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

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DIGEST

SB 433 Original

2016 Regular Session

Morrell

Present law provides that the state treasurer shall serve as chairman of the State Bond Commission, and the State Bond Commission may select such other officers as the commission may deem necessary.

Proposed law changes present law by providing that the chairman of the State Bond Commission shall be elected by a majority vote.

Present law provides that if the total actual costs of issuance exceed the total approved costs of issuance or the actual costs of issuance in any line item exceed the approved costs of issuance by a variance of 10% or more, the issuer shall obtain supplemental approval of the State Bond Commission prior to paying any individual item in excess of the approved costs of issuance.

Proposed law removes this provision.

Present law provides that in addition to the other reporting requirements set forth in present law, any fees which are associated with the bonds and which are incurred after the 45 day period following issuance and delivery of the bonds, including but not limited to legal, consulting, and financial advisory fees, and fees associated with credit enhancement or derivative projects obtained post-closing, shall be estimated and presented to the issuer and the State Bond Commission. A final report of the actual fees paid shall be furnished to the issuer and the State Bond Commission within 45 days of the payment.

Proposed law removes this provision.

Proposed law provides that the chairman of State Bond Commission shall be prohibited from soliciting or receiving any campaign contribution, loans, or transfers of funds from any bond or other counsel, financial advisor, paying agent, registrar, or other professional or persons retained in connection with or requesting the authority to incur debt or levy taxes from the date of the application being filed until a period of one month after the State Bond Commission has, at a regular or special meeting, approved or disapproved such matter.

Proposed law provides that in order to facilitate the review process for approval of applications the State Bond Commission shall adopt rules and regulations to provide for a review procedure that is limited strictly to determine the legality and the financial feasibility of the requested measure.

Present law provides that upon unanimous approval of the members present at a meeting of a public body, the public body may take up a matter not on the agenda.

Proposed law retains present law but provides an exception for the State Bond Commission by allowing a majority of the members present at a meeting of the commission to approve the commission taking up a matter not on the agenda.

Effective August 1, 2016.

(Amends R.S. 39:1401(C), 1405.4(E) and (F), 1410.60 (A) and R.S. 42:19(A)(1)(b)(ii)(cc); adds R.S. 39:1405.5; repeals R.S. 47:1405.4(G) and (H))