

ACT No. 410

2023 Regular Session

HOUSE BILL NO. 550

BY REPRESENTATIVE ZERINGUE

1 AN ACT

2 To amend and reenact R.S. 39:100.44.1(H)(3), the heading of Subpart P-3 of Part II-A of
3 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, and
4 R.S. 39:100.101, 100.171, and 100.201(B) through (D) and to enact R.S.
5 17:4033.1(F), Subpart Z of Part II-A of Chapter 1 of Subtitle I of Title 39, to be
6 comprised of R.S. 39:100.211, and Subpart AA of Part II-A of Chapter 1 of Subtitle
7 I of Title 39, to be comprised of R.S. 39:100.221, relative to certain treasury funds;
8 to provide for the transfer, deposit, and use, as specified, of monies in certain
9 treasury funds and accounts; to provide an effective date; and to provide for related
10 matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1.(A) Notwithstanding any provision of law to the contrary, the state
13 treasurer is hereby authorized and directed to transfer \$181,630,129 to be comprised wholly
14 of nonrecurring revenues out of the State General Fund from the Fiscal Year 2021-2022
15 surplus, as recognized by the Revenue Estimating Conference, to the Budget Stabilization
16 Fund.

17 (B) Notwithstanding any provision of law to the contrary, the state treasurer is
18 hereby authorized and directed to transfer \$1,500,000 from the State General Fund (Direct)
19 to the Hazard Mitigation Revolving Loan Fund.

1 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
2 hereby authorized and directed to transfer \$20,000,000 from the State General Fund (Direct)
3 to the Voting Technology Fund.

4 (D) Notwithstanding any provision of law to the contrary, the state treasurer is
5 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)
6 to the Oyster Resource Management Account.

7 (E) Notwithstanding any provision of law to the contrary, the state treasurer is
8 hereby authorized and directed to transfer \$15,500,000 from the State General Fund (Direct)
9 to the Higher Education Initiatives Fund.

10 (F) Notwithstanding any provision of law to the contrary, the state treasurer is
11 hereby authorized and directed to transfer \$15,000,000 from the State General Fund (Direct)
12 to the Health Care Employment Reinvestment Opportunity (H.E.R.O.) Fund.

13 (G) Notwithstanding any provision of law to the contrary, the state treasurer is
14 hereby authorized and directed to transfer \$5,000,000 from the State General Fund (Direct)
15 to the Geaux Teach Fund.

16 (H) Notwithstanding any provision of law to the contrary, the state treasurer is
17 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)
18 to the Power-Based Violence and Safety Fund, as established in this Act.

19 (I) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
20 authorized and directed to transfer \$5,000,000 from the State General Fund (Direct) to the
21 Louisiana Economic Development Fund.

22 (J) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
23 authorized and directed to transfer \$2,500,000 from the State General Fund (Direct) to the
24 Reading Enrichment and Academic Deliverables Fund, as established in this Act.

25 (K) Notwithstanding any provision of law to the contrary, the state treasurer is
26 hereby authorized and directed to transfer \$7,500,000 from the State General Fund (Direct)
27 to the Insure Louisiana Incentive Fund.

28 (L) Notwithstanding any provision of law to the contrary, the state treasurer is
29 hereby authorized and directed to transfer \$24,904,474 from the State General Fund (Direct)
30 to the State Emergency Response Fund.

1 (M) Notwithstanding any provision of law to the contrary, the state treasurer is
 2 hereby authorized and directed to transfer \$5,000,000 from the State General Fund (Direct)
 3 to the Court Modernization and Technology Fund, as established in this Act.

4 (N) Notwithstanding any provision of law to the contrary, the state treasurer is
 5 hereby authorized and directed to transfer \$5,000,000 from the State General Fund (Direct)
 6 to the Law Enforcement Recruitment Incentive Fund contingent upon the Act that originated
 7 as House Bill No. 563 of this 2023 Regular Session of the Legislature becoming law.

8 (O) Notwithstanding any provision of law to the contrary, the state treasurer is
 9 hereby authorized and directed to transfer \$340,000,000 from the State General Fund
 10 (Direct) to the Transportation Trust Fund.

11 (P) Notwithstanding any provision of law to the contrary, the state treasurer is
 12 hereby authorized and directed to transfer \$4,000,000 from the State General Fund (Direct)
 13 to the Major Events Incentive Fund.

14 (Q) Notwithstanding any provision of law to the contrary, the state treasurer is
 15 hereby authorized and directed to transfer \$2,500,000 from the State General Fund (Direct)
 16 to the Imagination Library of Louisiana Fund, contingent upon the Act that originated as
 17 House Bill No. 412 of this 2023 Regular Session of the Legislature becoming law.

18 (R) Notwithstanding any provision of law to the contrary, the state treasurer is
 19 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)
 20 to the Louisiana Postsecondary Inclusive Education Fund.

21 (S) Notwithstanding any provision of law to the contrary, the state treasurer is
 22 hereby authorized and directed to transfer \$1,500,000 from the State General Fund (Direct)
 23 to the Jump Start Your Heart Fund contingent upon the Act that originated as Senate Bill No.
 24 12 of this 2023 Regular Session of the Legislature becoming law.

25 (T) Notwithstanding any provision of law to the contrary, the state treasurer is
 26 hereby authorized and directed to transfer \$40,000,000 from the State General Fund (Direct)
 27 to the Coastal Protection and Restoration Fund.

28 (U) Notwithstanding any provision of law to the contrary, the state treasurer is
 29 hereby authorized and directed to transfer \$50,000,000 from the State General Fund (Direct)
 30 to the Water Sector Fund.

1 (V) Notwithstanding any provision of law to the contrary, the state treasurer is
2 hereby authorized and directed to transfer \$15,000,000 from the State General Fund (Direct)
3 to the Capital Outlay Savings Fund.

4 (W) Notwithstanding any provision of law to the contrary, the state treasurer is
5 hereby authorized and directed to transfer \$20,000,000 from the State General Fund (Direct)
6 to the Fortify Homes Program Fund.

7 Section 2.(A) Notwithstanding any provision of law to the contrary, the state
8 treasurer is hereby authorized and directed to transfer \$10,000,000 from the State General
9 Fund by Fees and Self-generated Revenues of the Department of Insurance to the Louisiana
10 Fortify Homes Program Fund.

11 (B) Notwithstanding any provision of law to the contrary, the state treasurer is
12 hereby authorized and directed to transfer \$2,500,000 from the State General Fund by Fees
13 and Self-generated Revenues of the Department of Insurance to the Insure Louisiana
14 Incentive Fund.

15 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
16 hereby authorized and directed to transfer \$57,500,000 from the State General Fund (Direct)
17 to the Capital Outlay Savings Fund.

18 (D) Notwithstanding any provision of law to the contrary, the state treasurer is
19 hereby authorized and directed to transfer \$50,000,000 from the State General Fund (Direct)
20 to the Construction Subfund Preservation Account of the Transportation Trust Fund.

21 Section 3. R.S. 17:4033.1(F) is hereby enacted to read as follows:

22 §4033.1. R.E.A.D. Program; establishment; student eligibility; administration;
23 funding

24 * * *

25 F. There is hereby established in the state treasury, as a special fund, the
26 Reading Enrichment and Academic Deliverables Fund (hereafter referred to in this
27 Section as the "R.E.A.D. Fund"). Monies appropriated or transferred to the R.E.A.D.
28 Fund shall be deposited by the state treasurer after compliance with the requirements
29 of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
30 Security and Redemption Fund. Monies in the R.E.A.D. Fund shall be invested in

1 the same manner as monies in the state general fund. Interest earned on the
 2 investment of monies in the R.E.A.D. Fund shall be deposited in and credited to the
 3 R.E.A.D. Fund. Subject to appropriation, the state Department of Education shall use
 4 monies from the fund for administration and implementation of the R.E.A.D.
 5 Program.

6 Section 4. R.S. 39:100.44.1(H)(3), the heading of Subpart P-3 of Part II-A of Chapter
 7 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, R.S. 39:100.101,
 8 100.171, and 100.201(B) through (D) are hereby amended and reenacted and Subpart Z of
 9 Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,
 10 comprised of R.S. 39:100.211 and Subpart AA of Part II-A of Chapter 1 of Subtitle I of Title
 11 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.221 are hereby
 12 enacted to read as follows:

13 §100.44.1. Louisiana Main Street Recovery Program; Louisiana Rescue Plan Funds;
 14 Loggers Relief; Save Our Screens

15 * * *

16 H.

17 * * *

18 (3) Any remaining balance in the fund on June 30, ~~2023~~ 2024, shall be
 19 transferred to the Louisiana Rescue Plan Fund.

20 * * *

21 SUBPART P-3. POWER-BASED VIOLENCE AND SAFETY FUND

22 §100.101. Power-Based Violence and Safety Fund; purpose

23 A. There is hereby created in the state treasury, as a special fund, the
 24 "Power-Based Violence and Safety Fund", hereinafter referred to in this Section as
 25 the "fund".

26 B. ~~Notwithstanding any provision of law to the contrary, the state treasurer~~
 27 ~~is hereby authorized and directed to transfer \$500,000 from the Louisiana Mega-~~
 28 ~~Project Development Fund into the Power-Based Fund.~~

29 ~~€.~~ Monies in the fund shall be invested in the same manner as monies in the
 30 state general fund. Interest earned on investment of monies in the fund shall be

1 credited to the fund. Unexpended and unencumbered monies in the fund at the end
2 of the fiscal year shall remain in the fund.

3 ~~Ð. C.~~ C. Monies in the fund shall be appropriated and used for ~~the~~
4 ~~establishment of Power-Based Violence, Title IX, and safety initiatives~~ offices at
5 every public postsecondary institution in the state. The Board of Regents shall
6 develop a plan for the distribution of funds.

7 * * *

8 §100.171. Hurricane Ida Recovery Fund

9 A. There is hereby created in the state treasury as a special fund the
10 Hurricane Ida Recovery Fund, hereinafter referred to in this Section as the "fund".
11 ~~Monies in the fund shall be used to make full or partial payments to political~~
12 ~~subdivisions, including school boards, that suffered property loss or damage caused~~
13 ~~by Hurricane Ida and were not fully compensated for such property loss or damage~~
14 ~~by insurance and other federal and state disaster resources. Any payment to a~~
15 ~~political subdivision made from the fund pursuant to the provisions of this Section~~
16 ~~shall be applied by the governing authority of the political subdivision to the cost of~~
17 ~~repair or replacement of the damaged property.~~ B. Monies appropriated or
18 transferred to the fund shall be deposited by the state treasurer after compliance with
19 the requirements of Article VII, Section 9(B) of the Constitution of Louisiana
20 relative to the Bond Security and Redemption Fund. Monies in the fund shall be
21 invested in the same manner as monies in the state general fund and unexpended and
22 unencumbered monies in the fund at the end of the fiscal year shall remain in the
23 fund. Interest earned on the investment of monies in the fund shall be deposited in
24 and credited to the fund. Subject to appropriation, the Department of the Treasury
25 shall administer distribution of monies from the fund.

26 ~~€. B.~~ B. Up to three percent of monies initially deposited into the fund may be
27 retained by the treasurer for administrative expenses. Subject to final approval of the
28 Joint Legislative Committee on the Budget prior to implementation, the treasurer is
29 hereby authorized and directed to develop policies and procedures for the
30 distribution and administration of monies in the fund. Notwithstanding any

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1 provision of law to the contrary, the treasurer may enter into consulting services,
2 professional services, and information and technology services contracts for the
3 purpose of the procurement of any goods or services necessary to implement and
4 expedite the distribution of monies in the fund as emergency procurements exempt
5 from the provisions of the Louisiana Procurement Code and corresponding rules and
6 regulations. The cost of such contracts shall be an administrative expense of the
7 recovery program.

8 C. Monies in the fund shall be used to make full or partial payments to
9 eligible entities that suffered property loss or damage caused by Hurricane Ida and
10 that were not fully compensated for such property loss or damage by insurance and
11 other federal and state disaster resources. For the purposes of this Section, the term
12 "eligible entity" shall mean a political subdivision of the state and shall include
13 school boards. Except as otherwise provided in this Subsection, the governing
14 authority of an eligible entity receiving monies pursuant to the provisions of this
15 Section shall apply the money to the cost of repair or replacement of the damaged
16 property or to the cost of an approved project replacing such damaged property. If
17 federal assistance funds have been received for the damaged property and monies
18 disbursed to the eligible entity pursuant to the provisions of this Section remain after
19 the eligible entity has satisfied its portion of any required local match for such
20 damage, the eligible entity shall apply any remaining monies received from the fund
21 to one or more of the following for expenses incurred since August 29, 2021:

22 (1) A facility owned by an eligible entity that is open to the public for public
23 use.

24 (2) A public facility that an eligible entity owns or has legal responsibility
25 for maintaining, including any:

26 (a) Flood control, navigation, irrigation, reclamation, public power, sewage
27 treatment and collection, water supply and distribution, watershed development, or
28 airport facility.

29 (b) Non-Federal-aid street, road, or highway.

1 (c) Other public building, structure, or system, including those used for
2 educational, recreational, or cultural purposes.

3 (d) Park.

4 (3) A facility owned by a private nonprofit entity and used to provide
5 services to the general public.

6 (4) A mixed-use facility provided that more than fifty percent of the
7 physical space of the facility is used for a public purpose.

8 (5) A facility that meets both of the following conditions:

9 (a) At least fifty percent of the total square footage of the facility was used
10 by the owner for a public purpose before Hurricane Ida.

11 (b) All or part of the facility was under repair or remodeling when Hurricane
12 Ida struck the facility.

13 (6) Debris Removal.

14 (7) Emergency Protection Measures.

15 * * *

16 §100.201. Political Subdivision Federal Grant Assistance Fund

17 * * *

18 B. Monies out of the fund shall be appropriated to the division of
19 administration ~~via the process to adjust an agency's appropriation as provided for in~~
20 ~~Section 2.A. of Act No. 199 of the 2022 Regular Session of the Legislature~~ and the
21 office of rural development established within the office of the governor.

22 C. ~~The~~ Monies in the fund shall be used for the administration of a program
23 to assist political subdivisions with competitive federal grant opportunities made
24 pursuant to the Infrastructure Investment and Jobs Act (P.L. 117-58).

25 D. ~~The program's~~ Any program guidelines shall be subject to approval by
26 the Joint Legislative Committee on the Budget.

27 SUBPART Z. COURT MODERNIZATION AND TECHNOLOGY FUND

28 §100.211. Court Modernization and Technology Fund

29 A. There is hereby created in the state treasury, as a special fund, the Court
30 Modernization and Technology Fund, hereinafter referred to in this Section as the

1 "fund". The fund shall be administered by the Judicial Council of the Supreme Court
 2 to provide funding for technology upgrades in courts under the supervisory
 3 jurisdiction of the Supreme Court pursuant to Article V of the Constitution of
 4 Louisiana.

5 B. Monies in the fund shall be invested in the same manner as monies in the
 6 state general fund. Interest earned on investment of monies in the fund shall be
 7 credited to the fund. Unexpended and unencumbered monies in the fund at the end
 8 of the fiscal year shall remain in the fund.

9 C. The Supreme Court shall promulgate rules, regulations, and procedures
 10 as necessary for the administration of the fund, including establishing minimum
 11 technology standards for the courts, procedures for application, audit and monitoring
 12 requirements, and annual reporting requirements.

13 D. The Judicial Council shall administer monies in the fund as follows:

14 (1) To establish the initial framework for regional technology support for
 15 courts.

16 (2) To prioritize funding to courts that do not meet the minimum technology
 17 standards in the following areas:

18 (a) Hardware and software.

19 (b) Cybersecurity.

20 (c) Case and document management systems.

21 E. Beginning October 1, 2023, the Judicial Council shall submit a quarterly
 22 status report of all funding allocated pursuant to this Section to the Joint Legislative
 23 Committee on the Budget.

24 SUBPART AA. PUBLIC SAFETY AND CRIME PREVENTION FUND

25 §100.221. Public Safety and Crime Prevention Fund

26 A. There is hereby created in the state treasury the Public Safety and Crime
 27 Prevention Fund, hereinafter referred to in this Section as the "fund". The source of
 28 monies in the fund shall be any monies appropriated by the legislature including
 29 federal funds, donations, gifts, or grants, and any other monies which may be
 30 provided by law. All unexpended and unencumbered monies in the fund at the end

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1 of the year shall remain in the fund. Monies in the fund shall be invested by the
2 treasurer in the same manner as monies in the state general fund, and any interest
3 earned on such investment shall be deposited in and credited to the fund.

4 B. Subject to appropriation, monies in the fund shall be used by the office
5 of state police for public safety services, including patrol and law enforcement, in
6 any parish having a population of not less than two hundred eighty thousand persons
7 and not more than four hundred twenty thousand persons according to the latest
8 federal decennial census.

9 Section 5.(A) The provisions of Section 2 of this Act shall become effective July 1,
10 2023.

11 (B) The provisions of this Section and Sections 1, 3, and 4 of this Act shall become
12 effective upon signature by the governor or, if not signed by the governor, upon expiration
13 of the time for bills to become law without signature by the governor, as provided by Article
14 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
15 approved by the legislature, the provisions of this Section and Sections 1, 3, and 4 of this Act
16 shall become effective on the day following such approval.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____