
The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Curry Lann.

DIGEST

SB 64 Engrossed

2024 Regular Session

Reese

Present law (R.S. 39:100.52) creates the Water Sector Fund within the state treasury and authorizes the treasurer to transfer \$300,000,000 from the Louisiana Rescue Plan Fund into the Water Sector Fund.

Proposed law removes the outdated reference to a previous transfer of funds.

Present law (R.S. 39:100.56) creates the Water Sector Program and the Water Sector Commission to provide grant funding for repairs, improvements, and consolidation of community water and sewer systems.

Proposed law retains present law.

Present law requires the division of administration to promulgate guidance for the administration of the program that includes application requirements, application period dates and deadlines for submissions and approval, criteria for ratings, and a process for ensuring funding for small water and sewer systems and prioritizing critical infrastructure needs.

Proposed law further requires the inclusion of grant requirements and procedures for the consideration of extension requests and adjustments to grant awards in the guidance and otherwise retains present law.

Proposed law requires that a rate study be completed on each grant recipient as provided for in the guidance.

Proposed law prohibits the commission from considering a request to adjust a grant award due to an increase in project costs until the grantee has submitted a value engineering review of the project to the division.

Present law requires grant recipients to comply with audits performed by the legislative auditor but provides an exception to present law consequences for noncompliance.

Proposed law repeals the present law exception to consequences for noncompliance and otherwise retains present law.

Proposed law requires that any monies deposited into the fund on or after July 1, 2024 be used only to provide grant funding for repairs, improvements, and consolidation of community water and sewer systems pursuant to the Water Sector Program as provided in proposed law.

Proposed law requires the commission to hold a meeting no later than September 1, 2024 to submit

priorities to the division to utilize in the development of guidance for any new grants issued pursuant to the Water Sector Program on or after July 1, 2024.

Proposed law requires the division to promulgate guidance for the administration of any new grants awarded after July 1, 2024. The guidance shall include application requirements, deadlines for application submissions and approval, criteria for ratings, and a process for prioritizing critical infrastructure needs.

Proposed law requires the division to the proposed guidance to the commission for review and approval no later than October 1, 2024. Any changes to the guidance shall require approval by the commission.

Proposed law requires the division to submit a proposal outlining administrative costs for the program to the commission for review and approval prior to implementing the program. The commission shall review the proposed administrative costs and make a recommendation to the Joint Legislative Committee on the Budget for funding for administrative costs subject to appropriation. The Joint Legislative Committee on the Budget shall review the recommendations submitted by the commission and approve administrative costs for the program.

Proposed law authorizes the division to enter into consulting services, professional services, and information and technology services contracts for the purpose of the procurement of any goods or services necessary to implement and expedite the distribution of funds as emergency procurements exempt from the provisions of the Louisiana Procurement Code and corresponding rules and regulations. The cost of such contracts shall be considered administrative costs and shall require approval of the Joint Legislative Committee on the Budget.

Proposed law requires each grant recipient to provide matching funds unless the commission recommends waiving the match requirement.

Proposed law requires the division to begin accepting applications for available funds, including those appropriated by the legislature, no later than 30 days after promulgation of the guidance.

Proposed law requires the division to submit ratings of the proposed projects by the working panel and recommendations for funding for the projects to the commission within forty-five days of the end of the application period.

Proposed law requires the commission to review the ratings and recommendations submitted by the working panel. The commission shall submit its recommendations for grant awards to the Joint Legislative Committee on the Budget. The Joint Legislative Committee on the Budget shall review the recommendations submitted by the commission and have final approval of funding for projects. No monies shall be expended from the fund without approval of the Joint Legislative Committee on the Budget.

Proposed law requires the division to submit a quarterly status update, including a construction progress report, for projects that received funding approval to the commission and the Joint

Legislative Committee on the Budget.

Proposed law requires each grant recipient that receives funding to comply with audit provisions of present law.

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

(Amends R.S. 39:100.52(A) and 100.56(D)(1) and (G); adds R.S. 39:100.52(E), 100.56(K)(2)(c) and 100.56(O); repeals R.S. 39:100.56(N))

Summary of Amendments Adopted by Senate

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

1. Adds provisions pertaining to any monies deposited into the fund on or after July 1, 2024 for repairs, improvements, and consolidation of community water and sewer systems.
2. Adds provisions relative to the development of guidance and the application, ratings, and recommendation process for any new grants awarded pursuant to the Water Sector Program on or after July 1, 2024.
3. Requires each grant recipient to provide matching funds unless the commission recommends waiving the match requirement.
4. Requires the commission to submit recommendations for grant awards to the Joint Legislative Committee on the Budget that has final approval of funding for projects. No monies shall be expended from the fund without approval of the Joint Legislative Committee on the Budget.
5. Repeals the present law exception to consequences for noncompliance with audits performed by the legislative auditor and otherwise retains present law.