

2025 Regular Session

ACT No. 365

HOUSE BILL NO. 461

BY REPRESENTATIVE MCFARLAND

1 AN ACT

2 To enact R.S. 39:100.112(F)(2)(d), 100.252(E), 100.253(D)(3), 100.254 through 100.256,
3 and R.S. 51:2316, relative to certain treasury funds; to provide for the transfer,
4 deposit, and use, as specified, of monies in certain treasury funds and accounts; to
5 authorize appropriation from the Revenue Stabilization Trust Fund; to modify
6 threshold amounts and percentages allowable for appropriations from the Revenue
7 Stabilization Trust Fund; to provide for use of monies in the Louisiana
8 Transportation Infrastructure Fund; to provide for use of monies in the Higher
9 Education Campus Revitalization Fund; to establish the Modernization and Security
10 Fund; to establish the Louisiana Economic Development Initiatives Fund; to
11 establish the Local Infrastructure Fund; to establish the Site Investment and
12 Infrastructure Improvement Fund; to provide for effectiveness; and to provide for
13 related matters.

14 Be it enacted by the Legislature of Louisiana:

15 Section 1.(A) Notwithstanding any provision of law to the contrary, the state
16 treasurer is hereby authorized and directed to transfer \$148,771,996 to be comprised wholly
17 of nonrecurring revenues out of the State General Fund from the Fiscal Year 2023-2024
18 surplus, as recognized by the Revenue Estimating Conference, to the Budget Stabilization
19 Fund.

20 (B) Notwithstanding any provision of law to the contrary, the state treasurer is
21 hereby authorized and directed to transfer \$8,000,000 from the State General Fund (Direct)
22 to the Oilfield Site Restoration Fund.

1 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
2 hereby authorized and directed to transfer \$10,000,000 from the Mineral and Energy
3 Operation Fund to the Oilfield Site Restoration Fund.

4 (D) Notwithstanding any provision of law to the contrary, the state treasurer is
5 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)
6 to the Louisiana Outdoors Forever Fund.

7 (E) Notwithstanding any provision of law to the contrary, the state treasurer is
8 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)
9 to the Reading Enrichment and Academic Deliverables Fund.

10 (F) Notwithstanding any provision of law to the contrary, the state treasurer is
11 hereby authorized and directed to transfer \$25,323,522 from the State General Fund (Direct)
12 to the Overcollections Fund.

13 (G) Notwithstanding any provision of law to the contrary, the state treasurer is
14 hereby authorized and directed to transfer \$21,468,862 from the Louisiana Mega-Project
15 Development Fund to the Rapid Response Fund.

16 (H) Notwithstanding any provision of law to the contrary, the state treasurer is
17 hereby authorized and directed to transfer \$50,000,000 from the State General Fund by Fees
18 and Self-Generated Revenues of the Louisiana Department of Revenue to the Capital Outlay
19 Savings Fund.

20 (I) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
21 authorized and directed to transfer \$3,180,990 to be comprised wholly of nonrecurring
22 revenues out of the State General Fund from the Fiscal Year 2023-2024 surplus, as
23 recognized by the Revenue Estimating Conference, to the Capital Outlay Savings Fund.

24 (J) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
25 authorized and directed to deposit into the Overcollections Fund from the revenues in the
26 state general fund an amount equal to the amount of the State General Fund (Direct) for each
27 line item appropriation in the Act that originated as House Bill No. 460 of the 2025 Regular
28 Session of the Legislature that has a State General Fund (Direct) appropriation that is vetoed
29 by the governor other than pursuant to his authority under Article IV, Section 5(G)(2) of the
30 Constitution of Louisiana and that is not overridden by the legislature.

Section 2.(A) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer \$15,000,000 from the State General Fund by Fees and Self-Generated Revenues of the Department of Insurance to the Louisiana Fortify Homes Program Fund.

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

(C) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer \$1,030,000 from the State General Fund (Direct) to the Major Events Incentive Fund.

(D) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to deposit into the Overcollections Fund from the revenues in the state general fund an amount equal to the amount of the State General Fund (Direct) for each line item in the Act that originated as House Bill No. 1 of the 2025 Regular Session of the Legislature that has a State General Fund (Direct) appropriation that is vetoed by the governor other than pursuant to his authority under Article IV, Section 5(G)(2) of the Constitution of Louisiana and that is not overridden by the legislature.

Section 3. R.S. 39:100.112(F)(2)(d), 100.252(E), 100.253(D)(3), and 100.254 through 100.256 are hereby enacted to read as follows:

§100.112. Revenue Stabilization Trust Fund

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F.

* * *

(2)

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(d) Notwithstanding any provision of this Paragraph to the contrary, for fiscal year 2025-2026, the minimum fund balance shall equal two billion seven hundred million dollars and the allowable percentage shall equal forty-five percent.

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§100.252. Louisiana Transportation Infrastructure Fund

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E. For Fiscal Year 2025-2026, the monies deposited in the fund shall be utilized for the following:

(1) The amount of two hundred eighty million nine hundred thousand dollars of monies received into the fund shall be utilized in the Highway Priority Program.

(2) Of the monies remaining in the fund, the amount of two hundred forty nine million dollars shall be used for highway preservation projects.

(3) Of the remaining monies in the fund, the amount of one hundred million one hundred thousand dollars shall be used for projects included in the Bridge Bundling Program.

(4) Of the remaining monies in the fund, the amount of sixty-three million dollars shall be used for district maintenance funding.

(5) Of the remaining monies in the fund, the amount of four million dollars shall be used for initiatives for additional mowing cycles along state roads.

(6) Of the remaining monies in the fund, the amount of two million dollars shall be used for costs associated with road transfers identified by the Department of Transportation and Development.

(7) The remaining monies in the fund shall be used solely for initiatives associated with transportation infrastructure, maintenance on bodies of water and coastal restoration and protection projects, and capital outlay projects.

§100.253. Higher Education Campus Revitalization Fund

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D. The monies in the fund shall be utilized for the following:

* * *

(3) For Fiscal Year 2025-2026, the state treasurer shall deposit the first twenty-five million dollars of monies received into the fund into the College and University Deferred Maintenance and Capital Improvement Fund for the purposes provided in R.S. 17:3369.1 through 3369.4.

* * *

1 §100.254. Modernization and Security Fund

2 A. There is hereby established in the state treasury, as a special fund, the
3 Modernization and Security Fund, hereinafter referred to in this Section as the
4 "fund".

5 B. After allocation of money to the Bond Security and Redemption Fund as
6 provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer
7 shall deposit into the fund any monies transferred or appropriated by the legislature.
8 The treasurer shall also deposit into the fund any grants, donations, gifts, or other
9 monies which may become available.

10 C. All unexpended and unencumbered monies in the fund at the end of the
11 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
12 state treasurer in the same manner as monies in the state general fund. Interest earned
13 on the investment of monies in the fund shall be credited to the fund.

14 D. The monies in the fund shall be utilized for the following:

15 (1) Providing for payments of major repairs on state infrastructure.

16 (2) Providing for payments on acquisitions for state agencies.

17 (3) Providing for financial investment into information technology initiatives
18 within state agencies.

19 (4) Providing for investment into security initiatives at state agencies.

20 (5) Any remaining monies in the fund shall be used solely for various
21 initiatives focused on ensuring technological adequacy and security of the state.

22 §100.255. Louisiana Economic Development Initiatives Fund

23 A. There is hereby established in the state treasury, as a special fund, the
24 Louisiana Economic Development Initiatives Fund, hereinafter referred to in this
25 Section as the "fund".

26 B. After allocation of money to the Bond Security and Redemption Fund as
27 provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer
28 shall deposit into the fund any monies transferred or appropriated by the legislature.
29 The treasurer shall also deposit into the fund any grants, donations, gifts, or other
30 monies which may become available.

1 C. All unexpended and unencumbered monies in the fund at the end of the
2 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
3 state treasurer in the same manner as monies in the state general fund. Interest earned
4 on the investment of monies in the fund shall be credited to the fund.

5 D. The monies in the fund shall be utilized for the following:

6 (1) The state treasurer shall deposit the first one hundred fifty million dollars
7 of monies received into the fund into the Site Investment and Infrastructure
8 Improvement Fund.

9 (2) Of the remaining monies in the fund, the treasurer shall deposit sixty-five
10 million seven hundred twenty-four thousand one hundred twelve dollars of monies
11 received into the fund into the Rapid Response Fund.

12 (3) Of the remaining monies in the fund, the treasurer shall deposit five
13 million dollars of monies received into the fund into the Marketing Fund.

14 (4) Of the remaining monies in the fund, the treasurer shall deposit ten
15 million dollars of monies received into the fund into the Major Events Incentive
16 Fund.

17 (5) Any remaining monies in the fund shall be used solely for training,
18 marketing initiatives, commitments made by Louisiana Economic Development, and
19 various capital initiatives that will have a positive impact on the state's economy.

20 §100.256. Local Infrastructure Fund

21 A. There is hereby established in the state treasury, as a special fund, the
22 Local Infrastructure Fund, hereafter referred to in this Section as the "fund".

23 B. After allocation of money to the Bond Security and Redemption Fund as
24 provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer
25 shall deposit into the fund any monies transferred or appropriated by the legislature.
26 The treasurer shall also deposit into the fund any grants, donations, gifts, or other
27 monies which may become available.

28 C. Monies in the fund shall be invested in the same manner as monies in the
29 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 D. Monies in the fund shall be appropriated to the division of administration,
4 office of community development, for the reimbursement of qualifying expenses of
5 a political subdivision incurred in the repair or mitigation of damage caused by the
6 expansion of broadband services.

7 E. The division of administration, office of community development, shall
8 develop guidelines for the administration of monies in the fund and shall submit such
9 guidelines for review and approval by the Water Sector Commission prior to
10 implementation. The office of community development shall submit a quarterly
11 report to the Water Sector Commission on the monies expended from the fund.

12 Section 4. R.S. 51:2316 is hereby enacted to read as follows:

13 §2316. Site Investment and Infrastructure Improvement Fund

14 A. There is hereby established in the state treasury, as a special fund, the Site
15 Investment and Infrastructure Improvement Fund, hereafter referred to as the "fund".

16 B.(1) After allocation of money to the Bond Security and Redemption Fund
17 as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the
18 treasurer shall deposit into the fund any monies transferred or appropriated by the
19 legislature. The treasurer shall also deposit into the fund any grants, donations, gifts,
20 or other monies which may become available.

21 (2) Monies in the fund shall be invested in the same manner as monies in the
22 state general fund. Interest earned on investment of monies in the fund shall be
23 deposited into the state general fund. Unexpended and unencumbered monies in the
24 fund at the end of the fiscal year shall remain in the fund.

25 C.(1) Subject to appropriation by the legislature to Louisiana Economic
26 Development, hereafter referred to in this Section as the "department", monies in the
27 fund shall be used solely for economic development efforts, specifically for site
28 investment and infrastructure improvements for economic development purposes.

1 (2) Monies in the fund shall be utilized in accordance with the department's
2 strategic plan and program priorities. The department shall consider the following
3 factors in the allocation of monies:

4 (a) Demonstrated market demand in priority sectors.

5 (b) Performance measures.

6 (c) Return on investment.

7 (d) Impact on distressed communities.

8 (e) Public benefit and economic impact.

9 (f) Site potential.

10 (g) Any other factors as established by rule.

11 (3) Notwithstanding any provision of law to the contrary, the department
12 shall prioritize allocation of monies to purposes that meet any of the following
13 criteria:

14 (a) Leverage public-private partnerships, private equity, or other resources.

15 (b) Address specific and critical needs for high-potential projects.

16 (c) Are a Louisiana Economic Development certified site.

17 (d) Any other factors as established by rule.

18 (4) In accordance with the Administrative Procedure Act, the secretary of
19 Louisiana Economic Development is hereby authorized and directed to adopt and
20 promulgate rules necessary for implementation and administration of the provisions
21 of this Subsection. Notwithstanding any provisions of law to the contrary, such rules
22 may be promulgated by emergency rule.

23 Section 5. Within two weeks of the effective date of this Section, the division of
24 administration shall coordinate with the department of the treasury to determine the amount
25 to transfer to the Water Sector Fund any unobligated balances as determined by applicable
26 federal guidelines for the American Rescue Plan Act's State and Local Fiscal Recovery Fund
27 Program, including any unspent interest balances. Notwithstanding any provision of law to
28 the contrary, the state treasurer is hereby authorized and directed to transfer any such
29 determined unobligated balances to the Water Sector Fund.

1 Section 6. In accordance with the provisions of Article VII, Section 10.15(F)(3) of
 2 the Constitution of Louisiana, the Legislature of Louisiana, two-thirds of each house
 3 concurring, does hereby authorize appropriation from the Revenue Stabilization Trust Fund
 4 for the purpose of addressing emergency conditions across the state in Fiscal Year 2025-
 5 2026.

6 Section 7.(A) This Section and Sections 1 and 3 through 6 of this Act shall become
 7 effective upon signature by the governor or, if not signed by the governor, upon expiration
 8 of the time for bills to become law without signature by the governor, as provided by Article
 9 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
 10 approved by the legislature, this Section and Sections 1 and 3 through 6 of this Act shall
 11 become effective on the day following such approval.

12 (B) Section 2 of this Act shall become effective on July 1, 2025.

 SPEAKER OF THE HOUSE OF REPRESENTATIVES

 PRESIDENT OF THE SENATE

 GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____