

# ACT No. 419

HOUSE BILL NO. 437

BY REPRESENTATIVES HARRIS, ARNOLD, BARRAS, BERTHELOT, STUART BISHOP, BROWN, BURFORD, CARMODY, CHAMPAGNE, CONNICK, DANAHAY, GAROFALO, GEYMAN, GREENE, HARRISON, HAVARD, HENRY, HODGES, HOLLIS, HOWARD, LAMBERT, NANCY LANDRY, LEOPOLD, MILLER, JAY MORRIS, JIM MORRIS, POPE, PUGH, PYLANT, REYNOLDS, RICHARD, ROBIDEAUX, SCHEXNAYDER, SCHRODER, SEABAUGH, TALBOT, AND THOMPSON AND SENATORS CORTEZ, GUILLORY, MILLS, AND PERRY

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

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AN ACT

To amend and reenact R.S. 39:24(A), 34(A), 51(A), and 54(A), relative to the budget process; to provide for the official forecast; to provide for the powers, duties, and functions of the Revenue Estimating Conference; to require certain contents in the executive budget; to provide for the contents of the General Appropriation Bill and other appropriation bills; to provide for effectiveness; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 39:24(A), 34(A), 51(A), and 54(A) and hereby amended and reenacted to read as follows:

§24. Official forecast

A. The Revenue Estimating Conference shall establish an official forecast for each fiscal year which shall be derived and revised only as provided in this Part. The official forecast shall include a forecast of all funds as defined in Article VII, Section 10(J) of the Constitution of Louisiana, and shall include an estimate of money available for appropriation from each dedicated fund. Each such official forecast shall contain a designation of all money which is nonrecurring. The conference shall designate all other money in each official forecast as recurring. In addition, the

1 conference may designate as nonrecurring any money available for appropriation  
2 from any source that is defined as nonrecurring in R.S. 39:2(27).

3 \* \* \*

4 §34. Executive budget

5 A. The governor shall cause to be prepared an executive budget presenting  
6 a complete financial and programmatic plan for the ensuing fiscal year which shall  
7 include recommendations for appropriations from the state general fund and  
8 dedicated funds which shall not exceed the official forecast of the Revenue  
9 Estimating Conference. Except as provided by R.S. 39:75(E), the executive budget  
10 shall not include recommendations for appropriations from any fund in excess of the  
11 official forecast of money available for appropriation from that fund.

12 \* \* \*

13 §51. General Appropriation Bill; other appropriation bills

14 A. The governor shall cause a General Appropriation Bill for the ordinary  
15 operating expenses of government to be introduced which shall be in conformity  
16 with the recommendations for appropriations contained in the budget estimate as  
17 provided by Article VII, Section 11(B) of the Constitution of Louisiana. The  
18 General Appropriation Bill and other appropriation bills shall not appropriate any  
19 funds, as defined in Article VII, Section 10(J) of the Constitution of Louisiana,  
20 which are not part of the official forecast except as provided for in R.S. 39:54(A)(2).  
21 The General Appropriation Bill and the bill appropriating funds for ancillary  
22 expenses of state government shall each be submitted for introduction at the same  
23 time required for submission of the executive budget as required by R.S. 39:37.

24 \* \* \*

25 §54. Limitations on appropriations

26 A.(1) Appropriations by the legislature from the state general fund and  
27 dedicated funds for any fiscal year shall not exceed the official forecast in effect at  
28 the time the appropriations are made. Except as otherwise provided by R.S.  
29 39:75(E), appropriations by the legislature from any fund shall not exceed the

1 official forecast of money available for appropriation from that fund in effect at the  
2 time the appropriations are made.

3 (2) Financing from any existing statutorily dedicated fund for appropriations  
4 other than the fund's intended statutory purpose shall be limited to the prior fiscal  
5 year's fund balance and shall not include anticipated fund balances for the ensuing  
6 fiscal year unless otherwise provided by law.

7 \* \* \*

8 Section 2. This Act shall become effective on July 1, 2013; if vetoed by the governor  
9 and subsequently approved by the legislature, this Act shall become effective on July 1,  
10 2013, or on the day following such approval by the legislature, whichever is later.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_