

2016 First Extraordinary Session

HOUSE BILL NO. 100

BY REPRESENTATIVE TALBOT

FUNDS/FUNDING: Eliminates certain statutory dedications and eliminates certain dedications of certain funds (Item #7)

1 AN ACT

2 To amend and reenact R.S. 3:2(C), 4411(A), and 4423(3), R.S. 13:5073(A)(1), R.S.  
3 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S. 22:1476(A)(2), R.S.  
4 23:1514(D)(5), R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2)  
5 and (C)(7), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4), R.S. 33:9551(E)(3),  
6 9561(E)(3), and 9571(E)(3), R.S. 39:82(A), 352, and 1590(A)(2)(b) and (c) and  
7 (B)(2), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:9029(B), R.S. 51:1927.1, 2211(A),  
8 2332(3), and 2341(F), 2361, 2362(A)(introductory paragraph), 2363, 2365,  
9 2365.1(B) through (D), and 2366 and Section 4(B) of Act No. 421 of the 2013  
10 Regular Session of the Legislature, to enact R.S. 27:392(C)(8), and to repeal R.S.  
11 3:4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5, and 572.8(N), R.S.  
12 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and Part VI of Chapter 42 of  
13 Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001, R.S.  
14 22:831(B), R.S. 24:39, R.S. 27:92(C), and 392(B)(6), R.S. 28:842, R.S. 39:97.3,  
15 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
16 Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of  
17 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
18 comprised of R.S. 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title  
19 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.21, Subpart  
20 J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
21 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of Subtitle I

1 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.31,  
2 Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
3 Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of  
4 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
5 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
6 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of  
7 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
8 1950, comprised of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle  
9 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
10 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I of Title 39 of the  
11 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126, Subpart R-1 of  
12 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of  
13 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of Subtitle I  
14 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.146,  
15 and R.S. 39:1357, R.S. 40:16.2 and 1402, R.S. 46:2913, R.S. 47:318, 841(G), 841.1,  
16 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3),  
17 2213, and 2315, and Code of Criminal Procedure Article 926.1(K), Section 7 of Act  
18 No. 420 of the 2013 Regular Session of the Legislature, and Section 3 of Act No.  
19 1065 of the 1997 Regular Session of the Legislature, relative to special treasury  
20 funds; to provide for the elimination of certain special treasury funds; to eliminate  
21 certain dedications into certain special treasury funds; to eliminate certain required  
22 expenditures from special treasury funds; to eliminate the Forest Productivity Fund,  
23 Louisiana Public Defender Fund, Indigent Parent Representation Program Fund,  
24 Innocence Compensation Fund, Academic Improvement Fund, Support Education  
25 in Louisiana First Fund, Workforce Training Rapid Response Fund, Higher  
26 Education Initiatives Fund, Louisiana Charter School Start-Up Loan Fund, Louisiana  
27 State Police Salary Fund, Municipal Fire and Police Civil Service Fund, Legislative  
28 Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement Fund,  
29 Equine Health Studies Program Fund, Southern University AgCenter Program Fund,

1 Compulsive and Problem Gaming Fund, Tobacco Settlement Enforcement Fund,  
 2 Payments Towards the UAL Fund, Sports Facility Assistance Fund, Overcollections  
 3 Fund, FEMA Reimbursement Fund, State Emergency Response Fund, Louisiana  
 4 Interoperability Communications Fund, Health Care Redesign Fund, Community  
 5 Water Enrichment Fund, Marketing Fund, Tobacco Tax Health Care Fund,  
 6 Department of Justice Legal Support Fund, Rapid Response Fund, Louisiana Mega-  
 7 Project Development Fund, Major Events Incentive Program Subfund, DNA Testing  
 8 Post-Conviction Relief for Indigents Fund, 2013 Amnesty Collections Fund,  
 9 Workforce and Innovation for a Strong Economy Fund, Competitive Core Growth  
 10 Fund, Science, Technology, Engineering and Math (STEM) Upgrade Fund,  
 11 Louisiana Asbestos Detection and Abatement Fund, Center of Excellence for Autism  
 12 Spectrum Disorder Fund, Major Events Fund, Unfunded Accrued Liability and  
 13 Specialized Educational Institutions Support Fund, MediFund, Department of Health  
 14 and Hospitals' Facility Support Fund, FMAP Stabilization Fund, Fund for  
 15 Louisianians in Need of Civil Legal Assistance, Fiscal Administrator Revolving  
 16 Loan Fund, Status of Grandparents Raising Grandchildren Fund, Louisiana  
 17 Economic Development Fund, Tobacco Regulation Enforcement Fund, Department  
 18 of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid Match Fund,  
 19 Higher Education Financing Fund, Sickle Cell Fund, and the New Orleans Public  
 20 Safety Fund; to provide for the uses of the Video Draw Poker Device Fund to  
 21 authorize the transfer of balances between funds; to provide relative to the Pari-  
 22 mutuel Live Racing Facility Gaming Control Fund; to provide for deposit of monies  
 23 into the state general fund; and to provide for related matters.

24 Be it enacted by the Legislature of Louisiana:

25 Section 1. R.S. 3:2(C), 4411(A), and 4423(3) are hereby amended and reenacted to  
 26 read as follows:

27 §2. Creation, powers, and duties of Department of Agriculture and Forestry and the  
 28 commissioner of agriculture and forestry

29 \* \* \*

1 C. All funds derived from the sale of timber on state lands under this Section  
 2 shall be deposited in the state treasury for deposit into the state general fund. ~~Monies~~  
 3 ~~derived from the sale of timber on state lands in the custody of the Department of~~  
 4 ~~Health and Hospitals shall be deposited into the Department of Health and Hospitals'~~  
 5 ~~Facility Support Fund as provided in R.S. 40:16.2.~~ The legislature shall annually  
 6 appropriate to the Department of Agriculture and Forestry the costs incurred by that  
 7 department under the provisions of this Section.

8 \* \* \*

9 §4411. Forestry Productivity Fund; disposition of funds

10 A. Funds equal to seventy-five percent of that portion of the severance tax  
 11 on timber allocated to the state by Article VII, Section 4(D) of the Constitution of  
 12 Louisiana shall be deposited immediately upon receipt into the state treasury for  
 13 deposit into the state general fund.

14 \* \* \*

15 §4423. Definitions

16 As used in this Part, the following terms shall have the meanings ascribed  
 17 below:

18 \* \* \*

19 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax  
 20 deduction, rebate, investment, contract, or grant made available by the state to  
 21 directly support the purchase of forestry products. "Incentives" shall not mean any  
 22 such benefit available under statutorily provided programs including Louisiana  
 23 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act  
 24 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax  
 25 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program  
 26 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and Tax  
 27 Equalization (R.S. 47:3201, et seq.), ~~Rapid Response Fund (R.S. 51:2361), and~~  
 28 ~~Mega-Project Development Fund (R.S. 51:2365).~~

29 Section 2. R.S. 13:5073(A)(1) is hereby amended and reenacted to read as follows:

1 §5073. Certifications; directory; tax stamps

2 A.(1) Every tobacco product manufacturer whose cigarettes are sold in this  
3 state, whether directly or through a distributor, retailer, or similar intermediary or  
4 intermediaries, shall execute and deliver on a form prescribed by the attorney general  
5 a certification to the secretary and attorney general, no later than the thirtieth day of  
6 April each year, certifying under penalty of perjury that, as of the date of such  
7 certification, such tobacco product manufacturer either: is a participating  
8 manufacturer; or is in full compliance with R.S. 13:5061 et seq., including all  
9 installment payments required by R.S. 13:5075(J). For the initial certification  
10 submitted no later than the thirtieth of April each year, a manufacturer shall pay to  
11 the attorney general a fee of five hundred dollars. The fees generated pursuant to this  
12 Section shall be deposited in the ~~Tobacco Settlement Enforcement Fund~~ state general  
13 fund and used solely and exclusively for purposes of enforcement of the Master  
14 Settlement Agreement, pursuant to R.S. 39:98.7.

15 \* \* \*

16 Section 3. R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3) are hereby  
17 amended and reenacted to read as follows:

18 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood  
19 development and enrichment activity classes; financial assistance

20 \* \* \*

21 B.

22 \* \* \*

23 (3) As provided in this Subsection, when a participating school district  
24 receives privately funded scholarship funds pursuant to this Subsection, the annual  
25 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program  
26 shall be reduced by the amount of the private scholarship program funds so received.  
27 The commissioner of administration shall determine and specify the amount of the  
28 reduction from the source of the funds to provide the maximum benefit to the state  
29 from the privately funded scholarship program. The state treasurer shall deposit the

1 amount of the reduction as specified by the commissioner of administration into the  
2 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~  
3 ~~within the fund hereby established and created to be known as the "Program~~  
4 ~~Participation Savings Account"~~ state general fund.

5 \* \* \*

6 §3046.3 Private Scholarships

7 \* \* \*

8 C. As provided in this Section, when an eligible college or university  
9 receives privately funded scholarship funds on behalf of a student, the state funds for  
10 the Louisiana GO Grant program shall be reduced by the amount of the private  
11 scholarship program funds so received. The commissioner of administration shall  
12 determine and specify the amount of the reduction from the source of the funds to  
13 provide the maximum benefit to the state from the privately funded scholarship  
14 program. The state treasurer shall deposit the amount of the reduction as specified  
15 by the commissioner of administration into the ~~Overcollections Fund created in R.~~  
16 ~~S. 39:100.21 and credit the deposit to an account within the fund hereby established~~  
17 ~~and created to be known as the "Program Participation Savings Account"~~ state  
18 general fund.

19 \* \* \*

20 §4019. Private scholarships

21 \* \* \*

22 C. As provided in this Section, when a participating school receives privately  
23 funded scholarship funds on behalf of a student pursuant to this Section, the annual  
24 appropriation of state funds for the program shall be reduced by the amount of such  
25 private scholarship program funds so received. The commissioner of administration  
26 shall determine and specify the amount of the reduction from the source of the funds  
27 to provide the maximum benefit to the state from the privately funded scholarship  
28 program. The state treasurer shall deposit the amount of such reduction as specified  
29 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~



1 in the year 2001; and two and one-half hundredths of one percent of the direct gross  
 2 premiums received in the state, in the year 2003 and every year thereafter by insurers  
 3 doing business in this state and subject to this Subpart, less returned premiums shall  
 4 be deposited by the commissioner of insurance with the state treasurer to be credited  
 5 to a special fund created in the state treasury entitled the ~~Municipal Fire and Police~~  
 6 ~~Civil Service Operating Fund~~, hereinafter known as the "fund". Subject to an annual  
 7 appropriation by the legislature pursuant to the provisions of R.S. 33:2480 and 2540,  
 8 monies in the fund shall be used solely to support the operations of the office of state  
 9 examiner, ~~Municipal Fire and Police Civil Service~~. Monies in the fund shall be  
 10 invested by the treasurer in the same manner as monies in the state general fund and  
 11 interest earned on investment of these monies shall be credited to the state general  
 12 fund. All unexpended and unencumbered monies in the fund at the end of the fiscal  
 13 year shall revert to the state general fund.

\* \* \*

14  
 15 Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as follows:  
 16 §1514. Worker training fund; purpose; training programs; eligibility criteria;  
 17 program administration

\* \* \*

18  
 19 D.

20 \* \* \*

21 (5) The administrator may annually set aside an amount up to ten percent of  
 22 the amount appropriated to the fund by the state legislature for preemployment  
 23 training in any year in which the legislature appropriates funds for training equal to  
 24 or exceeding those funds appropriated in the previous year to the ~~Rapid Response~~  
 25 ~~Fund created by R.S. 51:2361~~ or to the ~~Louisiana Economic Development Fund~~  
 26 ~~created by R.S. 51:2315~~. All preemployment training shall require an employer  
 27 matching contribution of not more than fifty percent, and job placement outcomes



1 at wage rates commensurate with training, as determined by the administrator  
2 pursuant to duly promulgated rules and regulations.

3 \* \* \*

4 Section 6. R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), 392(B)(2) and  
5 (C)(7), and 437(B)(1)(c) and (2) and (C)(2), (3), and (4) are hereby amended and reenacted  
6 and R.S. 27:392(C)(8) is hereby enacted to read as follows:

7 §27.1. Uniform compulsive and problem gambling program

8 \* \* \*

9 F. In any proceeding brought against any licensee, permittee, or casino  
10 gaming operator and any employee thereof for a willful violation of the self-  
11 exclusion rules of the board, the board may order the forfeiture of any money or  
12 thing of value obtained by the licensee or the casino gaming operator from any self-  
13 excluded person. Any money or thing of value so forfeited shall be deposited into  
14 the ~~Compulsive and Problem Gaming Fund established pursuant to R.S. 28:842~~ state  
15 general fund.

16 \* \* \*

17 §92. Collection and disposition of fees

18 \* \* \*

19 B.

20 \* \* \*

21 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
22 the state treasurer shall, each fiscal year, credit the following amounts to the  
23 following funds:

24 (a)(i) ~~One percent, not to exceed five hundred thousand dollars, to the~~  
25 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

26 (ii) The amounts of winnings withheld and remitted in accordance with R.S.  
27 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~  
28 ~~Fund provided for in R.S. 28:842~~ state general fund.

1 (b)(i) ~~Except as provided in Item (ii) of this Subparagraph, the~~ The franchise  
2 fee paid pursuant to R.S. 27:91(C)(1) to the state general fund.

3 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~  
4 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~  
5 ~~pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the Support Education~~  
6 ~~in Louisiana First Fund as provided in R.S. 17:421.7.~~

7 (iii) (ii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2)  
8 which is attributable to any riverboat gaming licensee which pays additional  
9 franchise fees pursuant to the provisions of R.S. 27:91(C)(2) through (4) to the  
10 ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ state general  
11 fund.

12 (iv) (iii) The franchise fees paid pursuant to R.S. 27:91(C)(2) through (4) to  
13 the ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7~~ state  
14 general fund.

15 (c) ~~To a special fund, which is hereby created in the state treasury and~~  
16 ~~entitled the Riverboat Gaming Enforcement Fund, the~~ state general fund an amount  
17 equal to the revenues received by the state pursuant to this Chapter, less any monies  
18 credited to other funds pursuant to the provisions of Subparagraphs (a) and (b) of this  
19 Paragraph.

20 \* \* \*

21 §249. Compulsive gambling; posting information

22 A. The corporation shall include the cost of the transfer of its monies to the  
23 state treasurer for deposit into the ~~Compulsive and Problem Gaming Fund as~~  
24 ~~required by R.S. 27:270(A)(2)~~ state general fund as a budgeted item and expense of  
25 the corporation.

26 \* \* \*

1 §270. Deposit of revenues; expenditures and investments authorized; transfer of  
2 revenues to state treasury; corporation operating account; audit of  
3 corporation books and records; audits

4 A.

5 \* \* \*

6 (2)(a) Quarterly, the corporation shall transfer to the state treasury one  
7 percent of its operating account, not to exceed five hundred thousand dollars per  
8 fiscal year. These monies shall first be credited to the Bond Security and  
9 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
10 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the  
11 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general  
12 fund.

13 (b) Quarterly, the corporation shall transfer to the state treasury for deposit  
14 into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state  
15 general fund the amount of revenues withheld and remitted in accordance with R.S.  
16 27:260(D).

17 (3)(a) Daily, the corporation shall transfer to the state treasury for deposit  
18 into certain funds in the treasury, as provided in this Paragraph, the amount of net  
19 revenues which the corporation determines are surplus to its needs. After first being  
20 credited to the Bond Security and Redemption Fund in accordance with Article VII,  
21 Section 9(B) of the Constitution of Louisiana, and after satisfying any other  
22 requirements of the Constitution and laws of Louisiana, such net revenues shall be  
23 deposited as follows:

24 (i) In each year for which the Joint Legislative Committee on the Budget  
25 disapproves or does not act upon the amount of the casino support services contract  
26 as provided in R.S. 27:247 ~~and~~ no monies are deposited in and credited to the Casino  
27 Support Services Fund: .

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1           ~~(aa) Ten percent shall be deposited in and credited to the Support Education~~  
2           ~~in Louisiana First Fund as provided in R.S. 17:421.7 and shall be used solely and~~  
3           ~~exclusively for the same purposes provided for in Paragraph (B)(1) of that Section.~~

4           ~~(bb) Ninety percent shall be deposited in and credited to the Support~~  
5           ~~Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

6           (ii) In each year for which the Joint Legislative Committee on the Budget  
7           approves the amount of the casino support services contract as provided in R.S.  
8           27:247: 2

9           ~~(aa) The first one million eight hundred thousand dollars shall be deposited~~  
10          ~~in and credited to the Casino Support Services Fund.~~

11          ~~(bb) The next sixty million dollars shall be deposited in and credited to the~~  
12          ~~Support Education in Louisiana First Fund as provided in R.S. 17:421.7.~~

13          ~~(cc) After satisfying the requirements of Subitems (aa) and (bb) of this Item,~~  
14          ~~monies shall be deposited into the Casino Support Services Fund until the casino~~  
15          ~~support services contract is fully funded for that year.~~

16          ~~(dd) After satisfying the requirements of Subitem (cc) of this Item, the~~  
17          ~~remainder of the monies shall be deposited in and credited to the Support Education~~  
18          ~~in Louisiana First Fund as provided for in R.S. 17:421.7.~~

19   \*           \*           \*

20           §392. Collection and disposition of fees and taxes

21   \*           \*           \*

22           B.

23   \*           \*           \*

24           (2)(a) After complying with the provisions of Paragraph (1) of this  
25           Subsection, the state treasurer shall, each fiscal year, ~~credit one percent from the~~  
26           ~~combined net slot machine proceeds collected by the state from each licensed~~  
27           ~~facility, not to exceed five hundred thousand dollars, to the Compulsive and Problem~~  
28           ~~Gaming Fund established by R.S. 28:842. After crediting such proceeds to the~~  
29           ~~Compulsive and Problem Gaming Fund, the state treasurer shall, each fiscal year,~~

1 credit the remainder of all taxes generated pursuant to R.S. 27:393 and all fines and  
2 other monies collected by the division to a special fund which is hereby created in  
3 the state treasury and entitled the "Pari-mutuel Live Racing Facility Gaming Control  
4 Fund", hereinafter referred to as the "Gaming Control Fund".

5 ~~(b) Monies in the Gaming Control Fund shall be withdrawn only pursuant~~  
6 ~~to appropriation by the legislature and shall be used solely for the expenses of the~~  
7 ~~board, the Department of Justice, the division, and the Louisiana Racing Commission~~  
8 ~~which are necessary to carry out the provisions of this Chapter. Monies in the fund~~  
9 ~~remaining after appropriation for expenses of the board, the Department of Justice,~~  
10 ~~the division, and the Louisiana Racing Commission shall be credited as hereinafter~~  
11 ~~provided in this Subsection.~~

12 ~~(c)~~ (b) Monies in the Gaming Control Fund shall be invested by the state  
13 treasurer in the same manner as monies in the state general fund. Interest earned on  
14 investment of monies in the Gaming Control Fund shall be credited to the state  
15 general fund. Unexpended and unencumbered monies in the Gaming Control Fund  
16 at the end of each fiscal year shall be deposited in the state general fund.

17 \* \* \*  
18 C.  
19 \* \* \*

20 (7) After making the deposits as required by Paragraphs (1) through (6) of  
21 this Subsection, the state treasurer shall deposit in and credit an amount not to exceed  
22 three million one hundred thousand dollars annually, shall be deposited and credited  
23 to the New Orleans Sports Franchise Assistance Fund which is hereby created in the  
24 state treasury and which for purposes of this Paragraph shall be known as the  
25 "assistance fund". Monies in the assistance fund shall be appropriated and  
26 distributed each fiscal year to the Louisiana Stadium and Exposition District for use  
27 only to fund contractual obligations of the state to any National Football League or  
28 National Basketball Association franchise located in Orleans Parish. Monies in the

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1 assistance fund shall be invested in the same manner as monies in the state general  
2 fund. Interest earned on the investment of monies in the assistance fund shall be  
3 credited to the assistance fund. Unexpended and unencumbered monies in the  
4 assistance fund at the end of the fiscal year shall remain in the assistance fund.

5 (8) After compliance with the provisions of Paragraph (1) through (7) of this  
6 Subsection, remaining monies shall be deposited in and credited to the state general  
7 fund.

8 §437. Video Draw Poker Device Fund; distribution and expenditure

9 \* \* \*

10 B.(1)

11 \* \* \*

12 (c) Thereafter, the state treasurer shall, each fiscal year, credit to a special  
13 fund, which is hereby created in the state treasury and entitled the Video Draw Poker  
14 Device Fund, an amount equal to all revenues received by the division pursuant to  
15 the provisions of this Chapter, except those funds specified by the provisions of R.S.  
16 27:435(D)(4), ~~which shall be deposited as provided by R.S. 27:439 and those funds~~  
17 ~~withheld pursuant to R.S. 27:443(A)(2) which shall be remitted for deposit to the~~  
18 ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842.~~

19 (2) After complying with the provisions of Paragraph (1) of this Subsection,  
20 the state treasurer shall, each fiscal year, ~~credit the following amounts to the~~  
21 ~~following special funds:~~

22 (a) ~~One percent, not to exceed five hundred thousand dollars, to the~~  
23 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

24 (b) ~~To~~ to a special fund, which is hereby created in the state treasury and  
25 entitled the Video Draw Poker Device Fund, an amount equal to all revenues  
26 received by the division pursuant to the provisions of this Section, ~~less any monies~~  
27 ~~credited to another fund pursuant to the provisions of Subparagraph (a) of this~~  
28 ~~Paragraph.~~

1 C.

2 \* \* \*

3 ~~(2) An amount shall be allocated to the Department of Public Safety and~~  
4 ~~Corrections and to the Department of Justice, pursuant to legislative appropriation,~~  
5 ~~for regulatory, administrative, investigative, enforcement, legal, and such other~~  
6 ~~expenses as may be necessary to carry out the provisions of this Chapter and for~~  
7 ~~activities associated with enforcement of laws and regulations governing video draw~~  
8 ~~poker devices.~~

9 ~~(3)~~ (2) Any monies in the fund not required to meet the purposes provided  
10 for in ~~Paragraphs (1) and (2)~~ Paragraph (1) shall be credited to and deposited in the  
11 state general fund as they become available. Any unexpended or unencumbered  
12 monies remaining in the Video Draw Poker Device Fund at the end of the fiscal year  
13 shall revert to the state general fund.

14 ~~(4)~~ (3) An amount equal to all franchise payments exempted pursuant to R.S.  
15 27:321 shall be considered to be part of the Video Draw Poker Device Fund for  
16 purposes of calculating the distribution of the fund pursuant to ~~Paragraphs (1) and~~  
17 ~~(2)~~ Paragraph (1).

18 Section 7. R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3) are hereby amended  
19 and reenacted to read as follows:

20 §9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and  
21 Gaming Control Assistance District

22 \* \* \*

23 E. Tax.

24 \* \* \*

25 (3) The district is specifically authorized to transfer to the state such amounts  
26 as are necessary to address the policies established by this Chapter and Chapter 7 of  
27 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district  
28 shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state  
29 treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~

1        ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
2        ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~  
3        ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~  
4        ~~amount~~ into the state general fund; however, five percent of the total proceeds  
5        transferred to the state shall be deposited in the St. Landry Parish Excellence Fund  
6        created by R.S. 27:392(B)(3)(b).

7    \*        \*        \*

8        §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and  
9    Gaming Control Assistance District

10     \*        \*        \*

11     E. Tax.

12     \*        \*        \*

13     (3) The district is specifically authorized to transfer to the state such amounts  
14        as are necessary to address the policies established by this Chapter and Chapter 7 of  
15        Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically (a) the~~ The district  
16        shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state and the state  
17        treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~  
18        ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
19        ~~in R.S. 27:392(B)(1) and (2), and (b) the district shall transfer three-fourths of the net~~  
20        ~~proceeds of such tax to the state and the state treasurer is directed to deposit any such~~  
21        ~~amount~~ into the state general fund; however, five percent of the total proceeds  
22        transferred to the state shall be deposited in the Bossier Educational Excellence  
23        Fund.

24     \*        \*        \*

25        §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and  
26     Gaming Control Assistance District

27     \*        \*        \*

28     E. Tax.

29     \*        \*        \*



1           (3) The district is specifically authorized to transfer to the state such amounts  
2           as are necessary to address the policies established by this Chapter and Chapter 7 of  
3           Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically, the~~ The district  
4           shall transfer ~~one-fourth~~ of the net proceeds of such tax to the state, and the state  
5           treasurer is directed to deposit any such amount received ~~in the Pari-mutuel Live~~  
6           ~~Racing Facility Gaming Control Fund to be administered and expended as provided~~  
7           ~~in R.S. 27:392(B)(1) and (2); and the district shall transfer three-fourths of the net~~  
8           ~~proceeds of such tax to the state, and the state treasurer is directed to deposit any~~  
9           ~~such amount~~ into the state general fund. However, five percent of the total proceeds  
10          transferred to the state shall be deposited in the Calcasieu Parish Excellence Fund  
11          created by R.S. 27:392(B)(3)(c).

\*       \*       \*

13          Section 8. R.S. 39:82(A), 352, and 1590(A)(2)(b) and (c) and (B)(2) are hereby  
14          amended and reenacted to read as follows:

15          §82. Remission of cash balances to the state treasurer; authorized withdrawals of  
16          state monies after the close of the fiscal year

17            A. All cash balances occurring from appropriations made by legislative act  
18            or by the Interim Emergency Board regardless of date of passage to any state agency  
19            for which no bona fide liability exists on the last day of each fiscal year shall be  
20            remitted to the state treasurer by the fifteenth day following the last day of the fiscal  
21            year. Any appropriations including those made by the Interim Emergency Board of  
22            the preceding fiscal year remaining at the end of the fiscal year against which bona  
23            fide liabilities existed as of the last day of the fiscal year may be withdrawn from the  
24            state treasury during the forty-five day period after the last day of the fiscal year only  
25            as such liabilities come due for payment. Prior to placing monies associated with  
26            such unexpended appropriations into the state general fund, the state treasurer shall  
27            transfer all cash balances identified and reported by the commissioner of  
28            administration as being from unexpended and unencumbered state general fund  
29            (direct) ~~and Overcollections Fund~~ appropriations for professional, personal, and

1 consulting service contracts not approved by the Joint Legislative Committee on the  
 2 Budget as provided in R.S. 39:1590 and remaining at the end of each fiscal year for  
 3 deposit in and credit to the ~~Higher Education Financing Fund as are necessary to~~  
 4 ~~satisfy the requirements of R.S. 39:100.146, and then shall make deposits to the~~  
 5 ~~Payments Towards the UAL Fund as are necessary to satisfy the requirements of~~  
 6 ~~R.S. 39:100.11~~ state general fund.

7 \* \* \*

8 §352. Cancellation of unexpended portions of appropriations; exceptions

9 Whenever any specific appropriation is made to meet any item of expenditure  
 10 which occurs annually by provision of law or for contingent expense, and any  
 11 portion of it remains unexpended at the end of the year for which the specific  
 12 appropriation was made, after all legal claims against it for the year have been paid,  
 13 the commissioner of administration shall cancel any balance of the appropriation,  
 14 and each succeeding year he shall open a new account for the appropriation which  
 15 may be made for that particular year, without carrying forward any unexpended  
 16 balance of appropriation made for any previous year. This provision shall not apply  
 17 to appropriations made to pay the debt of the state, principal and interest. Prior to  
 18 placing monies associated with such unexpended appropriations into the state general  
 19 fund, the state treasurer shall transfer all cash balances identified and reported by the  
 20 commissioner of administration as being from unexpended and unencumbered state  
 21 general fund (direct) and Overcollections Fund appropriations for professional,  
 22 personal, and consulting service contracts not approved by the Joint Legislative  
 23 Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each  
 24 fiscal year for deposit in and credit to the ~~Higher Education Financing Fund as is~~  
 25 ~~necessary to satisfy the requirements of R.S. 39:100.146 and then shall make~~  
 26 ~~deposits to the Payments Towards the UAL Fund as are necessary to satisfy the~~  
 27 ~~requirements of R.S. 39:100.11~~ state general fund.

28 \* \* \*

1 §1590. Approval of certain professional, personal, and consulting services contracts  
2 for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

3 A.

4 \* \* \*

5 (2) If within thirty days of receipt of the contract, the contract is placed on  
6 the agenda for review, the Joint Legislative Committee on the Budget may take the  
7 following action:

8 \* \* \*

9 (b) Reject the contract and notify the commissioner of administration that  
10 such funds otherwise proposed for this purpose shall be deposited into the ~~Higher~~  
11 ~~Education Financing Fund as provided in R.S. 39:100.146~~ state general fund.

12 (c) Recommend revisions to the contract. If the Joint Legislative Committee  
13 on the Budget recommends revisions to the contract, the contract shall not become  
14 effective until it is revised, resubmitted to the Joint Legislative Committee on the  
15 Budget, and acted upon again by the committee. If the commissioner of  
16 administration, in consultation with the state chief procurement officer, does not  
17 resubmit the contract to the Joint Legislative Committee on the Budget within thirty  
18 days after the committee recommends revisions to the contract, the contract shall be  
19 deemed to be rejected and funds otherwise proposed for this purpose shall be  
20 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~  
21 state general fund.

22 B.

23 \* \* \*

24 (2) Following each determination required pursuant to the provisions of this  
25 Subsection, the commissioner of administration shall report to the state treasurer the  
26 amount of state general fund (direct) and Overcollections Fund monies appropriated  
27 for professional, personal, and consulting service contracts that are expected to  
28 remain unexpended and unencumbered at the end of the fiscal year as a result of  
29 implementation of this Section. These monies shall be available for deposit in and

1 credit to the ~~Higher Education Financing Fund~~ as provided for in R.S. 39:100.146  
2 state general fund.

3 \* \* \*

4 Section 9. R.S. 42:262(B) is hereby amended and reenacted to read as follows:

5 §262. Special attorney or counsel

6 \* \* \*

7 B. Any recovery or award of attorney fees, including settlement, in litigation  
8 involving the attorney general or any state agency, board, or commission, not  
9 including any public postsecondary education institution, belongs to the state and  
10 shall be deposited into the state treasury into the ~~Department of Justice Legal~~  
11 ~~Support Fund~~ in accordance with R.S. ~~49:259~~ state general fund. No payment of  
12 attorney fees shall be made out of state funds in the absence of express statutory  
13 authority, including R.S. 17:100.10, R.S. 23:1669, R.S. 37:2153, R.S. 41:724 and  
14 922, R.S. 42:1157.3, R.S. 46:15, R.S. 47:1512, 1515.3, 1516, 1516.1, and 1676,  
15 except such payment of attorney fees as may be approved by the Joint Legislative  
16 Committee on the Budget during the interim between legislative sessions.

17 \* \* \*

18 Section 10. R.S. 46:977.13 is hereby amended and reenacted to read as follows:

19 §977.13. Louisiana Children and Youth Health Insurance Program premium  
20 monies; ~~Health Care Redesign Fund~~

21 Monies received by the state as a result of premiums paid for coverage  
22 through the program shall be ~~credited to the Health Care Redesign Fund~~ deposited  
23 into the state general fund.

24 Section 11. R.S. 47:9029(B) is hereby amended and reenacted to read as follows:

25 §9029. Deposit of revenues; expenditures and investments authorized; transfer of  
26 revenues to state treasury; dedication and use of proceeds; corporation  
27 operating account; audit of corporation books and records; audits

28 \* \* \*



1        general fund shall have received an amount equal to the amount of tax credits  
2        granted for the pool. Thereafter, the certified capital company shall remit to the  
3        ~~Louisiana Economic Development Fund~~ state general fund five percent of such  
4        excess distributions.

5                B. Following a decertification of a pool that was certified on or after January  
6        1, 2002, and for which income tax credits or insurance premium tax credits were  
7        granted, an independent certified public accountant shall annually perform a review  
8        of all distributions, other than tax distributions and management fees, from such pool  
9        to the equity holders of the pool to determine if such distributions produce a rate of  
10       return to the equity holders of the pool of at least ten percent calculated on the  
11       original amount of certified capital contributed to such pool as well as any additional  
12       capital contributed to such pool. Within thirty days following the issuance of the  
13       accountant's annual report, the certified capital company shall remit twenty-five  
14       percent of all distributions in excess of the amount required to produce a rate of  
15       return of ten percent to the ~~Louisiana Economic Development Fund~~ state general  
16       fund.

17               C. The calculation of internal rate of return shall include all cash  
18       distributions to equity investors out of the certified capital company's investment  
19       pool, except for tax distributions and management fees. Management fees shall not  
20       exceed two and one-half percent per annum of the total certified capital of the pool  
21       without the prior approval of the secretary. Notwithstanding any other provisions  
22       in this Chapter to the contrary, for all certified capital pools formed after December  
23       31, 2001, if a certified Louisiana capital company does not place (1) forty percent of  
24       the investment pool in qualified investments within three years after the investment  
25       date, (2) sixty percent of the investment pool in qualified investments within five  
26       years of the investment date, and (3) upon the certified Louisiana capital company's  
27       option either (a) one hundred percent of the investment pool in qualified investments  
28       within seven years of the investment date or (b) one hundred and ten percent of the  
29       investment pool in qualified investments within eight years of the investment date,

1 then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall  
 2 remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five  
 3 percent of all distributions, other than tax distributions and management fees, until  
 4 the ~~Louisiana Economic Development Fund~~ state general fund shall have received  
 5 one hundred percent of the tax credits granted for such pool and thereafter the  
 6 company shall remit ten percent of all distributions, other than tax distributions and  
 7 management fees to the ~~Louisiana Economic Development Fund~~ state general fund.  
 8 If a certified Louisiana capital company has not decertified an investment pool  
 9 formed after December 31, 2001, pursuant to R.S. 51:1928(B)(3) within ten years  
 10 from the investment date, such company shall remit to the ~~Louisiana Economic~~  
 11 ~~Development Fund~~ state general fund fifty percent of all distributions until the  
 12 ~~Louisiana Economic Development Fund~~ state general fund shall have received one  
 13 hundred percent of the tax credits granted for such pool, and thereafter the company  
 14 shall remit twenty percent of all distributions to the ~~Louisiana Economic~~  
 15 ~~Development Fund~~ state general fund.

16 D. Notwithstanding any other provision of this Chapter to the contrary and  
 17 considering the adverse impact of Hurricanes Katrina and Rita, all investment  
 18 deadlines required by this Section which would have fallen between August 25,  
 19 2005, and December 30, 2005, shall be extended to March 31, 2006.

20 \* \* \*

21 §2211. Purpose and goals

22 A. The provisions of this Chapter ~~establish the MediFund as a special fund~~  
 23 ~~within the state treasury shall be~~ to support advancement of biosciences, biomedical,  
 24 and medical centers of excellence in Louisiana. The MediFund governing board  
 25 shall endeavor to achieve this purpose by coordinating and deploying public and  
 26 private resources to strategically develop and enhance this state's competitiveness in  
 27 biosciences, biomedical, and medical centers of excellence.

28 \* \* \*

1 §2332. Definitions

2 As used in this Chapter, the following terms shall have the following  
3 definitions:

4 \* \* \*

5 (3) "Fund" means the ~~Louisiana Economic Development Fund~~ state general  
6 fund.

7 \* \* \*

8 §2341. Economic Development Award Program

9 \* \* \*

10 F. The legislature shall make an annual appropriation to EDAP ~~for deposit~~  
11 ~~in the Louisiana Economic Development Fund under the terms and conditions as~~  
12 ~~provided for in R.S. 51:2315.~~ Project awards shall be disbursed by the corporation's  
13 board.

14 \* \* \*

15 PART VI-A RAPID RESPONSE ~~FUND~~ PROJECTS

16 §2361. Rapid Response ~~Fund~~ Projects

17 A.(1) ~~The Rapid Response Fund, hereinafter referred to as the "fund", is~~  
18 ~~hereby created as a special fund within the state treasury.~~

19 (2) ~~Beginning July 1, 2005, the state treasurer is directed to deposit into the~~  
20 ~~fund at the beginning of each fiscal year ten million dollars. The legislature may~~  
21 ~~appropriate additional monies to the fund notwithstanding the balance in the fund.~~

22 B.(1) ~~All unexpended and unencumbered monies in the fund at the end of~~  
23 ~~the fiscal year shall remain in the fund. Monies in the fund shall be invested by the~~  
24 ~~treasurer in the same manner as those in the state general fund, and any interest~~  
25 ~~earned on the investment of monies in the fund shall be credited to the fund.~~

26 (2) ~~Monies in the fund shall be~~ The legislature may make available for  
27 appropriation to the Department of Economic Development, hereinafter referred to  
28 as the "department"; ~~Such appropriations~~ monies that shall be used by the secretary  
29 of the department for immediate funding of all or a portion of economic development



1 projects which may be necessary in order to successfully secure the creation or  
2 retention of jobs by a business entity under such circumstances as may be determined  
3 by the secretary and the governor.

4 ~~(3)~~ B.(1) The secretary shall report to the Joint Legislative Committee on  
5 the Budget twice yearly, on the first day of October and the first day of April, with  
6 respect to all actual expenditures of monies appropriated ~~from the fund~~. The reports  
7 shall be available electronically, and the secretary shall include in these reports any  
8 other information which the committee may require with respect to use of monies  
9 appropriated ~~from the fund~~, including but not limited to the following information  
10 on each economic development project which receives funding:

11 (a) Performance targets.

12 (b) Outcomes.

13 (c) Numbers of jobs created and retained.

14 (d) Overall payroll generated.

15 ~~(4)~~ (2) The department shall make available upon request the economic  
16 impact analysis on an economic development project which receives monies ~~from~~  
17 ~~the fund~~.

18 C. At the same time as the secretary submits to the official journal for the  
19 state a notice containing general information regarding active negotiations for an  
20 economic development project which is eligible for funding ~~from the fund~~, which  
21 active negotiations the secretary desires to keep confidential as provided in R.S.  
22 44:22, upon request by a member of the legislature in whose legislative district a  
23 project is located, the secretary may provide information regarding the project if the  
24 member submits his signature under oath that all information shall remain  
25 confidential and privileged.

1 §2362. Accountability requirements; legal agreements; Rapid Response ~~Fund~~  
2 projects

3 A. All legal agreements for Rapid Response ~~Fund~~ projects shall include all  
4 of the following:

5 \* \* \*

6 §2363. Accountability requirements; reports; Rapid Response ~~Fund~~ projects

7 A. The secretary of the Department of Economic Development shall develop  
8 a uniform accountability report for economic development created by the Rapid  
9 Response ~~Fund~~ projects. The secretary shall also develop a formula for measuring  
10 the return on investment for each Rapid Response ~~Fund~~ project.

11 B. The Department of Economic Development shall compile and make  
12 available a list of the cooperative endeavor agreements, the name of the entity  
13 receiving funds, and the amount of the incentive received for all Rapid Response  
14 ~~Fund~~ projects in both written and electronic form.

15 PART VI-B. LOUISIANA MEGA-PROJECT DEVELOPMENT ~~FUND~~

16 §2365. Louisiana Mega-Project Development ~~Fund~~

17 A. ~~The Louisiana Mega-Project Development Fund, hereinafter referred to~~  
18 ~~as the "fund", is hereby created as a special fund within the state treasury.~~

19 ~~B. The state treasurer is hereby authorized and directed to transfer one~~  
20 ~~hundred fifty million dollars from the Louisiana Economic and Port Development~~  
21 ~~Infrastructure Fund to the Louisiana Mega-Project Development Fund on June 29,~~  
22 ~~2007. The legislature may appropriate additional monies to the fund if it deems~~  
23 ~~necessary to accomplish the purposes of the fund.~~

24 ~~C. Monies in the fund shall be invested by the treasurer in the same manner~~  
25 ~~as monies in the state general fund and any interest earned on the investment of~~  
26 ~~monies in the fund shall be credited to the fund. All unexpended and unencumbered~~  
27 ~~monies in the fund at the end of the fiscal year shall remain in the fund.~~

28 ~~D.(1) Monies in the fund shall be~~ (1) The legislature may make available for  
29 appropriation for ~~general purposes and for use by~~ to the Department of Economic

1 Development, hereinafter referred to as the "department". ~~Such appropriations~~  
2 monies that shall be used by the secretary of the department for immediate funding  
3 of all or a portion of economic development mega-projects which may be necessary  
4 in order to successfully secure the creation or retention of jobs by a business entity  
5 or a qualified major event under such circumstances as established by this Part.

6 (2) The secretary shall report to the Joint Legislative Committee on the  
7 Budget twice yearly, on the first day of October and the first day of April, with  
8 respect to all actual expenditures of monies appropriated ~~from the fund~~. The reports  
9 shall be available electronically, and the secretary shall include in these reports any  
10 other information which the committee may require with respect to use of monies  
11 appropriated from the fund, including but not limited to the following information  
12 on each economic development project which receives funding:

- 13 (a) Performance targets.
- 14 (b) Outcomes.
- 15 (c) Numbers of jobs created and retained.
- 16 (d) Overall payroll generated.

17 (3) The department shall make available upon request the economic impact  
18 analysis on an economic development project which receives monies ~~from the fund~~.  
19 This Subparagraph shall not apply to a mega-project which is a qualified major event  
20 as defined in R.S. 51:2365.1.

21 ~~E. B.~~ B. Monies ~~in the fund~~ shall be expended only upon recommendation by  
22 the secretary and concurrence by the governor. Any such recommendation shall be  
23 implemented pursuant to a cooperative endeavor agreement executed in accordance  
24 with the provisions of R.S. 33:9029.2 and subject to approval by the Joint Legislative  
25 Committee on the Budget.

26 ~~F. C.~~ C.(1) For purposes of this Section, "mega-project" means:

- 27 (a) A project which will provide the following:
  - 28 (i) Either five hundred new direct jobs to the state or a minimum initial
  - 29 investment of five hundred million dollars by the private sector or the United States

1 Government through the creation of a new facility or the expansion of an existing  
2 facility.

3 (ii) A substantial return on the investment by the state as measured by  
4 projected tax revenues.

5 (b) A project for a military or federal installation which is important to the  
6 Louisiana economy and that may be subject to base realignment and closure, or for  
7 the purchase of land for a mega-project.

8 (c) A project resulting in re-creating or saving at least five hundred direct  
9 jobs in this state, through the transfer of ownership of a facility that has been closed  
10 or a facility that is at risk of closure due to conditions arising out of or relating to a  
11 proceeding under Title 11 of the United States Code.

12 (d) A qualified major event as defined in R.S. 51:2365.1(A)(5) which meets  
13 all of the requirements for eligibility as set forth in R.S. 51:2365.1(D).

14 (2) Except for a mega-project as provided in Subparagraphs (1)(b) and (d)  
15 of this Subsection, the investment by the state in any mega-project shall not exceed  
16 thirty percent of the total cost of the project as described by the cooperative endeavor  
17 agreement.

18 G. D. At the same time as the secretary submits to the official journal for the  
19 state a notice containing general information regarding active negotiations for an  
20 economic development mega-project which is eligible for funding ~~from the fund~~,  
21 which active negotiations the secretary desires to keep confidential as provided in  
22 R.S. 44:22, upon request by a member of the legislature in whose legislative district  
23 a project is located, the secretary may provide information regarding the project if  
24 the member submits his signature under oath that all information shall remain  
25 confidential and privileged.

26 §2365.1. Major Events Incentive Program ~~and the Major Events Incentive Program~~  
27 ~~Subfund~~

28 \* \* \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1           ~~B.(1) There is hereby established in the state treasury a special subfund in~~  
2           ~~the Mega-Project Development Fund to be known as the "Major Events Incentive~~  
3           ~~Program Subfund", hereafter in this Section, the "subfund".~~

4           ~~(2) Beginning with the 2015-2016 Fiscal Year and for each fiscal year~~  
5           ~~thereafter, and after allocation of money to the Bond Security and Redemption Fund~~  
6           ~~as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the~~  
7           ~~treasurer shall transfer in and credit to the subfund an amount equal to the sum of the~~  
8           ~~incremental increase in state tax receipts generated by the occurrence of all qualified~~  
9           ~~events.~~

10           ~~(3) Monies in the subfund shall be invested in the same manner as monies~~  
11           ~~in the Louisiana Mega-Project Development Fund and any interest earned on the~~  
12           ~~investment of monies in the subfund shall be credited to the subfund. All~~  
13           ~~unexpended and unencumbered monies in the subfund at the end of the fiscal year~~  
14           ~~shall remain in the subfund.~~

15           ~~(4) Subject to legislative appropriation and the approval of the Joint~~  
16           ~~Legislative Committee on the Budget, the treasurer shall disburse monies as provided~~  
17           ~~in R.S. 51:2365 to each eligible entity at times and in amounts as determined by the~~  
18           ~~secretary and approved by the Joint Legislative Committee on the Budget.~~

19           ~~C.(1)~~ B.(1) Subject to legislative appropriation and the approval of the Joint  
20           Legislative Committee on the Budget, the secretary of the Department of Economic  
21           Development is hereby authorized to enter into a contract with a local organizing  
22           committee, endorsing parish, or endorsing municipality to recruit, solicit, or acquire  
23           for Louisiana any qualified event that will have a significant positive impact on  
24           economic development in the state. The contract shall provide for a financial  
25           commitment to the local organizing committee, endorsing parish, or endorsing  
26           municipality which shall be subject to legislative appropriation.

27           (2) The amount of the incremental increase in certain state tax receipts  
28           generated within the designated area by the occurrence of the qualified event during  
29           a specified period shall be determined by the secretary. ~~The secretary shall notify the~~

1        ~~Joint Legislative Committee on the Budget and the treasurer of his determination~~  
2        ~~and, upon the direction of the Joint Legislative Committee on the Budget, the~~  
3        ~~treasurer shall transfer the amount of the incremental increase to the subfund. Such~~  
4        ~~state tax receipts shall be limited to excise tax and sales and use taxes, excluding~~  
5        ~~state hotel and motel occupancy taxes.~~ The amount of the incremental increase shall  
6        not include local tax receipts.

7                ~~D. C.~~ An event not included in the definition of qualified event is ineligible  
8        for funding under R.S. 51:2365. A qualified event may receive funding under R.S.  
9        51:2365 only if all of the following conditions are met:

10                (1) After considering through a highly competitive selection process one or  
11        more sites that are not located in this state, a site selection organization selects a site  
12        located in this state for an event to be held once, or for an event scheduled to be held  
13        annually for a period of years under an event contract.

14                (2) A site selection organization selects a site in this state as the sole site for  
15        the event.

16                (3) The event is held not more frequently than annually.

17        §2366. Accountability requirements; Mega-Project Development Fund

18                A. The secretary of the Department of Economic Development shall develop  
19        a uniform accountability report for economic development created by the ~~Louisiana~~  
20        ~~Mega-Project Development Fund~~ Louisiana mega-projects. The secretary shall also  
21        develop a formula for measuring the return on investment for each mega-project.

22                B. The Department of Economic Development shall compile and make  
23        available a list of the cooperative endeavor agreements, the name of the entity  
24        receiving funds, and the amount of the incentive received for all Louisiana Mega-  
25        Project Development Fund projects in both written and electronic form.

26        Section 13. Section 4(B) of Act No. 421 of the 2013 Regular Session of the  
27        Legislature is hereby amended and reenacted to read as follows:

28    \*        \*        \*

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Section 4.

2 \* \* \*

3 B.(1) After satisfaction of the requirements of Subsection A of this  
4 Section, all remaining monies collected pursuant to this Act shall be paid into  
5 the state treasury. After compliance with the requirements of Article VII,  
6 Section 9(B) of the Constitution of Louisiana relative to the Bond Security  
7 and Redemption Fund ~~and prior to any monies being placed into the state~~  
8 ~~general fund or any other fund,~~ an amount equal to the remaining collections  
9 shall be credited by the state treasurer to a ~~special fund hereby created in the~~  
10 ~~state treasury to be known as the 2013 Amnesty Collections Fund, hereinafter~~  
11 ~~referred to as "fund". The monies in the fund shall be available for~~  
12 ~~appropriation for any public purpose.~~ the state general fund.

13 (2) ~~Monies in the fund shall be invested by the state treasurer in the~~  
14 ~~same manner as those in the state general fund and interest earned on such~~  
15 ~~investment shall be credited to the fund after compliance with the~~  
16 ~~requirements of the Bond Security and Redemption Fund. All unexpended~~  
17 ~~and unencumbered monies in the fund at the end of the year shall remain in~~  
18 ~~the fund.~~

19 \* \* \*

20 Section 14. R.S. 3:4411(B) and (C), R.S. 11:544, R.S. 15:147(B)(14), 167, 185.5,  
21 and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3, 3138.4, and Part VI of  
22 Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4001,  
23 R.S. 22:831(B), R.S. 24:39, R.S. 27:92(C), and 392(B)(6), R.S. 28:842, R.S. 39:97.3, 98.7,  
24 Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
25 of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title  
26 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part  
27 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised  
28 of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
29 Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart K of Part II of Chapter 1 of

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
 2 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
 3 Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of Part II of Chapter 1 of  
 4 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
 5 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
 6 Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part II of Chapter  
 7 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
 8 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
 9 Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of Chapter 1  
 10 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
 11 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
 12 Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1  
 13 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
 14 39:100.146, and R.S. 39:1357, R.S. 40:16.2 and 1402, R.S. 46:2913, R.S. 47:318, 841(G),  
 15 841.1, 841.2, 1520(A)(1)(e), 1602.1, and 6351(G)(3) and (4), R.S. 49:259, and R.S.  
 16 51:2212(3), 2213, and 2315, Code of Criminal Procedure Article 926.1(K), Section 7 of Act  
 17 No. 420 of the 2013 Regular Session of the Legislature, and Section 3 of Act No. 1065 of  
 18 the 1997 Regular Session of the Legislature are hereby repealed in their entirety.

19 Section 15. The state treasurer is hereby authorized and directed to transfer any  
 20 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through  
 21 14 of this Act to the state general fund after satisfying the appropriations for Fiscal Year  
 22 2015-2016.

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#### 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)]

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HB 100 Engrossed

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:



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
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) and (c) and (B)(2)
Indigent Parent Representation Program Fund	R.S. 15:185.5
Innocence Compensation Fund	R.S. 15:572.8(N)
Legislative Capitol Technology Enhancement Fund	R.S. 24:39
Louisiana Asbestos Detection and Abatement Fund	R.S. 39:97.3
Louisiana Charter School Start-Up Loan Fund	R.S. 17:4001
Louisiana Economic Development Fund	R.S. 23:1514(D)(5), R.S. 47:318(D), R.S. 51:1927.1, 2315, 2332(3), and 2341
Louisiana Interoperability Communications Fund	R.S. 39:100.41
Louisiana Mega-Project Development Fund	R.S. 51:2365 and 2366, R.S. 3:4423(3)
Louisiana Public Defender Fund	R.S. 15:167
Louisiana State Police Salary Fund	R.S. 22:831(B)
Major Events Fund	R.S. 39:100.126
Major Events Incentive Program Subfund	R.S. 51:2365.1
Marketing Fund	R.S. 47:318
MediFund	R.S. 51:2211-13
Municipal Fire and Police Civil Service Operating Fund	R.S. 22:1476(A)(2)
New Orleans Public Safety Fund	R.S. 40:1402
Overcollections Fund	R.S. 39:100.21, R.S. 17:407.27(B)(3), 3046.3(C), 5068(D)(3), and 4019(C)
Payments Towards the UAL Fund	R.S. 39:100.11, R.S. 39:82(A) and 352

Rapid Response Fund	R.S. 51:2361,2362, 2363, R.S. 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 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 (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)
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)
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.

PARI-MUTUEL LIVE RACING FACILITY GAMING CONTROL FUND  
(R.S. 27:392)

Present law provides for the collection of fees, fines and taxes related to slot machines.

Present law creates the Pari-mutuel Live Racing Facility Gaming Control Fund (Gaming Control Fund) and after deposit into the Compulsive and Problem Gaming Fund, deposits the remainder of the revenues into the Gaming Control Fund. Monies are dedicated to the expenses of the Gaming Control Board, the Department of Justice, and the Louisiana Racing Commission.

Present law further deposits certain amounts of slot machine proceeds into certain funds for the use of various localities with remaining monies deposited into the New Orleans Sports Franchise Assistance Fund.

Proposed law eliminates the dedications from the fund to the Gaming Control Board, the Department of Justice, and the Louisiana Racing Commission.

Proposed law further limits the deposit into the New Orleans Sports Franchise Assistance Fund to \$3.1 million annually and deposits money remaining in the Gaming Control Fund at the end of the year into the state general fund.

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), 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. 22:1476(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), 392(B)(2) and (C)(7), 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), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:9029(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; Adds R.S. 27:392(C)(8); Repeals R.S. 3:4411(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. 22:831(B), R.S. 24:39, R.S. 27:92(C), 392(B)(6), 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 and 1402, R.S. 46:2913, R.S. 47:318, 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)

#### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Appropriations to the original bill:

1. Eliminate repeal of the Pari-mutuel Live Racing Facility Gaming Control Fund (Gaming Control Fund) and limit the amount of deposit into the New Orleans Sports Franchise Assistance Fund to \$3.1 million annually and deposit all money remaining in the Gaming Control Fund at the end of the year into the state general fund.
2. Restore the dedications from the Two Percent Fire Insurance Fund to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

3. Restore the deposit of recurring state general fund as a source of revenue into the New Opportunities Waiver Fund.

4. Eliminate the repeal of the following statutory dedications:

Fire Marshal Fund

Forest Protection Fund

Louisiana Agricultural Finance Authority Fund

Louisiana Emergency Response Network Fund

Louisiana State University Firemen Training Program Film Library Fund

Telecommunications for the Deaf Fund

Video Draw Poker Device Purse Supplement Fund