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## DIGEST

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HB 678 Re-Reengrossed

2025 Regular Session

Emerson

**Abstract:** Modifies disposition of state revenues through repeal of the Revenue Stabilization Trust Fund and of deposits of mineral revenues into the Budget Stabilization Fund.

### BUDGET STABILIZATION FUND

Present constitution (Art. VII, §10.3) establishes the Budget Stabilization Fund and provides for the deposit and uses of monies in the fund.

Present constitution requires the following monies be deposited into the fund:

- (1) All money available for appropriation from the state general fund and dedicated funds in excess of the expenditure limit.
- (2) 25% of any money designated in the official forecast as nonrecurring.
- (3) Any money appropriated to the fund by the legislature.
- (4) All remaining revenues received in each fiscal year by the state in excess of \$950M as a result of the production of or exploration for minerals after certain required allocations. Further defines minerals for the purposes of present constitution. Authorizes the threshold amount to be increased under certain circumstances.
- (5) An amount equivalent to the money received by the state from the federal government for the reimbursement of costs associated with a federally declared disaster, not to exceed certain limits.

With respect to the deposit of mineral revenues for the remainder of the fiscal year in which proposed constitutional amendment is ratified (Fiscal Year 2026-2027), proposed constitutional amendment (Section 3 of this Act) retains present constitutional requirements.

Beginning Fiscal Year 2027-2028, proposed constitutional amendment repeals the requirement to deposit mineral revenues into the fund. Otherwise retains present constitution.

Present constitution prohibits use of monies in the fund unless certain conditions are met. Further requires monies in the fund to be invested as provided by law and earnings realized each fiscal year on such investment to be deposited to the credit of the fund. Requires unexpended and unencumbered monies in the fund at the end of the fiscal year to remain in the fund. Additionally

in any fiscal year, prohibits use of more than 1/3 of the fund balance as of the beginning of the current fiscal year. Proposed constitutional amendment retains present constitution.

Present constitution prohibits appropriation or deposit to the fund if it will cause the balance in the fund to exceed 4% of total state revenue receipts for the previous fiscal year. Proposed constitutional amendment increases this cap from four percent to 7.5% of total state revenue receipts for the previous fiscal year.

## **REVENUE STABILIZATION TRUST FUND**

Present constitution (Art. VII, §10.15) establishes the Revenue Stabilization Trust Fund in the treasury. Requires deposit into the fund of certain mineral revenues as required by present constitution (Art. VII, §10.16) and revenues in excess of \$600M received each fiscal year from corporate franchise and income taxes. Requires investment by the treasurer of fund monies in a manner provided by law. Further requires deposit into the state general fund of all interest or other income from investment of Revenue Stabilization Trust Fund monies. With certain exceptions, authorizes appropriation from the fund only if the balance of the fund at the beginning of the fiscal year exceeds \$5B (minimum fund balance) and then caps the appropriation at 10% (allowable percentage) of the fund balance. If appropriation is authorized by these circumstances, present constitution limits the appropriation to capital outlay projects in the comprehensive state capital budget and transportation infrastructure. Present constitution authorizes the legislature to change the minimum fund balance or the allowable percentage by a law enacted by 2/3 of the legislature.

Present constitution further provides that in order to ensure the money in the fund is available for appropriation in an emergency, the legislature may authorize an appropriation from the fund at any time for any purpose only after the consent of 2/3 of the members of each house. Provides that the 2/3 consent may be satisfied upon obtaining written consent in a manner provided by law.

Proposed constitutional amendment repeals present constitution.

## **MINERAL REVENUES**

Present constitution (Art. VII, §10.16) establishes requirements for deposits of mineral revenues into various special funds and trusts. Present constitution references deposit into the Budget Stabilization Fund. Proposed constitutional amendment repeals this reference and otherwise retains these requirements.

After the deposits required above, present constitution dedicates remaining mineral revenues above \$600M and less than \$950M to the Revenue Stabilization Trust Fund and for application to any Initial Unfunded Accrued Liability (IUAL) of the La. State Employees' Retirement System (LASERS) and the Teachers' Retirement System of La. (TRSL). Proposed constitutional amendment repeals this dedication.

Present constitution dedicates mineral revenues that are prohibited from being deposited into the Budget Stabilization Fund because the fund is at its constitutional cap to the Revenue Stabilization

Trust Fund and to application of any IUAL at LASERS and TRSL. Proposed constitutional amendment repeals this dedication.

### **USE OF STATE MONIES**

Present constitution (Art. VII, §10) authorizes deposit of nonrecurring revenues into the Budget Stabilization Fund. Present constitution (Art. VII, §10.3) caps the amount of any monies that may be deposited into the Budget Stabilization Fund. Proposed constitutional amendment prohibits deposit of nonrecurring revenues in excess of the deposit cap provided in present constitution for the fund.

### **MINERAL REVENUE AUDIT AND SETTLEMENT FUND**

Present constitution (Art. VII, §10.5) establishes the Mineral Revenue Audit and Settlement Fund in the state treasury and provides for deposit of revenues received each fiscal year through certain settlements or judgments resulting from underpayment to the state of severance taxes, royalty payments, and other mineral-related payments owed to the state.

Present constitution prohibits any revenues deposited into the fund from being considered mineral revenues for the purposes of the Budget Stabilization Fund. Proposed constitutional amendment repeals this prohibition.

### **TECHNICAL AND CONFORMING CHANGES**

Proposed constitutional amendment makes technical changes to present constitution and further makes conforming changes to align with changes in proposed constitutional amendment.

### **SUBMISSION TO VOTERS**

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 3, 2026.

(Amends Const. Art. VII, §§10(D)(2)(d), 10.3(A), and 10.5(B); Adds Const. Art. VII, §10.3(D); Repeals Const. Art. VII, §§10(F)(4)(h), 10.3(C)(5), 10.15, and 10.16(A)(12), (B), and (C))

### **Summary of Amendments Adopted by House**

The Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill:

1. Repeal language in Mineral Revenue Audit and Settlement Fund exempting certain monies from calculation and deposit into the Budget Stabilization Fund.
2. Repeal language in the mineral revenue provision regarding deposit into the Budget stabilization Fund.

3. Repeal dedication of mineral revenues in certain circumstances to the Revenue Stabilization Trust Fund and the IUAL of LASERS and TRSL.
4. Modify provision regarding disposition of mineral revenues for remainder of FY 2026-2027.
5. Make technical and conforming changes.

The Committee Amendments Proposed by House Committee on Civil Law and Procedure to the reengrossed bill:

1. Make a technical change.