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## DIGEST

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HB 100 Original

2016 First Extraordinary Session

Talbot

**Abstract:** Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain funds.

### VARIOUS FUNDS

Proposed law eliminates the following funds:

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|---|---|
| 2013 Amnesty Collections Fund                                   | §4(B) of Act No. 421 of the 2013 R.S. of the Legislature  |
| Academic Improvement Fund                                       | R.S. 17:354   |
| Center for Excellence for Autism Spectrum Disorder              | R.S. 39:100:122   |
| Competitive Core Growth Fund                                    | R.S. 17:3138.2  |
| Compulsive and Problem Gaming Fund                              | R.S. 27:27.1(F), 92(B)(2)(a), 249(A), 270(A)(2), 392(B)(2)(a) and 437, R.S. 28:842, and R.S. 47:9029(B) |
| Community Water Enrichment Fund                                 | R.S. 39:100.81  |
| Department of Health and Hospitals Facility Support Fund        | R.S. 40:16.2 and R.S. 3:2(C)  |
| Department of Justice Legal Support Fund                        | R.S. 49:259 and R.S. 42:262(B)  |
| Department of Revenue Alcohol and Tobacco Control Officers Fund | R.S. 11:544   |
| DNA Testing Post-Conviction Relief for Indigents Fund           | CCrP. Art. 926.1(K) and R.S. 15:147(B)(14)  |
| Equine Health Studies Program Fund                              | R.S. 27:392(B)(6)(a)  |
| FEMA Reimbursement Fund   | R.S. 39:100.26 and 100.31   |
| Fiscal Administrator Revolving Loan Fund                        | R.S. 39:1357  |
| FMAP Stabilization Fund   | §7 of Act No. 420 of the 2013 R.S. of the Legislature   |
| Forest Productivity Fund  | R.S. 3:4411   |
| Forest Protection Fund  | R.S. 3:4321(C) through (D)  |
| Fund for Louisianians in Need of Civil Legal Assistance         | §3 of Act No. 1065 of the 1997 R.S. of the Legislature  |
| Health Care Redesign Fund                                       | R.S. 39:100.51 and R.S. 46:977.13   |
| Higher Education Initiatives Fund                               | R.S. 17:3129.6  |
| Higher Education Financing Fund                                 | R.S. 39:100.146, 352, and 1590(A)(2)(b)   |

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|---|---|
| Indigent Parent Representation Program Fund                           | and (c) and (B)(2)  |
| Innocence Compensation Fund   | R.S. 15:185.5   |
| Legislative Capitol Technology Enhancement Fund                       | R.S. 15:572.8(N)  |
| Louisiana Agricultural Finance Authority Fund                         | R.S. 24:39  |
| Louisiana Asbestos Detection and Abatement Fund                       | R.S. 3:277, and R.S. 27:392(B)(4)   |
| Louisiana Charter School Start-Up Loan Fund                           | R.S. 39:97.3  |
| Louisiana Economic Development Fund                                   | R.S. 17:4001  |
| Louisiana Emergency Response Network Fund                             | R.S. 23:1514(D)(5), R.S. 47:318(D),<br>R.S. 51:1927.1, 2315, 2332(3), and<br>2341                       |
| Louisiana Fire Marshal Fund   | R.S. 40:2845(A)(6), (D)(2) and (3), and (E)   |
| Louisiana Interoperability Communications Fund                        | R.S. 22:835 and R.S. 40:1582(E)   |
| Louisiana Mega-Project Development Fund                               | R.S. 39:100.41  |
| Louisiana Public Defender Fund  | R.S. 51:2365 and 2366, R.S. 3:4423(3)   |
| Louisiana State Police Salary Fund                                    | R.S. 15:167   |
| Louisiana State University Firemen Training Program Film Library Fund | R.S. 22:831(B)  |
| Major Events Fund   | R.S. 40:1547  |
| Major Events Incentive Program Subfund                                | R.S. 39:100.126   |
| Marketing Fund  | R.S. 51:2365.1  |
| MediFund  | R.S. 47:318   |
| Municipal Fire and Police Civil Service Operating Fund                | R.S. 51:2211-13   |
| New Orleans Public Safety Fund  | R.S. 22:1476(A)(2)  |
| Overcollections Fund  | R.S. 40:1402  |
| Pari-Mutuel Live Racing Facility Gaming Control Fund                  | R.S. 39:100.21, R.S. 17:407.27(B)(3),<br>3046.3(C), 5068(D)(3), and 4019(C)                             |
| Payments Towards the UAL Fund   | R.S. 27:392(B)(2), and R.S. 33:9551(E)(3),<br>9561(E)(3), and 9571(E)(3)                                |
| Rapid Response Fund   | R.S. 39:100.11, R.S. 39:82(A) and 352<br>R.S. 51:2361,2362, 2363, R.S.<br>3:4423(3), R.S. 23:1514(D)(5) |
| Riverboat Gaming Enforcement Fund                                     | R.S. 27:92(B)(2)(c) and (C)   |
| Sickle Cell Fund  | R.S. 39:100.123   |
| Southern University AgCenter Program Fund                             | R.S. 27:392(B)(6)(b)  |
| Sports Facility Assistance Fund                                       | R.S. 39:100.1, and R.S.47:1602.1 and<br>1520(A)(1)(e)   |
| State Emergency Response Fund   | R.S. 39:100.26(A) and 100.31  |
| Status of Grandparents Raising Grandchildren Fund                     | R.S. 46:2913  |
| Science, Technology, Engineering, and Math                            |   |

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|---|--|
| (STEM) Upgrade Fund                       | R.S. 17:3138.3                             |
| Support Education in Louisiana First Fund | R.S. 17:421.7, R.S. 27:92(B)(2), 270(A)(3) |
| Telecommunications for the Deaf Fund      | R.S. 47:301.1(F) and 1061                  |
| Tobacco Regulation Enforcement Fund       | R.S. 47:841(G)                             |
| Tobacco Settlement Enforcement Fund       | R.S. 13:5073(A)(1) and R.S. 39:98.7        |
| Tobacco Tax Health Care Fund              | R.S. 47:841.1                              |
| Tobacco Tax Medicaid Match Fund           | R.S. 47:841.2                              |

Unfunded Accrued Liability and Specialized Educational Institutions Support Fund R.S. 39:100.136; and R.S. 47:6351(G)(3) and (4)

Video Draw Poker Device Purse Supplement Fund R.S. 27:439

Workforce and Innovation for a Strong Economy R.S. 17:3138.2, 3138.3, and 3138.4  
 Workforce Training Rapid Response Fund R.S. 17:1874

Proposed law directs the state treasurer to transfer any balances remaining in the funds eliminated to the state general fund.

#### NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

#### TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.
- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

#### VIDEO DRAW POKER DEVICE FUND (R.S. 27:437)

Present law provides for the collection of taxes, fees, fines and penalties related to video draw poker devices.

Present law creates the Video Draw Poker Device Fund and, after the deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Video Draw Poker Device Fund. Monies in the fund are dedicated as follows:

- (1) 25% of the monies in the fund are distributed as follows:
  - (a) Compensation for district attorneys and assistant district attorneys, not to exceed \$5.4 million.
  - (b) Governing authorities of municipalities in which video draw poker devices are operated.
  - (c) Sheriffs of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Corrections and the Dept. of Justice to enforce the laws and regulations governing video draw poker devices.
- (3) Monies in the fund that are not required to meet the other dedications as required in present law are deposited into the state general fund.

Proposed law eliminates the allocation to the Dept. of Public Safety and Corrections and the Dept. of Justice to enforce the laws and regulations governing video draw poker devices. Proposed law further requires the deposit of any unexpended or unencumbered money at the end of the fiscal year into the state general fund.

Effective July 1, 2016.

(Amends R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:347(A)(intro. para.), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6)(b), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4) and (B) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361, 2362(A)(intro. para.), 2363, 2365, 2365.1(B) through (D), and 2366 and §4(B) of Act No. 421 of the 2013 Regular Session of the Legislature; Repeals R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and R.S. 17:4001, R.S.22:347(A)(1),(2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6), and 439, R.S. 28:842, R.S. 39:97.3, 98.7, 100.1, 100.11, 100.21, 100.26, 100.31, 100.41, 100.51, 100.81, 100.122, 100.123, 100.126, 100.136, 100.146 and 1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), §7 of Act No. 420 of the 2013 R.S. of the Legislature, and §3 of Act No. 1065 of the 1997 R.S. of the Legislature)