

Regular Session, 2011

HOUSE BILL NO. 189

BY REPRESENTATIVES GEYMANN AND MORRIS

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

BUDGETARY CONTROLS: Prohibits the appropriation of one time money available for appropriation for ordinary recurring expenses without consent of 2/3 of the elected members of each house of the legislature

1 AN ACT

2 To enact R.S. 39:2(33.1), 34(E), and 51(G), relative to the operating budget; to prohibit the
3 use of one-time money for ordinary recurring expenses; to provide for definitions;
4 to provide for exceptions; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 39:2(33.1), 34(E), and 51(G) are hereby enacted to read as follows:

7 §2. Definitions

8 As used in this Chapter, except where the context clearly requires otherwise,
9 the words and expressions defined in this Section shall be held to have the meanings
10 here given to them.

11 * * *

12 (33.1) "One-time money available for appropriation" means any one of the
13 following:

14 (a) Money available for appropriation from any special treasury fund
15 excluding any monies forecast to be dedicated into that fund by the Revenue
16 Estimating Conference in the official forecast for that fiscal year.

17 (b) Money available for appropriation from the state general fund from one
18 time transactions, but not recognized as nonrecurring revenue by the Revenue

Proposed law requires that the executive budget include a list of sources of one-time money available for appropriation contained in the budget. Such one-time money shall not be recommended for appropriation for ordinary recurring expenses.

Proposed law requires that any appropriation from a one-time means of finance may only be for a one-time expenditure unless such appropriation is authorized by a two-thirds vote of each house of the legislature.

Present law defines "ordinary recurring expenses" as means all expenses of a continuing or recurring character, that in the normal course of administration, may be expected to be necessary in approximately the same amounts each year.

(Adds R.S. 39:2(33.1), 34(E), and 51(G))