

ACT No. 325

2021 Regular Session

HOUSE BILL NO. 545

BY REPRESENTATIVE HUGHES

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AN ACT

To amend and reenact R.S. 48:196(C) and 224.1(A) and to enact R.S. 48:752(3), relative to the Department of Transportation and Development and the State Highway Improvement Fund; to provide for the expenditure of money in road transfer agreements; to provide for funds to be credited to the Parish Transportation Fund; to provide an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:196(C) and 224.1(A) are hereby amended and reenacted and R.S. 48:752(3) is hereby enacted to read as follows:

§196. State Highway Improvement Fund

* * *

C. Monies appropriated from the fund shall be used exclusively by the Department of Transportation and Development for funding projects for any road which is part of the state highway system but not part of the federal system and, thus, is ineligible for federal highway funding assistance. Such projects shall include but not be limited to design, preventive maintenance, rehabilitation, restoration, and improvement of the state-maintained system of roads. In addition, these funds may be used to complete all of the preconstruction activities such as planning, survey, design, engineering, right-of-way acquisition, and utility relocations ~~association~~ associated with such projects. These funds may also be used to compensate a parish or municipal governing authority for the acceptance of ownership of any road on the state highway system that is not part of the federal system pursuant to R.S. 48:224.1.

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 §224.1. Transfer and exchange of state and local roads

2 A. Upon receipt of a proper resolution submitted by a parish or municipal
3 governing authority to the secretary indicating its conditions, willingness, and desire
4 to incorporate into the parish or municipal road system a road on the state highway
5 system and to assume the maintenance thereof and with the approval by a majority
6 of the legislative delegation from such parish or municipality, the secretary may at
7 his discretion accept the resolution and remove the road from the state highway
8 system and it shall thereafter form a part of the parish or municipal road system. As
9 a condition of such transfer, the department may provide a thing of value, including
10 but not limited to credits towards future construction projects, payment of funds, or
11 satisfaction of debt owed to the department. Such thing of value shall be equal to the
12 amount of the present value of the forty-year projected future maintenance cost of
13 the road to be transferred and may be funded by the department as a capital project.
14 Any funds transferred to a parish or municipality as provided in this Subsection may
15 be expended on any activity allowed under R.S. 48:753. Any ~~such~~ condition of
16 transfer shall be reduced to writing by the parties. The department may execute such
17 agreements with any parish or municipality.

18 * * *

19 §752. Composition of the fund

20 The state treasurer shall credit to the Parish Transportation Fund, ~~herein~~
21 created by R.S. 48:751 et seq., the following:

22 * * *

23 (3) Compensation made available by the Department of Transportation and
24 Development directly to a parish or municipal governing authority for acceptance of
25 ownership of any road on the state highway system. This compensation shall be in
26 excess of any funding distributed pursuant to R.S. 48:756.

27 Section 2. This Act shall become effective upon signature by the governor or, if not
28 signed by the governor, upon expiration of the time for bills to become law without signature
29 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If

1 vetoed by the governor and subsequently approved by the legislature, this Act shall become
2 effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____