

2016 Regular Session

SENATE BILL NO. 433

BY SENATOR MORRELL

BONDS. Provides for the activities and responsibilities of the State Bond Commission.
(8/1/16)

1 AN ACT

2 To amend and reenact R.S. 39:1401(C) and 1410.60(A) and R.S. 42:19(A)(1)(b)(ii)(cc), to
3 enact R.S. 39:1405.5, relative to the State Bond Commission; to provide for selection
4 of the chairman of the State Bond Commission; to provide relative to reporting
5 requirements; to provide for approval guidelines; to provide relative to certain voting
6 requirements; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:1401(C) and 1410.60(A) are hereby amended and reenacted and
9 R.S. 39:1405.5 is enacted to read as follows:

10 §1401. State Bond Commission

11 * * *

12 C. The ~~state treasurer shall serve as~~ chairman of the State Bond Commission
13 shall be elected by a majority vote of the members of the State Bond
14 Commission, the chairman shall be elected for a four-year term concurrent with
15 the term of the legislature, and the State Bond Commission may select such other
16 officers as the commission may deem necessary. The State Bond Commission shall
17 be staffed by the treasurer's office.

* * *

§1405.5. Prohibition against soliciting or accepting contributions

The chairman of the 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 adviser, 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.

* * *

§1410.60. Approval of application; incurring indebtedness

A.~~(1)~~ No parish, municipality, public board, political or public corporation, subdivision, or taxing district, and no road or subroad district, school district, sewerage district, drainage or subdrainage district, levee district, waterworks or subwaterworks district, irrigation district, road lighting district, harbor and terminal district, or any other political subdivision, taxing district, political or public corporation, created under or by the constitution and laws of the state shall have authority to borrow money, incur debt, or to issue bonds, or other evidences of debt, or to levy taxes, or to pledge uncollected taxes or revenues for the payment thereof, where they are authorized by the constitution or laws of the state so to do, without the consent and approval of the State Bond Commission.

(2) 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 determining the legality and the financial feasibility of the requested measure.

* * *

Section 2. R.S. 42:19(A)(1)(b)(ii)(cc) is hereby amended and reenacted to read as follows:

§19. Notice of meetings

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), 1410.60(A) and R.S. 42:19(A)(1)(b)(ii)(cc); adds R.S. 39:1405.5)

Summary of Amendments Adopted by Senate

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

1. Provides for the term of the chairman of the Commission.
2. Provides that the treasurer's office shall staff the State Bond Commission.
3. Restores the original law as it relates to costs of issuance and reporting requirements from proposed law.
4. Makes technical changes.