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

DIGEST

Donahue (SB 196)

Proposed law provides for legislative intent that to properly track and assess the impact of legislation over time, it is necessary to periodically evaluate the extent to which fiscal impacts have changed from the original estimate.

Proposed law provides that each public postsecondary education management board shall annually conduct a review to identify any legislation which has been enacted in the prior year that affects the board or the institutions under its control and has a fiscal impact which has increased by the amount of one million dollars or more over the amount of the fiscal note as the bill was enacted. Each management board shall compile the report and submit the report to the Board of Regents by September 30 of each year. The report shall be in a manner as prescribed by the Joint Legislative Committee on the Budget and shall be accompanied by such other information as the committee may require.

Proposed law provides that beginning October 1, 2013, and each year thereafter, the Board of Regents shall review the reports of legislation with significant fiscal impact submitted by the various public postsecondary education management boards. After the Board of Regents has performed its review of the reports submitted by the management boards, the reports shall be submitted to the Joint Legislative Committee on the Budget by October 30 of each year.

Proposed law provides that upon receipt of the reports from the various departments within the executive branch of state government, the Joint Legislative Committee shall transmit the reports to the legislative fiscal office for review and analysis. The legislative fiscal office shall review the reports and perform any additional analysis of the reports that is necessary to provide an accurate actual estimate as compared to the fiscal note as the bill was enacted.

Proposed law provides that the reports required to be submitted shall be in a manner as prescribed by the chairman of the Joint Legislative Committee on the Budget and shall be accompanied by such other information as the chairman may require. At a minimum, the report shall present the differences between the original estimate as the bill was enacted and the actual current estimate of revenues or expenditures. Depending upon the scope of the original legislation, the comparisons between the enacted fiscal note and the actual amounts shall include but not be limited to tax increases, decreases, fee increases and repeals, tax exemptions, suspensions, credits, rebates, exclusions, deductions, among others.

Proposed law further provides that the committee shall hold a public hearing, and no later than February 1 of each year, the committee shall report its findings and shall transmit copies of the final report to the governor, the president of the Senate, the speaker of the House of

Representatives, and distribute a copy to each member of the legislature.

Proposed law provides that each undersecretary shall identify any legislation which has been enacted in the prior year that affects the department, agencies, or other entities under its control and has a fiscal impact which has increased by the amount of one million dollars or more over the amount of the fiscal note as the bill was enacted. Each undersecretary shall compile the report and submit it to the department secretary. The report shall be in a manner prescribed by the Joint Legislative Committee on the Budget and shall be accompanied by such other information as the committee may require. The secretary shall review the report and submit the report to the commissioner of administration no later than September 30 of each year.

Effective July 1, 2013; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 2013, or on the day following such approval by the legislature, whichever is later.

(Adds R.S. 17:3130(C) and 3351(F), R.S. 24:653(L), and R.S. 36:8(A)(6))