

2022 Regular Session

SENATE BILL NO. 266

BY SENATOR WARD

FUNDS/FUNDING. Provides for utilization of certain monies in the Construction Subfund of the Transportation Trust Fund for federal match. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 48:77(D) and to repeal R.S. 48:77(E), relative to the state motor  
3 vehicle sales tax dedicated to the Construction Subfund of the Transportation Trust  
4 Fund; to provide for the prioritization of the use of the funds to match federal funds;  
5 to provide relative to bonding; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 48:77(D) is hereby amended and reenacted to read as follows:

8 §77. Transportation Trust Fund; dedication and uses of certain monies to the  
9 Construction Subfund

10 \* \* \*

11 D. The Department of Transportation and Development shall utilize monies  
12 deposited into the Subfund pursuant to Subsection A of this Section as  
13 necessary to match federal funds made available to this state through  
14 transportation-related programs or grants. Subject to the foregoing  
15 requirement, the Department of Transportation and Development shall utilize  
16 an amount not less than twenty-five percent of the remaining monies on highway and  
17 bridge preservation projects included in the highway priority program pursuant to the

1 Department of Transportation and Development's definition of highway and bridge  
 2 preservation projects. ~~Of the monies utilized by the Department of Transportation~~  
 3 ~~and Development pursuant to this Subsection, an amount of five percent, not to~~  
 4 ~~exceed ten million dollars, shall be utilized for projects authorized pursuant to the~~  
 5 ~~provisions of R.S. 48:224.1.~~ **The Department of Transportation and Development**  
 6 **may utilize annually up to five percent of the monies deposited into the subfund**  
 7 **pursuant to this Subsection for projects authorized pursuant to the provisions**  
 8 **of R.S. 48:224.1.**

9 Section 2. R.S. 48:77(E) is hereby repealed.

10 Section 3. This Act shall become effective upon signature by the governor or, if not  
 11 signed by the governor, upon expiration of the time for bills to become law without signature  
 12 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 13 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 14 effective on the day following such approval.

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The original instrument was prepared by Leonore Heavey. The following digest, which does not constitute a part of the legislative instrument, was prepared by Martha Hess.

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#### DIGEST

SB 266 Engrossed

2022 Regular Session

Ward

Present law provides that beginning FY 2023-2024, 30% of the avails of the taxes from the sale, use, or lease of motor vehicles taxable pursuant to present law shall be deposited into the Construction Subfund of the Transportation Trust Fund (subfund). Provides that for FY 2024-2025 and each fiscal year thereafter, 60% of the avails of the taxes from the sale, use, or lease of motor vehicles taxable pursuant to existing law shall be deposited into the subfund.

Present law further provides that the Dept. of Transportation and Development (department) shall utilize up to 75% of the monies deposited into the subfund pursuant to present law on certain enumerated mega projects.

Proposed law requires the motor vehicle sales tax deposited into the subfund be used as necessary to match federal funds made available to the state through transportation-related programs or grants.

Present law provides that of the monies utilized by the department pursuant to present law an amount of five percent, not to exceed \$10 million, shall be utilized for projects authorized by present law regarding the transfer and exchange of state and local roads. Proposed law changes present law by changing "shall" to "may" and removing the \$10 million limit on these projects.

Present law prohibits the issuance of total debt in excess of \$150 million per fiscal year that

is secured by vehicle sales tax revenue deposited into the subfund.

Proposed law repeals this prohibition.

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

(Amends R.S. 48:77(D); repeals R.S. 48:77(E))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Changes utilization language from shall to may on the five percent of monies the department may use from the Subfund for projects authorized under the provisions of present law and removes the \$10 million limit on these projects.