

2020 Second Extraordinary Session

HOUSE BILL NO. 21

BY REPRESENTATIVE ZERINGUE

CAPITAL OUTLAY: Requires the Coastal Protection and Restoration Authority to administer certain capital outlay projects (Item #15)

1 AN ACT

2 To amend and reenact R.S. 39:113(B) and 122(B)(1), relative to the administration of capital  
3 outlay projects; to require that certain projects be administered by the Coastal  
4 Protection and Restoration Authority; to provide for certain limitations and  
5 requirements; to provide for applicability; to provide for an effective date; and to  
6 provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 39:113(B) and 122(B)(1) are hereby amended and reenacted to read  
9 as follows:

10 §113. Appropriations

11 \* \* \*

12 B.(1) ~~All of the~~ Except as provided in Paragraph (2) of this Subsection, all  
13 funds appropriated to state port commissions or districts, to authorities created by the  
14 legislature, to political subdivisions of the state, or to local governing authorities  
15 shall be administered by the office of facility planning and control of the division of  
16 administration under cooperative endeavor agreements.

17 (2) All integrated coastal protection projects regardless of the entity to which  
18 the funds are appropriated shall be administered by the Coastal Protection and  
19 Restoration Authority under cooperative endeavor agreements.

20 \* \* \*

1 §122. Commencement of work

2 \* \* \*

3 B.(1) Ports, levee districts, and other ~~non-state~~ nonstate entities shall wait  
4 until there is a fully executed cooperative endeavor agreement and final approval has  
5 been given by the facility planning and control section of the division of  
6 administration, the Department of Transportation and Development, the Coastal  
7 Protection and Restoration Authority, or the state treasurer, whichever is applicable,  
8 before entering into contracts obligating state funds.

9 \* \* \*

10 Section 2. The provisions of this Act shall be applicable to the funding of all projects  
11 included in the capital outlay budget for fiscal years commencing on and after July 1, 2021.

12 Section 3. This Act shall become effective upon signature by the governor or, if not  
13 signed by the governor, upon expiration of the time for bills to become law without signature  
14 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
15 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
16 effective on the day following such approval.

---

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 21 Original                      2020 Second Extraordinary Session                      Zeringue

**Abstract:** Requires all integrated coastal protection projects to be administered by the Coastal Protection and Restoration Authority (CPRA) regardless of the entity to which the funds are appropriated.

Present law 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.

Present law requires the office of facility planning and control (FP&C) to administer all funds appropriated to state projects. Present law exempts appropriations to Dept. of Transportation and Development for highway or public works projects, to the Military Dept., or to the legislature from this requirement. Further requires FP&C to administer all funds appropriated to state port commissions or districts, political subdivisions, and local governing authorities under cooperative endeavor agreements (CEA).

Proposed law changes present law by requiring the CPRA to administer all integrated coastal protection projects under CEAs regardless of the entity to which the funds are appropriated.

Present law requires ports, levee districts, and other nonstate entities to fully execute CEAs and receive final approval by the agency administering the project prior to entering into contracts obligating state funds. Further provides that if any such entity enters into a contract, executes a purchase order, or otherwise attempts to obligate any funds without first fully complying with the provisions of present law, the obligation shall remain the sole responsibility of the entity and shall not be eligible for state reimbursement or payment.

Proposed law retains present law but adds a requirement that the CPRA give final approval for projects administered by the CPRA prior to the entity entering into contracts.

Proposed law is applicable to the funding of all projects included in the capital outlay budget for fiscal years commencing on and after July 1, 2021.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 39:113(B) and 122(B)(1))