
The original instrument was prepared by Sharon F. Lyles. The following digest, which does not constitute a part of the legislative instrument, was prepared by Nancy Vicknair.

DIGEST

Heitmeier (SB 500)

Proposed law provides relative to monies collected as a result of the Crescent City Connection amnesty program for those persons who failed to pay a toll to cross the Crescent City Connection Bridge prior to January 1, 2013.

Proposed law provides that prior to appropriation of any monies to the New Orleans Regional Planning Commission, on July 1, 2014, \$128,681.00 on deposit in the Crescent City Transition Fund shall be deemed abandoned funds for the purposes of treatment as unclaimed property.

Proposed law provides that funds deemed abandoned shall be immediately transferred from the Crescent City Transition Fund by the state treasurer in his capacity as administrator of the Uniform Unclaimed Property Act. Requires the state treasurer to deposit these funds into the Crescent City Amnesty Refund Fund, and provide for the return of such funds to their owners in accordance with the Uniform Unclaimed Property Act during the term set forth in proposed law. Further requires the state treasurer to provide for the payment of all unexpended and unencumbered funds remaining in the Crescent City Amnesty Refund Fund as of July 1, 2015.

Proposed law creates the Crescent City Amnesty Refund Fund as a special fund in the state treasury (the "fund") and provides that the source of monies for the fund shall be the monies transferred from the Crescent City Transition Fund.

Proposed law provides that after compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana, relative to the Bond Security and Redemption Fund, an amount equal to that deposited into the state treasury shall be deposited in and credited to the fund. Requires that the monies in the fund to be invested by the treasurer in the same manner as the state general fund, and interest earnings to be deposited into the fund.

Proposed law provides for the appropriation of all unexpended and unencumbered monies remaining in the fund on July 1, 2015.

Proposed law provides that all data associated with monies deposited into the Crescent City Transition Fund that was collected by DOTD shall be transferred by DOTD to the state treasurer and to the Unclaimed Property Division in an electronic format as designated by such division.

Proposed law provides for the waiver of holder requirements.

Proposed law authorizes the state treasurer, in his capacity as administrator of the Uniform Unclaimed Property Act, to establish policies and procedures as necessary to implement the

provisions of proposed law.

Proposed law requires that all books, papers, and records transferred to the state treasurer be retained for a period of no less than five years following such transfer.

The provisions of proposed law shall supersede and control to the extent of conflict with any other provision of law.

Proposed law provides that any person who availed himself of the toll violation amnesty program as provided in R.S. 47:7019.1, made payment for a toll violation to DOTD during the amnesty period, who contacts the state treasurer, as administrator of the Uniform Unclaimed Property Act, for a refund, and provides the state treasurer with sufficient proof of the payment of the toll violation, is entitled to a refund of such monies paid if he satisfies one of the following:

- (1) Such person possessed a valid toll tag and payment account, but due to no fault of his own, his toll payment account was not accessed for payment.
- (2) Such person did not possess a valid toll tag and made payment for fewer than five toll violations.

Proposed law requires the state treasurer to establish a refund program.

Proposed law requires the state treasurer to begin the program no later than October 1, 2014, and terminate the program on June 30, 2015. Requires the state treasurer to publicize the program to maximize the public awareness of and participation in the program. Provides the state treasurer has no obligation to refund monies collected during the amnesty period for a toll violation after June 30, 2015.

Proposed law provides that the refund program terminates on June 30, 2015.

Proposed law forgives the toll violations of any person who possessed a valid toll tag and payment account but, due to no fault of his own, the toll payment account was not accessed for payment.

Proposed law requires DOTD, attorney general, or the office of debt recovery, as applicable, to provide the state treasurer with the records in each department's possession of all toll violation payments made during the amnesty period.

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

(Adds R.S. 9:154.3 and R.S. 47:7019.2)

Summary of Amendments by Senate

Committee Amendments Proposed by Senate Committee on Revenue and Fiscal Affairs to the original bill

1. Moves responsibility for establishing, conducting, and publicizing the program from the DOTD to the New Orleans Regional Planning Commission.
2. Gives refunds paid under the program established pursuant to proposed law priority over any other use of the monies designated to fund the refunds.
3. Forgives the toll violations of any person who possessed a valid toll tag and payment account, but due to no fault of his own, the toll payment account was not accessed for payment.

Committee Amendments Proposed by Senate Committee on Finance to the engrossed bill

1. Moves responsibility for establishing, conducting, and publicizing the program from the New Orleans Regional Planning Commission to the state treasurer.
2. Provides that person who is claiming refund must contact the state treasurer for a refund and provide the state treasurer with sufficient proof that the payment sought to be refunded was made.
3. Provides refunds shall be paid from money appropriated to the state treasurer from dedicated fund prior to appropriation of monies in dedicated fund to DOTD for use by the New Orleans Regional Planning Commission.
4. Technical amendment to correct provisions regarding termination of refund program.
5. Requires DOTD, attorney general, or the office of debt recovery, as applicable, to provide the state treasurer with the records in each department's possession of all toll violation payments made during the amnesty period.

Senate Floor Amendments to reengrossed bill

1. Declares certain funds as abandoned unclaimed property.
2. Provides for the disposition of certain abandoned unclaimed funds.
3. Creates the Crescent City Amnesty Refund Fund as a special fund in the state treasury and provides for the disposition of monies in such fund.
4. Removes provision of proposed law requiring that refunds paid under the program be made from money appropriated to the state treasurer prior to any appropriation

of monies designated to fund the refunds to DOTD for use by the New Orleans Regional Planning Commission.

5. Changes the termination date of the refund program from January 1, 2016 to June 30, 2015.
6. Makes technical changes.