

Regular Session, 2011
HOUSE BILL NO. 435

ACT No. 357

BY REPRESENTATIVE PEARSON AND SENATOR GAUTREAUX

1 AN ACT

2 To amend and reenact R.S. 39:54(B), relative to nonrecurring revenue; to provide for
3 allowable uses of nonrecurring revenue; to provide for the payment of unfunded
4 accrued liabilities; to provide for effectiveness; and to provide for related matters.

5 Notice of intention to introduce this Act has been published
6 as provided by Article X, Section 29(C) of the Constitution
7 of Louisiana.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 39:54(B) is hereby amended and reenacted to read as follows:

10 §54. Limitations on appropriations

11 * * *

12 B. Appropriation of any money designated in the official forecast as
13 nonrecurring shall be made only in accordance with the following:

14 (1) At a minimum, twenty-five percent of nonrecurring revenue shall be
15 appropriated for deposit in the Budget Stabilization Fund.

16 (2)(a) Providing for payments against the unfunded accrued liability of the
17 public retirement systems which are in addition to any payments required for the
18 annual amortization of the unfunded accrued liability of the public retirement
19 systems, required by Article X, Section 29(E)(2)(c) of the Constitution of Louisiana;
20 however, any such payment to the public retirement systems shall not be used,
21 directly or indirectly, to fund cost-of-living increases for such systems.

22 (b) At a minimum, for Fiscal Years 2013-2014 and 2014-2015, the
23 legislature shall appropriate no less than five percent of any money designated in the
24 official forecast as nonrecurring to the Louisiana State Employees' Retirement

1 System and the Teachers' Retirement System of Louisiana for application to the
 2 balance of the unfunded accrued liability of such systems existing as of June 30,
 3 1988, in proportion to the balance of such unfunded accrued liability of each such
 4 system. Any such payments to the public retirement systems shall not be used,
 5 directly or indirectly, to fund cost-of-living increases for such systems.

6 (c) At a minimum, for Fiscal Year 2015-2016 and every fiscal year
 7 thereafter, the legislature shall appropriate no less than ten percent of any money
 8 designated in the official forecast as nonrecurring to the Louisiana State Employees'
 9 Retirement System and the Teachers' Retirement System of Louisiana for application
 10 to the balance of the unfunded accrued liability of such systems existing as of June
 11 30, 1988, in proportion to the balance of such unfunded accrued liability of each such
 12 system. Any such payments to the public retirement systems shall not be used,
 13 directly or indirectly, to fund cost-of-living increases for such systems.

14 ~~(2)~~ (3) After satisfying the requirements of ~~Paragraph~~ Paragraphs (1) and (2)
 15 of this Subsection, the remainder may be appropriated only for the following
 16 purposes:

17 (a) Retiring or defeasance of bonds in advance and in addition to the existing
 18 amortization requirements of the state.

19 ~~(b) Providing for payments against the unfunded accrued liability of the~~
 20 ~~public retirement systems which are in addition to any payments required for the~~
 21 ~~annual amortization of the unfunded accrued liability of the public retirement~~
 22 ~~systems, required by Article X, Section 29(E)(2)(c) of the Constitution of Louisiana;~~
 23 ~~however, any such payment to the public retirement systems shall not be used,~~
 24 ~~directly or indirectly, to fund cost-of-living increases for such systems.~~

25 ~~(e)~~ (b) Providing funding for capital outlay projects in the comprehensive
 26 state budget.

27 ~~(d)~~ (c) Providing for allocation or appropriation for deposit into the Wetlands
 28 Conservation and Restoration Fund established in Article VII, Section 10.2 of the
 29 Constitution of Louisiana.

