

2016 First Extraordinary Session

HOUSE BILL NO. 63

BY REPRESENTATIVE EDMONDS

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), 277, 4321(B), 4411(A), and 4423(3), R.S.

3 13:5073(A)(1), R.S. 17:407.27(B)(3), 3046.3(C), 4019(C), and 5068(D)(3), R.S.

4 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2), R.S. 23:1514(D)(5),

5 R.S. 27:27.1(F), 92(B)(2), 249(A), 270(A)(2) and (3)(a), and 437(B)(1)(c) and (2)

6 and (C)(2), (3), and (4), R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3), R.S.

7 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E),

8 1593, and 2845(A)(6), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4), (B), and

9 (C) and 9029(B), R.S. 51:1927.1, 2211(A), 2332(3), and 2341(F), 2361,

10 2362(A)(introductory paragraph), 2363, 2365, 2365.1(B) through (D), and 2366, and

11 Section 4(B) of Act No. 421 of the 2013 Regular Session of the Legislature and to

12 repeal R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.

13 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2,

14 3138.3, 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised

15 Statutes of 1950, comprised of R.S. 17:4001, R.S. 22:347(A)(1),(2), and (3), and

16 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2), (4), and (6),

17 and 439, R.S. 28:842, R.S. 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of

18 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.

19 39:100.1, Subpart H of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana

20 Revised Statutes of 1950, comprised of R.S. 39:100.11, Subpart I of Part II of

1 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
2 comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle I of Title  
3 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26, Subpart  
4 K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
5 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle  
6 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41,  
7 Subpart N of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
8 Statutes of 1950, comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1  
9 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
10 39:100.81, Subpart Q-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
11 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.122, Subpart Q-2 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. 39:100.123, Subpart R of Part II of Chapter 1 of Subtitle I  
14 of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.126,  
15 Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
16 Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1 of  
17 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
18 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and  
19 (E), R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e),  
20 1602.1, and 6351(G)(3) and (4), R.S. 49:259, R.S. 51:2212(3), 2213, and 2315, and  
21 Code of Criminal Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013  
22 Regular Session of the Legislature, and Section 3 of Act No. 1065 of the 1997  
23 Regular Session of the Legislature, relative to special treasury funds; to provide for  
24 the elimination of certain special treasury funds; to eliminate certain dedications into  
25 certain special treasury funds; to eliminate certain required expenditures from special  
26 treasury funds; to eliminate the Louisiana Agricultural Finance Authority Fund,  
27 Forest Protection Fund, Forest Productivity Fund, Louisiana Public Defender Fund,  
28 Indigent Parent Representation Program Fund, Innocence Compensation Fund,  
29 Academic Improvement Fund, Support Education in Louisiana First Fund,

1 Workforce Training Rapid Response Fund, Higher Education Initiatives Fund,  
2 Louisiana Charter School Start-Up Loan Fund, Louisiana State Police Salary Fund,  
3 Louisiana Fire Marshal Fund, Municipal Fire and Police Civil Service Fund,  
4 Legislative Capitol Technology Enhancement Fund, Riverboat Gaming Enforcement  
5 Fund, Pari-Mutuel Live Racing Facility Gaming Control Fund, Equine Health  
6 Studies Program Fund, Southern University AgCenter Program Fund, Video Draw  
7 Poker Device Purse Supplement Fund, Compulsive and Problem Gaming Fund,  
8 Tobacco Settlement Enforcement Fund, Payments Towards the UAL Fund, Sports  
9 Facility Assistance Fund, Overcollections Fund, FEMA Reimbursement Fund, State  
10 Emergency Response Fund, Louisiana Interoperability Communications Fund,  
11 Health Care Redesign Fund, Community Water Enrichment Fund, Louisiana State  
12 University Firemen Training Program Film Library Fund, Marketing Fund, Tobacco  
13 Tax Health Care Fund, Department of Justice Legal Support Fund, Rapid Response  
14 Fund, Louisiana Mega-Project Development Fund, Major Events Incentive Program  
15 Subfund, DNA Testing Post-Conviction Relief for Indigents Fund, 2013 Amnesty  
16 Collections Fund, Workforce and Innovation for a Strong Economy Fund,  
17 Competitive Core Growth Fund, Science, Technology, Engineering and Math  
18 (STEM) Upgrade Fund, Louisiana Asbestos Detection and Abatement Fund, Center  
19 of Excellence for Autism Spectrum Disorder Fund, Major Events Fund, Unfunded  
20 Accrued Liability and Specialized Educational Institutions Support Fund, MediFund,  
21 Department of Health and Hospitals' Facility Support Fund, Louisiana Emergency  
22 Response Network Fund, FMAP Stabilization Fund, Fund for Louisianians in Need  
23 of Civil Legal Assistance, Fiscal Administrator Revolving Loan Fund, Status of  
24 Grandparents Raising Grandchildren Fund, Louisiana Economic Development Fund,  
25 Telecommunications for the Deaf Fund, Tobacco Regulation Enforcement Fund,  
26 Department of Alcohol and Tobacco Control Officers Fund, Tobacco Tax Medicaid  
27 Match Fund, Higher Education Financing Fund, Sickle Cell Fund, and the New  
28 Orleans Public Safety Fund; to provide for the deposits into the New Opportunities  
29 Waiver Fund; to provide for the uses of the Two Percent Fire Insurance Fund and the

1 Video Draw Poker Device Fund; to authorize the transfer of balances between funds;  
2 to provide for deposit of monies into the state general fund; and to provide for related  
3 matters.

4 Be it enacted by the Legislature of Louisiana:

5 Section 1. R.S. 3:2(C), 277, 4321(B), 4411(A), and 4423(3) are hereby amended and  
6 reenacted to read as follows:

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

9 \* \* \*

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

17 \* \* \*

18 §277. Trust funds

19 Subject to the exceptions contained in Article VII, Section 9 of the  
20 Constitution of Louisiana, all funds received by the authority shall be deposited  
21 immediately upon receipt in the state treasury and shall be credited to the Bond  
22 Security and Redemption Fund. ~~After a sufficient amount is allocated from the fund~~  
23 ~~to pay all obligations secured by the full faith and credit of the state which become~~  
24 ~~due and payable within any fiscal year, the state treasurer, prior to placing the~~  
25 ~~remaining funds in the state general fund, shall pay an amount equal to the total~~  
26 ~~amount of funds paid into the state treasury by the authority into a special fund~~  
27 ~~which is hereby created in the state treasury and designated as the Louisiana~~  
28 ~~Agricultural Finance Authority Fund. The monies in the Louisiana Agricultural~~  
29 ~~Finance Authority Fund shall be used solely for the programs and purposes of the~~

1 ~~authority and only in the amount appropriated each year to the authority by the~~  
 2 ~~legislature. All unexpended and unencumbered monies in the fund at the end of the~~  
 3 ~~fiscal year shall remain in the fund. The monies in the fund shall be invested by the~~  
 4 ~~state treasurer in the same manner as monies in the state general fund. All interest~~  
 5 ~~earned from the investment of the monies in the Louisiana Agricultural Finance~~  
 6 ~~Authority Fund shall be deposited in that fund.~~

7 \* \* \*

8 §4321. Forest protection assessment

9 \* \* \*

10 B. The assessment shall be entered on the tax rolls by the assessor and shall  
 11 be paid by the owner of such timberland to the sheriff and ex officio tax collector of  
 12 the parish in which the timberland is located in the same manner as parish ad  
 13 valorem taxes and, when collected, shall be remitted to the state treasurer ~~to be used~~  
 14 solely as provided in this Part for deposit into the state general fund.

15 \* \* \*

16 §4411. Forestry Productivity Fund; disposition of funds

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

21 \* \* \*

22 §4423. Definitions

23 As used in this Part, the following terms shall have the meanings ascribed  
 24 below:

25 \* \* \*

26 (3) "Incentives" means any tax exemption, tax credit, tax exclusion, tax  
 27 deduction, rebate, investment, contract, or grant made available by the state to  
 28 directly support the purchase of forestry products. "Incentives" shall not mean any  
 29 such benefit available under statutorily provided programs including Louisiana

1 Quality Jobs Program Act (R.S. 51:2451, et seq.), Louisiana Enterprise Zone Act  
2 (R.S. 51:1781, et seq.), Industry Assistance (R.S. 47:4301, et seq.), Industrial Tax  
3 Exemption (La. Const. Art. VII, Sec. 21(F), Economic Development Award Program  
4 (R.S. 51:2341), Economic Development Loan Program (R.S. 51:2312), and Tax  
5 Equalization (R.S. 47:3201, et seq.), ~~Rapid Response Fund (R.S. 51:2361), and~~  
6 ~~Mega-Project Development Fund (R.S. 51:2365).~~

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

8 §5073. Certifications; directory; tax stamps

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

22 \* \* \*

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

25 §407.27. The Cecil J. Picard LA 4 Early Childhood Program; early childhood  
26 development and enrichment activity classes; financial assistance

27 \* \* \*

28 B.

29 \* \* \*

1           (3) As provided in this Subsection, when a participating school district  
 2 receives privately funded scholarship funds pursuant to this Subsection, the annual  
 3 appropriation of state funds for the Cecil J. Picard LA 4 Early Childhood Program  
 4 shall be reduced by the amount of the private scholarship program funds so received.  
 5 The commissioner of administration shall determine and specify the amount of the  
 6 reduction from the source of the funds to provide the maximum benefit to the state  
 7 from the privately funded scholarship program. The state treasurer shall deposit the  
 8 amount of the reduction as specified by the commissioner of administration into the  
 9 ~~Overcollections Fund created in R. S. 39:100.21 and credit the deposit to an account~~  
 10 ~~within the fund hereby established and created to be known as the "Program~~  
 11 ~~Participation Savings Account"~~ state general fund.

12   \*           \*           \*

13       §3046.3 Private Scholarships

14   \*           \*           \*

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

26   \*           \*           \*

27       §4019. Private scholarships

28   \*           \*           \*

1 C. As provided in this Section, when a participating school receives privately  
 2 funded scholarship funds on behalf of a student pursuant to this Section, the annual  
 3 appropriation of state funds for the program shall be reduced by the amount of such  
 4 private scholarship program funds so received. The commissioner of administration  
 5 shall determine and specify the amount of the reduction from the source of the funds  
 6 to provide the maximum benefit to the state from the privately funded scholarship  
 7 program. The state treasurer shall deposit the amount of such reduction as specified  
 8 by the commissioner of administration into the ~~Overcollections Fund created in R.S.~~  
 9 ~~39:100.21 and credit such deposit to an account within the fund hereby established~~  
 10 ~~and created to be known as the "Program Participation Savings Account" state~~  
 11 general fund.

12 \* \* \*

13 §5068. Miscellaneous

14 \* \* \*

15 D.

16 \* \* \*

17 (3) As provided in this Subsection, if an eligible college or university  
 18 receives privately funded scholarship funds on behalf of a student, the state funds for  
 19 the Taylor Opportunity Program for Students shall be reduced by the amount of the  
 20 private scholarship program funds so received. A reduction shall not affect the  
 21 estimated nature of the Taylor Opportunity Program for Students appropriation as  
 22 provided in the Act or Acts that contain such appropriations. The commissioner of  
 23 administration shall determine and specify the amount of the reduction from the  
 24 source of the funds to provide the maximum benefit to the state from the privately  
 25 funded scholarship program. The state treasurer shall deposit the amount of such  
 26 reduction as specified by the commissioner of administration into the  
 27 ~~Overcollections Fund created in R.S. 39:100.21 and credit the deposit to an account~~



1 ~~within the fund hereby established and created to be known as the "Program~~  
2 ~~Participation Savings Account"~~ state general fund.

3 \* \* \*

4 Section 4. R.S. 22:347(A)(introductory paragraph), 835(B), and 1476(A)(2) are  
5 hereby amended and reenacted to read as follows:

6 §347. Disposition of tax money

7 A. Monies collected under R.S. 22:342 through 349, after being first credited  
8 to the Bond Security and Redemption Fund in accordance with Article VII, Section  
9 9(B) of the Constitution of Louisiana, shall be credited to a special fund hereby  
10 established in the state treasury and known as the "Two Percent Fire Insurance Fund"  
11 hereinafter the "fund". Any unexpended or unencumbered money remaining in the  
12 fund at the end of each fiscal year shall be deposited into the state general fund.

13 Monies in the fund shall be available in amounts appropriated annually by the  
14 legislature for the following purposes in the following order of priority:

15 \* \* \*

16 §835. Fire marshal tax; Louisiana Fire Marshal Fund

17 \* \* \*

18 B. All funds received by the commissioner of insurance pursuant to  
19 Subsection A of this Section shall be deposited immediately upon receipt into the  
20 state treasury for deposit into the state general fund.

21 \* \* \*

22 §1476. Assessments against insurers; dedications

23 A.

24 \* \* \*

25 (2) An amount equal to two and one-fourth hundredths of one percent of the  
26 gross direct premiums received in this state, in the preceding year; two and thirty-  
27 seven hundredths of one percent of the direct gross premiums received in this state,  
28 in the year 2001; and two and one-half hundredths of one percent of the direct gross  
29 premiums received in the state, in the year 2003 and every year thereafter by insurers

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

\* \* \*

13           Section 5. R.S. 23:1514(D)(5) is hereby amended and reenacted to read as follows:

14           §1514. Worker training fund; purpose; training programs; eligibility criteria;  
 15           program administration

\* \* \*

17           D.

\* \* \*

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

\* \* \*

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

3 §27.1. Uniform compulsive and problem gambling program

4 \* \* \*

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

12 \* \* \*

13 §92. Collection and disposition of fees

14 \* \* \*

15 B.

16 \* \* \*

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

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

22 (ii) The amounts of winnings withheld and remitted in accordance with R.S.  
23 27:85(B)(2), which shall be deposited into the ~~Compulsive and Problem Gaming~~  
24 ~~Fund provided for in R.S. 28:842~~ state general fund.

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

27 (ii) ~~Nine percent of the franchise fee paid pursuant to R.S. 27:91(C)(1) which~~  
28 ~~is attributable to any riverboat gaming licensee which pays additional franchise fees~~

1 pursuant to the provisions of ~~R.S. 27:91(C)(2) through (4) to the Support Education~~  
2 ~~in Louisiana First Fund as provided in R.S. 17:421.7.~~

3 (ii) Nine percent of the license fee paid pursuant to R.S. 27:91(B)(2) 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~~ state general fund.

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

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

15 \* \* \*

16 §249. Compulsive gambling; posting information

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

21 \* \* \*

22 §270. Deposit of revenues; expenditures and investments authorized; transfer of  
23 revenues to state treasury; corporation operating account; audit of  
24 corporation books and records; audits

25 A.

26 \* \* \*

27 (2)(a) Quarterly, the corporation shall transfer to the state treasury one  
28 percent of its operating account, not to exceed five hundred thousand dollars per  
29 fiscal year. These monies shall first be credited to the Bond Security and

1 Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution  
2 of Louisiana. Thereafter, the state treasurer shall deposit the monies into the  
3 ~~Compulsive and Problem Gaming Fund established by R.S. 28:842~~ state general  
4 fund.

5 (b) Quarterly, the corporation shall transfer to the state treasury for deposit  
6 into the ~~Compulsive and Problem Gaming Fund provided for in R.S. 28:842~~ state  
7 general fund, the amount of revenues withheld and remitted in accordance with R.S.  
8 27:260(D).

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

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

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

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

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

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

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

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

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

9   \*       \*       \*

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

11   \*       \*       \*

12                           B.(1)

13   \*       \*       \*

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

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 special funds:~~

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

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

1 credited to another fund pursuant to the provisions of Subparagraph (a) of this  
2 Paragraph.

3 C.

4 \* \* \*

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

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

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

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

22 §9551. St. Landry Parish Pari-mutuel Live Racing Economic Redevelopment and  
23 Gaming Control Assistance District

24 \* \* \*

25 E. Tax.

26 \* \* \*

27 (3) The district is specifically authorized to transfer to the state such amounts  
28 as are necessary to address the policies established by this Chapter and Chapter 7 of  
29 Title 27 of the Louisiana Revised Statutes of 1950. ~~Specifically: (a) the~~ The district

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

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

9 \* \* \*

10 §9561. Bossier Parish Pari-Mutuel Live Racing Economic Redevelopment and  
 11 Gaming Control Assistance District

12 \* \* \*

13 E. Tax.

14 \* \* \*

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

26 \* \* \*

27 §9571. Calcasieu Parish Pari-mutuel Live Racing Economic Redevelopment and  
 28 Gaming Control Assistance District

29 \* \* \*



1 E. Tax.

2 \* \* \*

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

14 \* \* \*

15 Section 8. R.S. 39:82(A), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2)  
16 are hereby amended and reenacted to read as follows:

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

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

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

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

9 \* \* \*

10 §100.61. New Opportunities Waiver Fund

11 \* \* \*

12 B.(1) The source of monies in the fund shall be ~~as follows~~:

13 (a) ~~In any fiscal year, the state treasurer is directed to deposit twelve percent~~  
 14 ~~of all recurring state general fund revenue, not to exceed fifty million dollars in any~~  
 15 ~~fiscal year, as recognized by the Revenue Estimating Conference in excess of the~~  
 16 ~~Official Forecast at the beginning of the current fiscal year into the New~~  
 17 ~~Opportunities Waiver Fund, and monies in the fund from this Subparagraph shall be~~  
 18 ~~used for appropriation in the ensuing fiscal year.~~

19 (b) ~~Monies designated for the fund and monies~~ received by the state treasurer  
 20 ~~from donations, gifts, grants, appropriations, or other revenue pursuant to the~~  
 21 provisions of R.S. 47:120.171.

22 \* \* \*

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

24 Whenever any specific appropriation is made to meet any item of expenditure  
 25 which occurs annually by provision of law or for contingent expense, and any  
 26 portion of it remains unexpended at the end of the year for which the specific  
 27 appropriation was made, after all legal claims against it for the year have been paid,  
 28 the commissioner of administration shall cancel any balance of the appropriation,  
 29 and each succeeding year he shall open a new account for the appropriation which

1           may be made for that particular year, without carrying forward any unexpended  
2           balance of appropriation made for any previous year. This provision shall not apply  
3           to appropriations made to pay the debt of the state, principal and interest. Prior to  
4           placing monies associated with such unexpended appropriations into the state general  
5           fund, the state treasurer shall transfer all cash balances identified and reported by the  
6           commissioner of administration as being from unexpended and unencumbered state  
7           general fund (direct) and Overcollections Fund appropriations for professional,  
8           personal, and consulting service contracts not approved by the Joint Legislative  
9           Committee on the Budget as provided in R.S. 39:1590 remaining at the end of each  
10          fiscal year for deposit in and credit to the ~~Higher Education Financing Fund as is~~  
11          ~~necessary to satisfy the requirements of R.S. 39:100.146 and then shall make~~  
12          ~~deposits to the Payments Towards the UAL Fund as are necessary to satisfy the~~  
13          ~~requirements of R.S. 39:100.11~~ state general fund.

\*           \*           \*

15          §1590. Approval of certain professional, personal, and consulting services contracts  
16                  for Fiscal Year 2015-2016 through Fiscal Year 2017-2018

17                  A.

\*           \*           \*

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

\*           \*           \*

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

26                  (c) Recommend revisions to the contract. If the Joint Legislative Committee  
27          on the Budget recommends revisions to the contract, the contract shall not become  
28          effective until it is revised, resubmitted to the Joint Legislative Committee on the  
29          Budget, and acted upon again by the committee. If the commissioner of

1 administration, in consultation with the state chief procurement officer, does not  
2 resubmit the contract to the Joint Legislative Committee on the Budget within thirty  
3 days after the committee recommends revisions to the contract, the contract shall be  
4 deemed to be rejected and funds otherwise proposed for this purpose shall be  
5 deposited into the ~~Higher Education Financing Fund as provided in R.S. 39:100.146~~  
6 state general fund.

7 B.

8 \* \* \*

9 (2) Following each determination required pursuant to the provisions of this  
10 Subsection, the commissioner of administration shall report to the state treasurer the  
11 amount of state general fund (direct) and Overcollections Fund monies appropriated  
12 for professional, personal, and consulting service contracts that are expected to  
13 remain unexpended and unencumbered at the end of the fiscal year as a result of  
14 implementation of this Section. These monies shall be available for deposit in and  
15 credit to the ~~Higher Education Financing Fund as provided for in R.S. 39:100.146~~  
16 state general fund.

17 \* \* \*

18 Section 9. R.S. 40:1582(E), 1593, and 2845(A)(6) are hereby amended and reenacted  
19 to read as follows:

20 §1582. Emergency elevator access; master key; substitute emergency measures;  
21 enforcement; penalty; rulemaking authority

22 \* \* \*

23 E. The office of state fire marshal shall enforce this Section. Any person  
24 who fails to comply with the requirements of this Section is subject to an  
25 administrative fine of not more than one thousand dollars, in addition to any other  
26 penalty provided by law. All administrative fines shall be deposited into the  
27 ~~Louisiana Fire Marshal Fund~~ state general fund.

28 \* \* \*

1 §1593. Volunteer firefighters; medical and life insurance

2 The state fire marshal is authorized to negotiate for and to purchase ~~out of~~  
3 ~~funds available for such purpose in the Two Percent Fire Insurance Fund provided~~  
4 ~~for in R.S. 22:347(A)~~ a group insurance policy to provide medical benefits, death  
5 benefits, and burial benefits for volunteer firefighters of the state suffering injury or  
6 death while engaged in the scope of their duties as volunteer firefighters. Such  
7 policy shall cover all bona fide volunteers starting the day upon which their  
8 membership begins without any prior certification to the state fire marshal's office  
9 or to the insurer. The state fire marshal shall deliver to each volunteer unit a printed  
10 notice concerning the policy requirements as to written notice of claim and written  
11 proof of loss including the period in which such must be filed. The volunteer unit  
12 shall post such notice in a conspicuous place at its facilities.

13 \* \* \*

14 §2845. Board; functions, powers, and duties

15 A. The board shall:

16 \* \* \*

17 (6) Establish and maintain a statewide trauma registry to collect and analyze  
18 data on the incidence, severity, and causes of trauma, including traumatic brain  
19 injury. The registry shall be used to improve the availability and delivery of pre-  
20 hospital or out-of-hospital care and hospital trauma care services.

21 ~~(a)~~ The board shall promulgate rules and regulations according to the  
22 Administrative Procedure Act to do the following:

23 ~~(i)~~ (a) Define specific data elements required to be furnished to the registry  
24 by every health care facility certified by the department as a trauma center.

25 ~~(ii)~~ (b) Define trauma data elements that all other health care facilities shall  
26 be required to furnish to the registry.

27 ~~(iii)~~ (c) Establish a process for submission, analysis, and reporting of registry  
28 data.

1 (b)(d) Required reporting to the state trauma registry is contingent on LERN  
2 providing adequate financial support ~~through the Louisiana Emergency Response~~  
3 ~~Network Fund~~ to cover administrative costs.

4 \* \* \*

5 Section 10. R.S. 42:262(B) is hereby amended and reenacted to read as follows:  
6 §262. Special attorney or counsel

7 \* \* \*

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

18 \* \* \*

19 Section 11. R.S. 46:977.13 is hereby amended and reenacted to read as follows:  
20 §977.13. Louisiana Children and Youth Health Insurance Program premium

21 monies; ~~Health Care Redesign Fund~~

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

25 Section 12. R.S. 47:1061(A)(4), (B), and (C) and 9029(B) are hereby amended and  
26 reenacted to read as follows:

27 §1061. Telecommunication tax for the deaf

28 A.

29 \* \* \*

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

1           (4) The revenues so collected shall be remitted by the secretary immediately  
 2 upon receipt to the treasurer and the treasurer shall credit the full amount of such  
 3 taxes to the Bond Security and Redemption Fund and then deposit the amount into  
 4 the state general fund. ~~After a sufficient amount is allocated from that fund to pay~~  
 5 ~~all obligations secured by the full faith and credit of the state which become due and~~  
 6 ~~payable within any fiscal year, the treasurer shall pay the remainder of such funds~~  
 7 ~~into a special fund which is hereby created within the state treasury and designated~~  
 8 ~~as the "Telecommunications for the Deaf Fund".~~

9           B. ~~The monies in the Telecommunications for the Deaf Fund shall be used~~  
 10 ~~solely to establish, administer, and promote a statewide program to provide~~  
 11 ~~accessibility services and assistive technology for persons who are deaf, deaf/blind,~~  
 12 ~~hard of hearing, speech impaired, or others with similar disabilities or impairments,~~  
 13 ~~in the amounts appropriated each year by the legislature to the Louisiana~~  
 14 ~~Commission for the Deaf. Any surplus monies remaining to the credit of the fund~~  
 15 ~~on June thirtieth of each year and any funds earned through the investment of the~~  
 16 ~~monies in the fund shall remain to the credit of the fund.~~

17           ~~€.~~ Policies and procedures to administer the statewide program and  
 18 distribution of funds shall be developed in collaboration with other state agencies  
 19 that provide services to individuals who are deaf, deaf/blind, hard of hearing, or  
 20 speech impaired to avoid duplication of effort. Rules and regulations to implement  
 21 the program shall be promulgated in accordance with the Administrative Procedure  
 22 Act.

23    \*           \*           \*

24           §9029. Deposit of revenues; expenditures and investments authorized; transfer of  
 25 revenues to state treasury; dedication and use of proceeds; corporation  
 26 operating account; audit of corporation books and records; audits

27    \*           \*           \*

28           B.(1) A Louisiana Lottery Proceeds Fund is hereby established in the state  
 29 treasury. Net lottery proceeds shall be credited to this fund as provided in

1 Subsection A of this Section. Monies credited to the Louisiana Lottery Proceeds  
2 Fund shall be invested by the state in accordance with state investment practices and  
3 all earnings from such investments shall accrue to this account. ~~Except as provided~~  
4 ~~in Paragraph (2) of this Subsection, no~~ No monies shall be allotted or expended from  
5 this account unless pursuant to an appropriation by the legislature in accordance with  
6 law.

7 ~~(2) The state treasurer is authorized and directed to transfer annually an~~  
8 ~~amount equaling five hundred thousand dollars from the Lottery Proceeds Fund to~~  
9 ~~the Compulsive and Problem Gaming Fund established by R.S. 28:842.~~

10 \* \* \*

11 Section 13. R.S. 51:1927.1, 2211(A), 2332(3), 2341(F), 2361, 2362(A)(introductory  
12 paragraph), 2363, 2365, 2365.1(B) through (D), and 2366 are hereby amended and reenacted  
13 to read as follows:

14 §1927.1. Annual audit; annual rate of return; appreciation excess; ~~remittance to~~  
15 Louisiana Economic Development Fund

16 A. Following a decertification of a pool that was certified on or after January  
17 1, 1999, and for which insurance premium tax credits were granted, an independent  
18 certified public accountant shall perform a review of all distributions other than tax  
19 distributions and management fees from such pool to the equity holders of the pool  
20 to determine if such distributions produce an annual internal rate of return to the  
21 equity holders of the pool of at least fifteen percent calculated on the original amount  
22 of certified capital contributed to such pool as well as any additional capital  
23 contributed to such pool. Within thirty days following the issuance of the  
24 accountant's report, the certified capital company shall remit to the ~~Louisiana~~  
25 ~~Economic Development Fund~~ state general fund twenty-five percent of all  
26 distributions in excess of the amount required to produce an annual internal rate of  
27 return of fifteen percent until the ~~Louisiana Economic Development Fund~~ state  
28 general fund shall have received an amount equal to the amount of tax credits  
29 granted for the pool. Thereafter, the certified capital company shall remit to the



1        ~~Louisiana Economic Development Fund~~ state general fund five percent of such  
2        excess distributions.

3                B. Following a decertification of a pool that was certified on or after January  
4        1, 2002, and for which income tax credits or insurance premium tax credits were  
5        granted, an independent certified public accountant shall annually perform a review  
6        of all distributions, other than tax distributions and management fees, from such pool  
7        to the equity holders of the pool to determine if such distributions produce a rate of  
8        return to the equity holders of the pool of at least ten percent calculated on the  
9        original amount of certified capital contributed to such pool as well as any additional  
10       capital contributed to such pool. Within thirty days following the issuance of the  
11       accountant's annual report, the certified capital company shall remit twenty-five  
12       percent of all distributions in excess of the amount required to produce a rate of  
13       return of ten percent to the ~~Louisiana Economic Development Fund~~ state general  
14       fund.

15               C. The calculation of internal rate of return shall include all cash  
16        distributions to equity investors out of the certified capital company's investment  
17        pool, except for tax distributions and management fees. Management fees shall not  
18        exceed two and one-half percent per annum of the total certified capital of the pool  
19        without the prior approval of the secretary. Notwithstanding any other provisions  
20        in this Chapter to the contrary, for all certified capital pools formed after December  
21        31, 2001, if a certified Louisiana capital company does not place (1) forty percent of  
22        the investment pool in qualified investments within three years after the investment  
23        date, (2) sixty percent of the investment pool in qualified investments within five  
24        years of the investment date, and (3) upon the certified Louisiana capital company's  
25        option either (a) one hundred percent of the investment pool in qualified investments  
26        within seven years of the investment date or (b) one hundred and ten percent of the  
27        investment pool in qualified investments within eight years of the investment date,  
28        then following a decertification pursuant to R.S. 51:1928(B)(3), such company shall  
29        remit to the ~~Louisiana Economic Development Fund~~ state general fund twenty-five

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

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

18 \* \* \*

19 §2211. Purpose and goals

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

26 \* \* \*

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~~ A. 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 the  
5 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~~ A.(1) The legislature may make available  
29 for 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~~



1 ~~the 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 14. 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 \* \* \*

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 15. R.S. 3:4321(C) and (D), and 4411(B) and (C), R.S. 11:544, R.S.  
21 15:147(B)(14), 167, 185.5, and 572.8(N), R.S. 17:354, 421.7, 1874, 3129.6, 3138.2, 3138.3,  
22 3138.4, and Part VI of Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950,  
23 comprised of R.S. 17:4001, R.S. 22:347(A)(1), (2), and (3), 831(B), and 835(C), (D), and  
24 (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2) and (4) and (6), and 439, R.S. 28:842, R.S.  
25 39:97.3, 98.7, Subpart G of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
26 Revised Statutes of 1950, comprised of R.S. 39:100.1, Subpart H of Part II of Chapter 1 of  
27 Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
28 39:100.11, Subpart I of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised  
29 Statutes of 1950, comprised of R.S. 39:100.21, Subpart J of Part II of Chapter 1 of Subtitle

1 I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.26,  
2 Subpart K of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes  
3 of 1950, comprised of R.S. 39:100.31, Subpart M of Part II of Chapter 1 of Subtitle I of Title  
4 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.41, Subpart N of  
5 Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950,  
6 comprised of R.S. 39:100.51, Subpart P-1 of Part II of Chapter 1 of Subtitle I of Title 39 of  
7 the Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.81, Subpart Q-1 of Part  
8 II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised  
9 of R.S. 39:100.122, Subpart Q-2 of Part II of Chapter 1 of Subtitle I of Title 39 of the  
10 Louisiana Revised Statutes of 1950, comprised of R.S. 39:100.123, Subpart R of Part II of  
11 Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of  
12 R.S. 39:100.126, Subpart R-1 of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana  
13 Revised Statutes of 1950, comprised of R.S. 39:100.136, Subpart S of Part II of Chapter 1  
14 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S.  
15 39:100.146, and R.S. 39:1357, R.S. 40:16.2, 1402, 1547, and 2845(D)(2) and (3) and (E),  
16 R.S. 46:2913, R.S. 47:301.1(F), 318, 841(G), 841.1, 841.2, 1520(A)(1)(e), 1602.1, and  
17 6351(G)(3) and (4), R.S. 49:259, and R.S. 51:2212(3), 2213, and 2315, Code of Criminal  
18 Procedure Article 926.1(K), Section 7 of Act No. 420 of the 2013 Regular Session of the  
19 Legislature, and Section 3 of Act No. 1065 of the 1997 Regular Session of the Legislature  
20 are hereby repealed in their entirety.

21 Section 16. The state treasurer is hereby authorized and directed to transfer any  
22 unencumbered balances remaining in the funds repealed and abolished in Sections 1 through  
23 15 of this Act to the state general fund after satisfying the appropriations for Fiscal Year  
24 2015-2016.

25 Section 17. This Act shall become effective on July 1, 2016.

## 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 63 Original

2016 First Extraordinary Session

Edmonds

**Abstract:** Eliminates certain dedicated funds and transfers remaining fund balances into the state general fund and eliminates certain dedications of certain 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	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	C.Cr.P. 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
Forest Protection Fund	R.S. 3:4321(C) through (D)
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 Agricultural Finance Authority Fund	R.S. 3:277, and R.S. 27:392(B)(4)
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 Emergency Response Network Fund	R.S. 40:2845(A)(6), (D)(2) and (3), and (E)
Louisiana Fire Marshal Fund	R.S. 22:835 and R.S. 40:1582(E)
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)
Louisiana State University Firemen Training Program Film Library Fund	R.S. 40:1547
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)
Pari-Mutuel Live Racing Facility Gaming Control Fund	R.S. 27:392(B)(2), and R.S. 33:9551(E)(3), 9561(E)(3), and 9571(E)(3)
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)
Telecommunications for the Deaf Fund	R.S. 47:301.1(F) and 1061
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)
Video Draw Poker Device Purse Supplement Fund	R.S. 27:439
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.

## NEW OPPORTUNITIES WAIVER FUND (R.S. 39:100.61)

Present law (R.S. 39:100.61) creates the New Opportunities Waiver Fund and provides for sources of monies in the fund including:

- (1) 12% of recurring state general fund, not to exceed \$50 million in any fiscal year, that is recognized by the Revenue Estimating Conference in excess of the official forecast at the beginning of the current fiscal year.
- (2) Any donations, gifts, grants, appropriations, or other revenue designated to the fund and received by the treasurer.

Present law (R.S. 47:120.171) provides that a state taxpayer that files an individual income tax return may donate an amount of their refund to the New Opportunities Waiver Fund.

Proposed law eliminates the recurring state general fund as a source of revenue into the fund and changes the other revenue from any donations, gifts, grants, appropriations, or other revenue to donations received from the refund of a state taxpayer as provided for in present law.

## TWO PERCENT FIRE INSURANCE FUND (R.S. 22:347)

Present law provides for the collection of a 2% tax on the amount of premiums received from any business that insures property against loss or damage by fire, as well as certain penalties on such insurers.

Present law creates the Two Percent Fire Insurance Fund (R.S. 22:347) and deposits the collections related to insurers of property against loss or damage by fire into the fund. Monies in the fund are dedicated as follows:

- (1) The state fire marshal to purchase group insurance for volunteer firefighters.
- (2) The Fire and Emergency Training Institute at Louisiana State University at Baton Rouge, including allocations to the Pine Country Education Center and Delgado Community College, for firefighter training.
- (3) Distributions to each parish governing authority according to a formula provided for in present law.

Proposed law eliminates the distributions to the state fire marshal and Fire and Emergency Training Institute at Louisiana State University.

## 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 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) Sheriff of municipalities in which video draw poker devices are operated.
- (2) An allocation to the Dept. of Public Safety and Correction 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 Correction and the Department 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), 277, 4321(B), 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. 22:347(A)(intro. para.), 835(B), and 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), 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), 100.61(B)(1), 352, and 1590(A)(2)(b) and (c) and (B)(2), R.S. 40:1582(E), 1593, and 2845(A)(6), R.S. 42:262(B), R.S. 46:977.13, R.S. 47:1061(A)(4), (B), and (C) and 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; Repeals R.S. 3:4321(C) and (D), and 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.22:347(A)(1), (2), and (3), 831(B), and 835(C), (D), and (F), R.S. 24:39, R.S. 27:92(C), 392(B)(2),(4), and (6), and 439, 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, 1402, 1547, and 2845(D)(2) and (3) and (E), R.S. 46:2913, R.S. 47:301.1(F), 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)