Fund and provides for deposit of monies received pursuant to certain lawsuits into the fund. Further provides that monies in the fund be invested in the same manner as state general fund monies and unexpended and unencumbered monies remaining at the end of the fiscal year shall remain in the fund. Requires monies in the fund to be used by the La. Stadium and Exposition District for planned upgrades to the New Orleans Superdome.

Proposed law requires the treasurer to transfer any remaining monies from the Coronavirus Aid, Relief, and Economic Security (CARES) Act on June 30, 2021, to the State Coronavirus Relief Fund (established in present law), including remaining CARES Act balances in the Coronavirus Local Recovery Allocation Fund, the Louisiana Main Street Recovery Fund, and the Critical Infrastructure Workers Hazard Pay Rebate Fund established in present law.

Proposed law repeals the following funds: the Archaeological Curation Fund, the Audubon Golf Trail Development Fund, the Geaux Pass Transition Fund, and the Scenic Rivers Fund.

Proposed law directs the La. Law Institute to make necessary corrections to references in present law relative to funds converted to "dedicated fund accounts" by proposed law.

Provisions in proposed law relative to the conversion of "special treasury funds" to "special dedicated fund accounts" become effective June 30, 2022. All other provisions of proposed law become effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 15:587(B) and 598, R.S. 22:835(C) and (F) and 2134(A), (B)(intro. para.), and (C), R.S. 30:21(B)(2), 101.9(A)-(C) and (D)(intro. para.), 2351.41, 2380, and 2418(G), (I)(3) and (4), (J), (M)(3) and (4), and (O)(3) and (5), R.S. 32:412.3, 429.2(A), (B), and (C)(intro. para.), 868, 1526(B), and 1731, R.S. 39:100.43(L), 100.44(Q), and 100.48(C), R.S. 40:5.10, 39.1(B)(2), (3)(intro. para.), and (4), 1379.3.1(C) and (D), 1379.7(B), 1428(C), 1472.20(A), 1664.9(N), 1730.68, and 1849(D)(2), (3), (4)(intro. para.), and (5), R.S. 45:169.1, 844.14(A)(4), and 1177(B) and (C), R.S. 46:2403(A), (C), and (D)(1), R.S. 47:463.149(F) and (G), 1835(B) and (D)(4), and 6007(C)(4)(h)(ii), (iii)(intro. para.), and (iv), R.S. 48:105.1(B) and (D), 381(G), 381.1(E), and 381.2(D) and (G)(1), R.S. 49:214.40(A) and (C), R.S. 56:10(B)(1)(d), (5), and (7)(a) and (D), 10.1, 164(A) and (B)(intro. para.), 700.2(A)(intro. para.), (1), and (3) and (B)-(D), 1703(A), (B)(intro. para.), (C)(intro. para.), (1), and (2)(intro. para.), and (D), and 1705(A) and (B); Adds R.S. 39:100.26; Removes R.S. 9:154.2, R.S. 41:1615, and R.S. 56:1706 and 1844)

Summary of Amendments Adopted by House

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

1. Change certain present law funds from "special treasury funds" to "special dedicated fund accounts" and provides that monies in these accounts are to be categorized as fees and

self-generated revenues for the purposes of reporting related to the executive budget, supporting documents thereto, and general appropriations bills.

2. Change the La. Fire Marshal Fund (R.S. 22:835) so that unexpended and unencumbered monies in the fund at the end of the year remain in the fund rather than reverting to the general fund. Further provides that interest earned on the investment of monies in the fund shall be credited to the fund rather than the state general fund.
3. Repeal the following funds:
 - (A) Archaeological Curation Fund.
 - (B) Audubon Golf Trail Development Fund.
 - (C) Geaux Pass Transition Fund.
 - (D) Scenic Rivers Fund.
4. Transfer an additional \$22.5M to the Budget Stabilization Fund from FY 20-21 excess revenues.
5. Transfer an additional \$5M into the State Emergency Response Fund.
6. Transfer remaining balances in the Coronavirus Local Recovery Allocation Fund, the Louisiana Main Street Recovery Fund, and the Critical Infrastructure Workers Hazard Pay Rebate Fund to the State Coronavirus Relief Fund on June 30, 2021.
7. Authorizes the La. Law Institute to make necessary corrections to the revised statutes to conform to proposed law's conversion of certain funds to dedicated fund accounts.

The House Floor Amendments to the engrossed bill:

1. Remove the Motor Fuels Underground Storage Tank Trust Fund from proposed law.
2. Delay until June 30, 2022, the effective date of proposed law conversion of funds from "special treasury funds" to "special dedicated fund accounts".
3. Add \$2,000,000 to the La. Fire Marshal Fund.
4. Transfer remaining monies from the Coronavirus Aid, Relief, and Economic Security Act to the State Coronavirus Relief Fund.
5. Create the La. Superdome Fund for deposit of monies received from certain lawsuits. Provide that monies in the fund will be used by the La. Stadium and Exposition District for planned upgrades to the Superdome.
6. Make technical changes.