

SENATE BILL NO. 238

BY SENATOR MILLIGAN

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AN ACT

To amend and reenact R.S. 17:408.1(A) and (B), relative to the Caddo Educational Excellence Fund; to provide for the investment of the funds; to provide for the withdrawal of certain earnings; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:408.1(A) and (B) are hereby amended and reenacted to read as follows:

§408.1. Caddo Educational Excellence Fund; creation; investment; **withdrawal**

A.**(1)** There is hereby established the Caddo Educational Excellence Fund, hereafter in this Section called the "fund", which shall be a permanent trust fund in the official repository of the Caddo Parish School Board, held and invested on behalf of the Caddo Parish School Board; ~~the investment income of which may be withdrawn by the Caddo Parish School Board during January of each calendar year.~~
After the end of each fiscal year, the school board may withdraw money from the fund as provided in this Section on its own warrant. All money thus withdrawn shall be expended only as authorized in Subsection C of this Section.

(2) Withdrawals from the fund shall be limited as follows:

(a) In the fiscal year following a year that the earnings of the fund were greater than five percent, withdrawals from the fund shall not exceed five percent of the fund.

(b) In the fiscal year following a year that the earnings of the fund were between three and five percent, withdrawals from the fund shall not exceed the rate of earnings from the previous year.

1 (c) In the fiscal year following a year that the earnings of the fund were
 2 less than three percent, withdrawals from the fund shall not exceed three
 3 percent of the fund.

4 B. Funds collected pursuant to ~~R.S. 4:552(A)~~ R.S. 27:93(A) and allocated
 5 pursuant to ~~R.S. 4:552(A)(2)(d)~~ R.S. 27:93(A)(2)(d) shall be periodically transferred
 6 to the official repository of the Caddo Parish School Board. The funds shall be
 7 invested in the same manner as ~~monies in the state general fund are invested as~~
 8 post-employment benefits trusts are permitted to be invested pursuant to R.S.
 9 33:5162. Earnings on principal may also be invested. However, the amount of
 10 earnings shall be kept account of separately from fund principal and shall be
 11 available for the school board to withdraw as provided in this Section.

* * *

13 Section 2. This Act shall become effective upon signature by the governor or, if not
 14 signed by the governor, upon expiration of the time for bills to become law without signature
 15 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 16 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 17 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____