

SENATE BILL NO. 132

BY SENATOR REESE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

AN ACT

To amend and reenact R.S. 39:128(B)(4)(a)(i) and (C) and to enact R.S. 39:121(8) and (9), relative to capital outlay procedure; to provide relative to exemptions to capital outlay procedure; to increase the threshold for the exemption for universities, higher education facilities, or consortiums to undertake new construction or repair projects; to exempt certain projects from being included in the capital outlay budget; to authorize the office of facility planning and control to delegate administration of projects under certain circumstances; to authorize the office of facility planning and control to utilize third-party management firms under certain circumstances; to provide for certain limitations and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:128(B)(4)(a)(i) and (C) are hereby amended and reenacted and R.S. 39:121(8) and (9) are hereby enacted to read as follows:

§121. Division of administration powers, duties, and functions

The division of administration in accordance with the provisions of R.S. 39:1410 in order to exercise supervision over the expenditure of funds and the construction projects, shall specifically:

\* \* \*

**(8) Have the authority, through the office of facility planning and control, to delegate administration of projects as it deems necessary to a state agency or higher education management board through the approval and execution of a cooperative endeavor agreement for the planning, design, bidding, contracting, construction, and management of such projects.**

**(9) Have the authority, through the office of facility planning and control, to utilize the services of contracted third-party management firms to**

1 assist with the administration and management of capital outlay projects and  
 2 projects included in the Water Sector Program established pursuant to the  
 3 provisions of R.S. 39:100.56.

4 \* \* \*

5 §128. Exemptions

6 \* \* \*

7 B.(1)

8 \* \* \*

9 (4)(a)(i) A university, higher education facility, or consortium shall be  
 10 allowed to undertake any new construction, maintenance, or repair project not  
 11 exceeding ~~five~~ **ten** million dollars solely funded from self-generated revenues,  
 12 grants, donations, or local or federal funds without being included in the Capital  
 13 Outlay Bill provided the project is approved by the appropriate governing board or  
 14 management board; the Board of Regents; the division of administration, office of  
 15 facility planning and control; and the Joint Legislative Committee on the Budget.  
 16 The office of facility planning and control shall issue the necessary contracts for the  
 17 project and shall disburse funds to pay the costs of the project. The university, higher  
 18 education facility, or consortium shall remit project funding to the office of facility  
 19 planning and control for deposit in the state treasury at such time as may be deemed  
 20 necessary by the office of facility planning and control in order to cover the amount  
 21 of contracts or other project expenses. Any surplus of such project funding and any  
 22 interest earned on such funds shall be refunded to such university, higher education  
 23 facility, or consortium by the state treasurer.

24 \* \* \*

25 C. Except as provided by Subsection B of this Section, ~~minor~~ repairs,  
 26 renovations, or construction of buildings or other facilities may be undertaken by an  
 27 agency without being included in the capital outlay budget, provided that the  
 28 ~~expenditures for a fiscal year~~ **cost** for these undertakings do **repairs, renovation, or**  
 29 **construction of buildings or other facilities for each individual project does** not  
 30 exceed ~~one~~ **two** hundred fifty thousand dollars ~~cumulatively per agency and the~~

1                   ~~expenditures are first approved by the commissioner of administration and the Joint~~  
2                   ~~Legislative Committee on the Budget.~~ For the purpose of this Subsection, "cost"  
3                   shall not be construed to include design fees or movable equipment.

4   \*         \*         \*

\_\_\_\_\_  
PRESIDENT OF THE SENATE

\_\_\_\_\_  
SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_