

Regular Session, 2014

SENATE BILL NO. 320

BY SENATOR DONAHUE

CAPITAL OUTLAY. Provides relative to Joint Legislative Committee on the Budget approval of capital outlay change orders. (gov sig)

1 AN ACT

2 To amend and reenact R.S. 17:1990(B)(1)(d) and R.S. 39:126, relative to capital outlay
3 projects; to provide for certain change orders to be approved by the Joint Legislative
4 Committee on the Budget; to provide for an effective date; and to provide for related
5 matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 17:1990(B)(1)(d) is hereby amended and reenacted to read as
8 follows:

9 §1990. Recovery School District; creation; governance; operation

10 * * *

11 B.(1)

12 * * *

13 (d) The school district shall not be required to utilize or obtain the approval
14 of any state agency, including but not limited to the division of administration or any
15 office within the division of administration or any procurement support team or
16 similar group, when procuring data processing and telecommunications goods or
17 services or in the procurement of materials, supplies, or major repairs or in the

1 disposition of property; however, the school district shall comply with all other
2 applicable provisions of Title 39 of the Louisiana Revised Statutes of 1950 regarding
3 such procurement and disposition of property. Furthermore, notwithstanding any
4 provision of law to the contrary, the school district shall be required to receive Joint
5 Legislative Committee on the Budget approval for any change order in excess of one
6 hundred thousand dollars to a contract for a project undertaken that would be
7 considered a capital expense. **The approval of the Joint Legislative Committee**
8 **on the Budget shall be required if more than one change order to a contract for**
9 **a project that would be considered a capital expense is undertaken in the same**
10 **month and the aggregate amount of the change orders is in excess of one**
11 **hundred thousand dollars.**

12 * * *

13 Section 2. R.S. 39:126 is hereby amended and reenacted to read as follows:

14 §126. Change orders

15 Any change order in excess of one hundred thousand dollars for a project
16 undertaken pursuant to an appropriation in the Capital Outlay Act shall require the
17 approval of the Joint Legislative Committee on the Budget. In addition, a change
18 order for a project undertaken pursuant to this Part shall also be subject to the
19 approval of the commissioner of administration. Any change order in excess of fifty
20 thousand dollars but less than one hundred thousand dollars shall be submitted to the
21 Joint Legislative Committee on the Budget for review but shall not require
22 committee approval. **The approval of the Joint Legislative Committee on the**
23 **Budget shall be required if more than one change order for a project is**
24 **undertaken in the same month and the aggregate amount of the change orders**
25 **is in excess of one hundred thousand dollars.**

26 Section 3. This Act shall become effective upon signature by the governor or, if not
27 signed by the governor, upon expiration of the time for bills to become law without signature
28 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
29 vetoed by the governor and subsequently approved by the legislature, this Act shall become

1 effective on the day following such approval.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Martha S. Hess.

DIGEST

Donahue (SB 320)

Present law provides that the Recovery School District shall be required to receive Joint Legislative Committee on the Budget (JLCB) approval for any change order in excess of \$100,000 to a contract for a project undertaken that would be considered a capital expense. Proposed law provides that the approval of the JLCB shall be required if more than one change order to a contract for a project that would be considered a capital expense is undertaken in the same month and the aggregate amount of the change orders is in excess of \$100,000.

Present law requires change orders in excess of \$100,000 for a project undertaken pursuant to a capital outlay appropriation to be approved by the JLCB. Also provides that any change order in excess of \$50,000 but less than \$100,000 be submitted to the JLCB for review but shall not require JLCB approval.

Proposed law provides that the approval of the JLCB shall be required if more than one change order for a project is undertaken in the same month and the aggregate amount of the change orders is in excess of \$100,000.

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

(Amends R.S. 17:1990(B)(1)(d) and R.S. 39:126)