

2022 Regular Session

HOUSE BILL NO. 845

BY REPRESENTATIVE GEYMANN

FISCAL CONTROLS: Prohibits changes in budget authority that would allow certain federal funds to be used on ordinary recurring expenses of state government

1 AN ACT

2 To enact R.S. 39:73(E), relative to authority to spend public funds; to prohibit the increase
3 of an appropriation in certain circumstances; to prohibit new authority to spend
4 public funds in certain circumstances; to provide relative to the powers and duties
5 of the commissioner of administration; to provide for an effective date; and to
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:73(E) is hereby enacted to read as follows:

9 §73. Allotments to govern expenditures; transfers of allotments; increases

10 * * *

11 E. Notwithstanding any provision of law to the contrary, the commissioner
12 of administration shall not approve any proposed increase to an appropriation or new
13 authority to expend public funds if the proposed increase or authority is for federal
14 funds that have not been available for the preceding two fiscal years or that will not
15 be available for the succeeding two fiscal years and any part of such federal funds
16 is to be used for ordinary recurring expenses. The provisions of this Subsection shall
17 not apply if the federal funds are payable to the state on a reimbursement basis.

18 Section 2. This Act shall become effective upon signature by the governor or, if not
19 signed by the governor, upon expiration of the time for bills to become law without signature
20 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.
-

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 845 Original

2022 Regular Session

Geymann

Abstract: Prohibits the commissioner of administration from approving an increase to an appropriation or new authority to spend public funds if any part of the proposed increase or authority is for nonrecurring federal monies that will be used for recurring expenses.

Present law (R.S. 39:73) generally limits the expenses of each budget unit of the executive branch to a monthly allotment of its appropriation. Present law (House Bill No. 1 preamble) further authorizes increases to appropriations and new appropriations of federal, interagency, statutory dedication, or self-generated revenues for a budget unit upon approval by the commissioner of administration and the Joint Legislative Committee on the Budget.

Proposed law retains present law and further prohibits the commissioner of administration from approving any increase to an appropriation or new authority to spend public funds if the proposed increase or authority is for federal funds that have not been available for the preceding two fiscal years or that will not be available for the succeeding two fiscal years and such federal funds will be used on ordinary recurring expenses. Present law defines "ordinary recurring expenses" to mean all expenses of a continuing or recurring character that in the normal course of administration may be expected to be necessary in approximately the same amounts each year.

Further provides that proposed law does not apply if the federal funds are payable to the state on a reimbursement basis.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 39:73(E))