

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 147** SLS 15RS 458  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 6, 2015	11:51 AM	<b>Author:</b> CLAITOR
<b>Dept./Agy.:</b>		<b>Analyst:</b> Travis McIlwain
<b>Subject:</b> Budget Stabilization Fund		

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 Constitutional amendment to provide relative to the Budget Stabilization Fund. (2/3-CA13s1(A))

Proposed constitutional amendment puts a cap on the fund balance capacity of the Budget Stabilization Fund at \$1 billion. Proposed constitutional amendment suspends deposits into the fund in the same year in which money was taken out of the fund and in the following fiscal year, with deposits resuming in subsequent years on an incremental basis not to exceed \$50 million per fiscal year except by specific appropriation by the legislature.

Proposed constitutional amendment provides for submission to the voters at the statewide election to be held October 24, 2015.

<b>EXPENDITURES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

<b>REVENUES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
<b>Annual Total</b>						

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed constitutional amendment will be considered by voters at the statewide election to be held on October 24, 2015. The Secretary of State may incur minimal ballot printing costs associated with this measure. However, as a regular practice, the Secretary of State typically budgets for up to 10 constitutional amendments for the fall statewide elections.

**REVENUE EXPLANATION**

In a fiscal year in which the Budget Stabilization Fund is actually utilized to offset a projected midyear budget deficit or the fund is utilized in an ensuing budget year, the proposed constitutional amendment provides that excess mineral revenues not flow back into the fund in the fiscal year for which the fund is utilized, and further provides that deposits to the fund resume on an incremental basis not to exceed \$50 million per year up to the proposed fund capacity of \$1 billion.

For **illustrative purposes**, based upon the Budget Stabilization Fund balance at the beginning of the fiscal year (\$444.5 million), there is approximately \$148.2 million (1/3 of that balance) that could have been accessed to resolve the FY 15 mid-year deficit. To the extent the legislature and the administration had utilized these resources in FY 15, the flow into the fund of excess mineral revenues would not take place until the fiscal year following the ensuing fiscal year (FY 17), not to exceed \$50 million per year, except by specific appropriation, as opposed to having the entire \$148.2 million immediately flow back into the fund in the same year it was utilized (FY 15 in this illustration) or the immediate subsequent fiscal year (FY 16 in this illustration).

Note: The Budget Stabilization Fund's statutory provisions are currently subject to litigation regarding the constitutionality of R.S. 39:94(C)(b). This provision effectively provides that no deposits of mineral revenue shall be made into the Budget Stabilization Fund until the official forecast exceeds the state general fund revenue collections for FY 08 (\$10.1 billion). This language has allowed mineral revenue to flow into the state general fund to finance the state operating budget rather than flow into the Budget Stabilization Fund. The current calculated maximum fund capacity is \$811.4 million while its current balance is \$444.7 million.

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|---|----------------------------|-------|--|
| Senate  | <u>Dual Referral Rules</u> | House | <input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}                    |
| <input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}       |                            |       | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}                 |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H} |                            |       | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

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