

2016 Regular Session

HOUSE BILL NO. 784

BY REPRESENTATIVES ABRAMSON, BROADWATER, DAVIS, DEVILLIER,
DWIGHT, HORTON, HUVAL, IVEY, JAY MORRIS, JIM MORRIS, AND
THIBAUT

REVENUE DEPARTMENT: Provides relative to the capital outlay budget submission

1 AN ACT

2 To amend and reenact R.S. 39:101(A), 102(B), and 111 and to enact R.S. 39:105, relative
3 to capital outlay; to provide with respect to the submission of the capital outlay
4 budget; to provide for revisions; to provide relative to the contents of a capital outlay
5 budget request; to require the resubmission of applications of certain capital outlay
6 budget requests; to require local match information in capital outlay budget requests;
7 to require certain information to be annually reported to the Joint Legislative
8 Committee on Capital Outlay; to provide for certain requirements; and to provide for
9 related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 39:101(A), 102(B), and 111 are hereby amended and reenacted and
12 R.S. 39:105 is hereby enacted to read as follows:

13 §101. Capital outlay budget request; feasibility studies

14 A.(1)(a) Except as provided in Paragraph (2) of this Subsection, no later than
15 the first day of November each year, the head of each budget unit shall present to the
16 office of facility planning and control of the division of administration a request for
17 all expenditures for capital projects falling within the definition contained in R.S.
18 39:2(9), on forms provided by the office. However, if a legislator is finally elected
19 after November first, the legislator shall have until the fifteenth day of December to
20 present such request. A copy of the request shall also be provided by the head of
21 each budget unit to the Legislative Fiscal Office, the Joint Legislative Committee on

1 Capital Outlay, the House Committee on Appropriations, the House Committee on
2 Ways and Means, the Senate Committee on Finance, and the Senate Committee on
3 Revenue and Fiscal Affairs. Such annual requests shall contain the information
4 necessary for the feasibility study required pursuant to Article VII, Section 11(C) of
5 the Constitution of Louisiana and shall include projects proposed to be funded within
6 the next five years.

7 (b) The application for any capital outlay budget request which receives
8 funding in the capital outlay budget shall be updated each year that the project
9 remains active in the budget process to reflect all changes in the project that occurred
10 since the previous submission. The resubmission of the capital outlay budget request
11 shall be subject to all of the requirements and the November first submission
12 deadline as all other capital outlay budget requests.

13 * * *

14 §102. Capital outlay budget request contents

15 * * *

16 B.(1) The detailed project description and justification shall include an
17 analysis of need with corroborative data, a reasonable estimate of the date when the
18 project will be needed, the project's proposed location, the estimated construction
19 cost, the estimated local match requirement and amount of local funds expended on
20 the project, the cost of equipping and furnishing the project, the space utilization plan
21 of the requesting agency, the cost of opening and operating the facility for the first
22 year, the estimated annual operating and maintenance costs of the facility, and the
23 method and source of financing for each of the next five years, and the estimated
24 completion date of the project as well as an identification and description of other
25 similar facilities and projects in the given area and an evaluation of their capabilities
26 to meet needs. The request shall indicate the order of priority.

27 (2)(a) The detailed project description for all statewide programs including
28 but not limited to the statewide roofing program, the major repairs of state office
29 buildings program, the Americans with Disabilities Act implementation for state

1 facilities program, the local government assistance program, the community water
2 enrichment program, and the deferred maintenance programs for all higher education
3 institutions and community college facilities shall include specific information and
4 details of the projects qualifying for funding through the programs proposed to be
5 funded with the appropriations included in the capital outlay budget.

6 (b) Any project receiving an individual appropriation in the capital outlay
7 budget shall submit a capital outlay application by the November first deadline
8 regardless if the project is eligible for funding through a statewide program.

9 * * *

10 §111. Capital outlay budget submission

11 ~~Not~~ No later than the eighth day of each regular session, the governor shall
12 submit ~~to the legislature~~ his capital outlay budget to the legislature, the proposed
13 capital outlay bill implementing the first year of the five-year program, and the bond
14 authorization bill for the sale of bonds to fund projects included in the bond portion
15 of the capital outlay bill.

16 §105. Capital Outlay reports to Joint Legislative Committee on Capital Outlay

17 A. The office of facility planning and control and any state agency
18 authorized to administer capital outlay appropriations shall submit to the Joint
19 Legislative Committee on Capital Outlay, an annual written report no later than the
20 first day of February, of each project included in the prior year's capital outlay
21 budget which includes the following information:

- 22 (1) The title of the project.
- 23 (2) The total budget for the project from all means of financing.
- 24 (3) A breakdown of the funding of the project including all cash and general
25 obligation bond funding of the project.
- 26 (4) The amount of state and local funds, including local match funds,
27 expended on the project.

- 1 (5) The amount of project funding that has been encumbered, including all
 2 cash and general obligation bond cash and noncash lines of credit approved for the
 3 project.
- 4 (6) The total amount of funds the project will need to spend in the next fiscal
 5 year.
- 6 (7) The current status of the project as either active or complete.
- 7 (8) If the project is complete, the total amount of unspent appropriations
 8 remaining on the project, including the means of finance of the funds.
- 9 B. The office of facility planning and control shall submit the report in a
 10 format that can be edited.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 784 Engrossed

2016 Regular Session

Abramson

Abstract: Requires certain information to be reported to the Joint Legislative Committee on Capital Outlay each year regarding specific information for each capital outlay project funded in the capital outlay bill.

Present law requires the governor to submit his capital outlay budget which implements the first year of the five-year program capital outlay program and the bond authorization bill for the sale of bonds to fund projects included in the bond portion of the capital outlay bill to the legislature no later than the 8th day of each regular session.

Proposed law makes technical revisions to present law.

Present law requires the head of each budget unit to present requests for all expenditures for capital projects on forms provided by the office of facility planning and control no later than the first day of November each year. Further requires the annual request to contain the information necessary for the feasibility study required pursuant to present constitution and to include projects proposed to be funded within the next five years.

Proposed law retains present law but adds the requirement that the application for any capital outlay budget request which receives funding in the capital outlay budget be updated each year that the project remains active in the budget process to reflect all changes in the project that occurred since the previous submission.

Present law requires each capital outlay application to include a detailed project description and justification for each new project requested. Further provides that the detailed project description and justification to include information such as an analysis of need with corroborative data, a reasonable estimate of the date when the project will be needed, the project's proposed location, the estimated construction cost, and the estimated completion date of the project.

Proposed law retains present law but adds that the project application include the estimated local match requirement and the amount of local match expended on the project.

Proposed law further provides that the detailed project description for all statewide programs including programs such as the statewide roofing program, the major repairs of state office buildings program, the local government assistance program, the community water enrichment program, and the deferred maintenance programs for all higher education institutions and community college facilities shall include details of the projects qualifying for funding through the programs proposed to be funded with the appropriations included in the capital outlay budget.

Proposed law requires that any project receiving an individual appropriation in the capital outlay budget to submit a capital outlay application by the November first deadline regardless if the project is eligible for funding through a statewide program.

Proposed law requires the office of facility planning and control and any state agency authorized to administer capital outlay appropriations to submit to the Joint Legislative Committee on Capital Outlay, an annual written report no later than the first day of February, of each project included in the prior year's capital outlay budget which includes the following information:

- (1) The title of the project.
- (2) The total budget for the project from all means of financing.
- (3) A breakdown of the funding of the project including all cash and general obligation bond funding of the project.
- (4) The amount of state and local funds, including local match funds, expended on the project.
- (5) The amount of project funding that has been encumbered, including all cash and general obligation bond cash and noncash lines of credit approved for the project.
- (6) The total amount of funds the project will need to spend in the next fiscal year.
- (7) The current status of the project as either active or complete.
- (8) If the project is complete, the total amount of unspent appropriations remaining on the project, including the means of finance of the funds.

(Amends R.S. 39:101(A), 102(B), and 111; Adds R.S. 39:105)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Ways and Means to the original bill:

1. Add requirement that the application for any capital outlay project which receives funding in the capital outlay bill to be updated each year that the project remains active in the budget process.
2. Add requirement that the project application include the estimated local match requirement and the amount of local match expended on the project.
3. Require the detailed project description for all statewide programs to include details of the projects qualifying for funding through the programs proposed to be funded with the appropriations included in the capital outlay budget.

4. Require all projects receiving individual appropriations in the capital outlay bill to submit an application by November first regardless if the project is eligible for funding through a statewide program.
5. Require all agencies which administer capital outlay appropriations to submit to the Joint Legislative Committee on Capital Outlay, an annual written report no later than the first day of February, of specific information for each project.