2018 Regular Session

HOUSE BILL NO. 146

BY REPRESENTATIVE DAVIS

CAPITAL OUTLAY: Defines "economic development project" for purposes of a late approval recommendation from the secretary of the Dept. of Economic Development

1	AN ACT		
2	To amend and reenact R.S. 39:112(C)(2)(b), relative to capital outlay; to provide with		
3	respect to the capital outlay process; to provide for certain definitions; to provide for		
4	applicability; to provide for an effective date; and to provide for related matters.		
5	Be it enacted by the Legislature of Louisiana:		
6	Section 1. R.S. $39:112(C)(2)(b)$ is hereby amended and reenacted to read as follows:		
7	§112. Capital outlay act		
8	* * *		
9	С.		
10	* * *		
11	(2) For purposes of this Section, the following terms shall have the following		
12	meanings unless the context clearly indicates otherwise:		
13	* * *		
14	(b) "Economic development project" means a recruitment or retention		
15	project undertaken or sponsored by the Department of Economic Development or a		
16	political subdivision or other public entity which has economic development as part		
17	of its stated mission or purpose, which meets one of the following:		
18	(i) Improvements on public or government-owned property for the purposes		
19	of attracting or retaining a specific new or existing manufacturing or business		
20	operation that benefits Louisiana.		

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CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

1	(ii) Facilities or improvements on public or government-owned property and
2	that generate new, permanent employment or which help retain existing employment.
3	(iii) (ii) Facilities or infrastructure improvements on public or government-
4	owned property necessary for the manufacturing plant or business to operate.
5	* * *
6	Section 2. The provisions of this Act shall be applicable to the funding of all projects
7	included in the capital outlay budget for fiscal years commencing on and after July 1, 2018.
8	Section 3. This Act shall become effective on July 1, 2018.

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 146 Engrossed	2018 Regular Session	Davis

Abstract: Defines an "economic development project" for purposes of a late capital outlay application seeking a recommendation for inclusion in the capital outlay act from the secretary of the Dept. of Economic Development.

<u>Present law</u> requires the governor to submit his capital outlay budget which implements the first year of the five-year 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.

<u>Present law</u> authorizes capital outlay budget requests submitted after Nov. 1st to be included in the capital outlay act only if the budget request meets all of the applicable requirements as provided in <u>present law</u>, except for time of submission, and the project is an economic development project recommended in writing by the secretary of the Dept. of Economic Development (DED), the project is an emergency project recommended in writing by the commissioner of administration, the project is for a nonstate entity which meets certain <u>present law</u> requirements, or the project is located in a designated disaster area and it meets certain <u>present law</u> requirements.

Proposed law retains present law.

Present law defines the term "economic development" as follows:

- (1) Improvements on public or government-owned property for attracting or retaining a new or existing manufacturing or business operation that benefits La.
- (2) Facilities or improvements on public or government-owned property that generate new, permanent employment or which help retain existing employment.
- (3) Facilities or infrastructure improvements on public or government-owned property necessary for a manufacturing plant or business to operate.

<u>Proposed law</u> changes the term <u>to</u> "economic development *project*" and defines it as a recruitment or retention project sponsored by DED or a political subdivision or other public

entity which has economic development as part of its stated mission or purpose, that meets *one* of the following:

- (1) Improvements on public or government-owned property for attracting or retaining a new or existing manufacturing or business operation that benefits La. and generates new, permanent employment or which helps retain existing employment.
- (2) Facilities or infrastructure improvements on public or government-owned property necessary for a manufacturing plant or business to operate.

Applicable to the funding of all nonstate entity projects included in the capital outlay budget for fiscal years commencing on and after July 1, 2018.

Effective July 1, 2018.

(Amends R.S. 39:112(C)(2)(b))