

2016 Regular Session

HOUSE BILL NO. 630

BY REPRESENTATIVE BACALA

TAX/GASOLINE TAX: (Constitutional Amendment) Requires a certain portion of the monies in the Transportation Trust Fund to be used on certain projects

1 A JOINT RESOLUTION

2 Proposing to amend Article VII, Section 27(B) of the Constitution of Louisiana, relative to  
3 the Transportation Trust Fund; to require a certain portion to be used exclusively for  
4 certain parish projects; to provide for submission of the proposed amendment to the  
5 electors; and to provide for related matters.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
7 elected to each house concurring, that there shall be submitted to the electors of the state of  
8 Louisiana, for their approval or rejection in the manner provided by law, a proposal to  
9 amend Article VII, Section 27(B) of the Constitution of Louisiana, to read as follows:

10 §27. Transportation Trust Fund

11 Section 27.

12 \* \* \*

13 (B) The monies in the trust fund shall be appropriated or dedicated solely  
14 and exclusively for the costs for and associated with construction and maintenance  
15 of the roads and bridges of the state and federal highway systems, the Statewide  
16 Flood-Control Program or its successor, ports, airports, transit, state police for traffic  
17 control purposes, and the Parish Transportation Fund or its successor and for the  
18 payment of all principal, interest, premium, if any, and other obligations incident to  
19 the issuance, security, and payment in respect of bonds or other obligations payable  
20 from the trust fund as authorized in Paragraph (D) hereof. Twenty-five percent of

1 the portion of excise tax revenues generated from the sale at retail of gasoline, motor  
2 fuels, and specials fuels within a parish shall be used exclusively for construction and  
3 maintenance of the roads and bridges within that parish. Unless pledged to the  
4 repayment of bonds authorized in Paragraphs (C) or (D) of this Section, the monies  
5 in the trust fund allocated to ports, airports, flood control, parish transportation, and  
6 state highway construction shall be appropriated annually by the legislature only  
7 pursuant to programs established by law which establish a system of priorities for the  
8 expenditure of such monies, except that the Transportation Infrastructure Model for  
9 Economic Development, which shall include only those projects enumerated in  
10 House Bill 17 of the 1989 First Extraordinary Session of the Legislature\* and US  
11 Highway 61 from Thompson Creek to the Mississippi Line, in lieu of "US 61-Bains  
12 to Mississippi Line", and US Highway 165 from I-10 to Alexandria to Monroe to  
13 Bastrop and thence on US Highway 425 from Bastrop to the Arkansas Line, in lieu  
14 of "US 165-I-10 Alexandria-Monroe-Bastrop-Arkansas Line" and LA 15-Natchez,  
15 Mississippi to Chase in lieu of "LA 15-Natchez, Mississippi to Monroe", shall be  
16 funded as provided by law. The state generated tax monies appropriated for ports,  
17 Parish Transportation Fund, or its successor, and the Statewide Flood-Control  
18 Program, or its successor, and state police for traffic control purposes shall not  
19 exceed twenty percent annually of the state generated tax revenues in the trust fund;  
20 provided, however, that no less than the avails of one cent of the tax on gasoline and  
21 special fuels shall be appropriated each year to the Parish Transportation Fund, or its  
22 successor. The annual appropriation for airports shall be a sum equal to, but not  
23 greater than, the annual estimated revenue to be derived from the state taxes to be  
24 collected and received on aviation fuel. Unencumbered and unexpended balances  
25 at the end of each fiscal year shall remain in the trust fund. The earnings realized in  
26 each fiscal year on the investment of monies in the trust fund shall be deposited in  
27 and credited to the trust fund.

28 \* \* \*

1 Section 2. Be it further resolved that this proposed amendment shall be submitted  
2 to the electors of the state of Louisiana at the statewide election to be held on November 8,  
3 2016.

4 Section 3. Be it further resolved that on the official ballot to be used at the election,  
5 there shall be printed a proposition, upon which the electors of the state shall be permitted  
6 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
7 follows:

8 Do you support an amendment to require twenty-five percent of revenues  
9 generated in a parish from taxes levied on gasoline, motor fuels, and special  
10 fuels to be used exclusively for road and bridge construction and  
11 maintenance in that parish? (Effective January 1, 2017) (Amends Article VII,  
12 Section 27(B))

---

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 630 Original

2016 Regular Session

Bacala

**Abstract:** Requires 25% of revenues generated in a parish from the state taxes levied on gasoline, motor fuels, and special fuels to be used exclusively for road and bridge construction and maintenance in that parish.

Present constitution establishes the Transportation Trust Fund as a special treasury fund and requires that all state taxes levied on gasoline, motor fuels, and special fuels be deposited annually into the fund. The current state excise taxes on gasoline, motor fuels, and special fuels total 20¢ per gallon. Monies in the fund are used to provide for construction and maintenance of roads and bridges of the state and federal highway systems, the Statewide Flood-Control Program, ports, airports, transit, state police for traffic control purposes, and the Parish Transportation Fund. Further, present constitution prohibits the levy of any state or local sales tax on gasoline and motor fuels.

Proposed constitution requires that 25% of the revenues generated in a parish from the state taxes levied on gasoline, motor fuels, and special fuels that are deposited into the fund be used exclusively for road and bridge construction and maintenance in that parish.

Effective Jan. 1, 2017.

Provides for submission of the proposed amendment to the voters at the statewide election to be held November 8, 2016.

(Amends Const. Art. VII, §27(B))