

2024 Regular Session

HOUSE BILL NO. 786

BY REPRESENTATIVE MCFARLAND

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

AN ACT

To amend and reenact R.S. 39:100.52(B), 100.62(B)(1)(a), and 100.121(B)(1) and R.S. 49:259(B)(1) and (C)(3), to enact R.S. 39:100.112(F)(2)(c), 100.211(D)(3), 100.251 through 100.253 and R.S. 46:122(B)(6) and to repeal R.S. 24:586, relative to certain treasury funds; to provide for the transfer, deposit, and use, as specified, of monies in certain treasury funds and accounts; to provide for an effective date; to provide for uses of the monies in the Court Modernization and Technology Fund; to provide for uses of the monies in the Louisiana Military Family Assistance Fund; to provide for retention of funds in the Water Sector Fund; to provide for deposits into the Community Options Waiver Fund; to provide for utilization of the Revenue Stabilization Trust Fund; to create the Criminal Justice and First Responder Fund; to create the Higher Education Campus Revitalization Fund; to create the Louisiana Transportation Infrastructure Fund; to provide for the withdrawal of monies from the Capital Outlay Savings Fund under certain circumstances; to provide for certain limitations and restrictions on monies in the Capital Outlay Savings Fund; to provide for collections in the Department of Justice Legal Support Fund; to repeal the Louisiana Transparency Fund; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1.(A) Notwithstanding any provision of law to the contrary, the state treasurer is hereby authorized and directed to transfer \$81,359,358 to be comprised wholly of nonrecurring revenues out of the State General Fund from the Fiscal Year 2022-2023 surplus, as recognized by the Revenue Estimating Conference, to the Budget Stabilization Fund.

1 (B) Notwithstanding any provision of law to the contrary, the state treasurer is
2 hereby authorized and directed to transfer \$15,000,000 from the State General Fund by Fees
3 and Self-generated Revenues of the Department of Insurance to the Louisiana Fortify Homes
4 Program Fund.

5 (C) Notwithstanding any provision of law to the contrary, the state treasurer is
6 hereby authorized and directed to transfer \$500,000 from the Small Business Innovation
7 Recruitment Fund to the Small Business Innovation Retention Fund.

8 (D) Notwithstanding any provision of law to the contrary, the state treasurer is
9 hereby authorized and directed to transfer \$10,000,000 from the Major Events Fund to the
10 Major Events Incentive Fund.

11 (E) Notwithstanding any provision of law to the contrary, the state treasurer is
12 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)
13 to the Voting Technology Fund.

14 (F) Notwithstanding any provision of law to the contrary, the state treasurer is
15 hereby authorized and directed to transfer \$16,000,000 from the State General Fund (Direct)
16 to the Louisiana Economic Development Fund.

17 (G) Notwithstanding any provision of law to the contrary, the state treasurer is
18 hereby authorized and directed to transfer \$500,000 from the State General Fund (Direct)
19 to the Small Business Innovation Retention Fund.

20 (H) Notwithstanding any provision of law to the contrary, the state treasurer is
21 hereby authorized and directed to transfer \$91,800,000 from the State General Fund (Direct)
22 to the Transportation Trust Fund - Regular.

23 (I) Notwithstanding any provision of law to the contrary, the state treasurer is hereby
24 authorized and directed to transfer \$7,000,000 from the State General Fund (Direct) to the
25 Louisiana State Parks Improvement and Repair Dedicated Fund Account.

26 (J) Notwithstanding any provision law to the contrary, the state treasurer is hereby
27 authorized and directed to transfer \$5,000,000 from the State General Fund (Direct) to the
28 Louisiana Agricultural Finance Authority Fund.

1 (K) Notwithstanding any law to the contrary, the state treasurer is hereby authorized
2 and directed to transfer \$8,000,000 from the State General Fund (Direct) to the Riverboat
3 Gaming Enforcement Fund.

4 (L) Notwithstanding any provision of law to the contrary, the state treasurer is
5 hereby authorized and directed to transfer any balance from the Scenic Rivers Fund to the
6 Conservation Fund.

7 (M) Notwithstanding any provision of law to the contrary, the state treasurer is
8 hereby authorized and directed to transfer any balance from the Natural Heritage Account
9 to the Conservation Fund.

10 (N) Notwithstanding any provision of law to the contrary, the state treasurer is
11 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)
12 to the Louisiana Outdoors Forever Fund.

13 (O) Notwithstanding any provision of law to the contrary, the state treasurer is
14 hereby authorized and directed to transfer \$2,900,000 from the Water Sector Fund, from the
15 State General Fund (Direct) transferred to the fund in Act 410 of the 2023 Regular Session,
16 to the Louisiana Main Street Recovery Rescue Plan Fund.

17 (P) Notwithstanding any provision of law to the contrary, the state treasurer is
18 hereby authorized and directed to transfer \$2,900,000 from the Louisiana Main Street
19 Recovery Rescue Plan Fund to the Water Sector Fund.

20 (Q) Notwithstanding any provision of law to the contrary, the state treasurer is
21 hereby authorized and directed to transfer \$112,300,000 from the State General Fund
22 (Direct) to the Capital Outlay Savings Fund.

23 (R) Notwithstanding any provision of law to the contrary, the state treasurer is
24 hereby authorized and directed to transfer \$35,800,000 from the State General Fund (Direct)
25 to the Overcollections Fund.

26 (S) Notwithstanding any provision of law to the contrary, the treasurer is hereby
27 authorized and directed to transfer \$20,000,000 from the State General Fund (Direct) to the
28 Louisiana Mega-Project Development Fund.

1 (T) Notwithstanding any provision of law to the contrary, the treasurer is hereby
 2 authorized and directed to transfer \$7,347,006 from the Louisiana Rescue Plan Fund to the
 3 Water Sector Fund.

4 (U) Notwithstanding any provision of law to the contrary, the treasurer is hereby
 5 authorized and directed to transfer \$3,500,000 from the Louisiana Transparency Fund to the
 6 State General Fund (Direct).

7 (V) Notwithstanding any provision of law to the contrary, the state treasurer is
 8 hereby authorized and directed to transfer \$100,000 from the State General Fund (Direct)
 9 to the Louisiana Military Family Assistance Fund.

10 (W) Notwithstanding any provision of law to the contrary, the treasurer is hereby
 11 authorized and directed to transfer \$1,000,000 from the State General Fund (Direct) to the
 12 Dyslexia Fund contingent upon the Act that originated as Senate Bill No. 440 of the 2024
 13 Regular Session of the Legislature becoming law.

14 (X) Notwithstanding any provision of law to the contrary, the state treasurer is
 15 hereby authorized and directed to transfer \$1,000,000 from the State General Fund (Direct)
 16 to the Postsecondary Inclusive Education Fund.

17 (Y) Notwithstanding any provision of law to the contrary, the state treasurer is
 18 hereby authorized and directed to transfer \$5,008,881 from the Events Incentive Fund to the
 19 Major Events Incentive Fund contingent upon the Act that originated as Senate Bill No. 341
 20 of the 2024 Regular Session of the Legislature becoming law.

21 (Z) Notwithstanding any law to the contrary, the state treasurer is authorized and
 22 directed to deposit into the Overcollections Fund from the revenues in the state general fund
 23 an amount equal to the amount of the State General Fund (Direct) for each line item
 24 appropriation in the Act that originated as House Bill No. 782 of the 2024 Regular Session
 25 of the Legislature that has a State General Fund (Direct) appropriation that is vetoed by the
 26 governor other than pursuant to his authority under Article IV, Section 5(G)(2) of the
 27 Constitution of Louisiana and that is not overridden by the legislature.

28 Section 2. Notwithstanding any law to the contrary, the state treasurer is authorized
 29 and directed to deposit into the Overcollections Fund from the revenues in the state general
 30 fund an amount equal to the amount of the State General Fund (Direct), for each line item

1 in the Act that originated as House Bill No. 1 of the 2024 Regular Session of the Legislature
2 that has a State General Fund (Direct) appropriation that is vetoed by the governor other than
3 pursuant to his authority under Article IV, Section 5(G)(2) of the Constitution of Louisiana
4 and that is not overridden by the legislature.

5 Section 3. R.S. 39:100.52(B) and 100.62(B)(1)(a) are hereby amended and reenacted
6 and R.S. 39:100.112(F)(2)(c), 100.211(D)(3), and 100.251 through 100.253 are hereby
7 enacted to read as follows:

8 §100.52. Water Sector Fund

9 * * *

10 B. Monies in the fund shall be invested in the same manner as monies in the
11 state general fund. Interest earned on the investment of monies in the fund shall be
12 deposited in and credited to the fund. All unexpended and unencumbered monies
13 remaining in the fund at the end of each fiscal year shall remain in the fund.

14 * * *

15 §100.62. Community Options Waiver Fund

16 * * *

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

18 (a) In any fiscal year, ~~after deposits required pursuant to R.S. 39:100.61,~~ the
19 state treasurer is directed to deposit twelve percent of the total of recurring state
20 general fund revenue as recognized by the Revenue Estimating Conference in excess
21 of the official forecast at the beginning of the current fiscal year, not to exceed fifty
22 million dollars in any fiscal year, into the fund, and monies in the fund from this
23 Subparagraph shall be used for appropriation in the ensuing fiscal year. Such
24 deposits shall not affect the deposits required pursuant to R.S. 39:100.61.

25 * * *

26 §100.112. Revenue Stabilization Trust Fund

27 * * *

28 F.

29 * * *

1 (2)

2 * * *

3 (c) Notwithstanding any provision of this Paragraph to the contrary, for
4 fiscal year 2024-2025, the minimum fund balance shall equal two billion two
5 hundred million dollars and the allowable percentage shall equal thirty-three percent.

6 * * *

7 §100.211. Court Modernization and Technology Fund

8 * * *

9 D. The Judicial Council shall administer monies in the fund as follows:

10 * * *

11 (3) To provide for statewide judicial technology projects, including the
12 following:

13 (a) Supreme Court integrated case management system.

14 (b) Centralized online judicial portal for data collection and electronic
15 payment submission.

16 * * *

17 §100.251. Criminal Justice and First Responder Fund

18 A. There is hereby established in the state treasury, as a special fund, the
19 Criminal Justice and First Responder Fund, hereinafter referred to in this Section as
20 the "fund".

21 B. Any money transferred, donated, or appropriated to the fund by the
22 legislature shall be deposited into the fund after compliance with the requirements
23 of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
24 Security and Redemption Fund.

25 C. All unexpended and unencumbered monies in the fund at the end of the
26 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
27 state treasurer in the same manner as monies in the state general fund and interest
28 earned on the investment of monies in the fund shall be credited to the fund.

1 D. The monies in the fund shall be utilized for the following:

2 (1) In the event that Senate Bill No. 431 of the 2024 Regular Session of the
 3 Legislature is enacted into law, the state treasurer shall deposit the first one hundred
 4 million dollars of monies received into the fund into the Criminal Justice Priority
 5 Fund for the purposes provided in the Act that originated as Senate Bill No. 431 of
 6 the 2024 Regular Session of the Legislature.

7 (2) The remaining monies in the fund shall be used solely for initiatives
 8 associated with criminal justice, first responders, and law enforcement.

9 §100.252. Louisiana Transportation Infrastructure Fund

10 A. There is hereby established in the state treasury, as a special fund, the
 11 Louisiana Transportation Infrastructure Fund, hereinafter referred to in this Section
 12 as the "fund".

13 B. Any money transferred, donated, or appropriated to the fund by the
 14 legislature shall be deposited into the fund after compliance with the requirements
 15 of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
 16 Security and Redemption Fund.

17 C. All unexpended and unencumbered monies in the fund at the end of the
 18 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
 19 state treasurer in the same manner as monies in the state general fund and interest
 20 earned on the investment of monies in the fund shall be credited to the fund.

21 D. The monies in the fund shall be utilized for the following:

22 (1) The amount of two hundred eighty-five million seven hundred fifteen
 23 thousand one hundred dollars shall be utilized in the Highway Priority Program.

24 (2) The amount of twenty-five million dollars shall be used for road transfer
 25 needs identified by the Department of Transportation and Development.

26 (3) The remaining monies in the fund shall be used solely for initiatives
 27 associated with transportation infrastructure and capital outlay projects.

1 §100.253. Higher Education Campus Revitalization Fund

2 A. There is hereby established in the state treasury, as a special fund, the
3 Higher Education Campus Revitalization Fund, hereinafter referred to in this Section
4 as the "fund".

5 B. Any money transferred, donated, or appropriated to the fund by the
6 legislature shall be deposited into the fund after compliance with the requirements
7 of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
8 Security and Redemption Fund.

9 C. All unexpended and unencumbered monies in the fund at the end of the
10 fiscal year shall remain in the fund. The monies in the fund shall be invested by the
11 state treasurer in the same manner as monies in the state general fund and interest
12 earned on the investment of monies in the fund shall be credited to the fund.

13 D. The monies in the fund shall be utilized for the following:

14 (1) In the event that House Bill No. 940 of the 2024 Regular Session of the
15 Legislature is enacted into law, the state treasurer shall deposit the first seventy-five
16 million dollars of monies received into the fund into the College and University
17 Deferred Maintenance and Capital Improvement Fund for the purposes provided in
18 the Act that originated as House Bill No. 940 of the 2024 Regular Session of the
19 Legislature.

20 (2) Any remaining monies in the fund shall be used solely for various
21 improvements throughout Louisiana public institutions of higher education.

22 Section 4. R.S. 46:122(B)(6) is hereby enacted to read as follows:

23 §122. Louisiana Military Family Assistance Fund

24 * * *

25 B. The money in the fund shall be used solely for the following purposes:

26 * * *

27 (6) To pay for educational benefits for children, spouses, and surviving
28 spouses of veterans in accordance with R.S. 29:288.

1 Section 5. R.S. 39:100.121(B)(1) is hereby amended and reenacted to read as
2 follows:

3 §100.121. Capital Outlay Savings Fund

4 * * *

5 B. Monies in the fund shall be used only for the following purposes:

6 (1) Providing funding for capital outlay projects; however, no withdrawals
7 shall be made from the fund pursuant to the provisions of this Paragraph except by
8 a specific appropriation made in a bill enacted by the legislature.

9 * * *

10 Section 6. R.S. 49:259(B)(1) and (C)(3) are hereby amended and reenacted to read
11 as follows:

12 §259. Department of Justice Legal Support Fund

13 * * *

14 B.(1) After satisfying the requirements of the Bond Security and Redemption
15 Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the
16 treasurer shall transfer into the fund each fiscal year from proceeds received as
17 provided in Subsection A of this Section an amount which together with the balance
18 in the fund as of each July first is sufficient to bring the balance in the fund to ~~ten~~
19 fifteen million dollars annually. Annual deposits into the fund shall not exceed a total
20 of ~~ten~~ fifteen million dollars and the balance of the fund shall not exceed ~~ten~~ fifteen
21 million dollars. Any proceeds received as provided in Subsection A of this Section,
22 after making the total annual deposit into the fund of ~~ten~~ fifteen million dollars shall
23 be deposited into the state general fund.

24 * * *

25 C.(1)

26 * * *

27 (3) Each fiscal year, monies shall be deposited into the fund in an amount
28 sufficient to bring the unencumbered balance in the fund to ~~ten~~ fifteen million
29 dollars.

30 * * *

1 Section 7. R.S. 24:586 is hereby repealed in its entirety.

2 Section 8. Notwithstanding any provision of law to the contrary, the treasurer is
3 hereby authorized and directed to transfer \$10,000,000 from the State General Fund (Direct)
4 to the Coastal Protection and Restoration Fund.

5 Section 9. In accordance with the provisions of Article VII, Section 10.15(F)(3) of
6 the Constitution of Louisiana, the Legislature of Louisiana, two-thirds of each house
7 concurring, does hereby authorize appropriation from the Revenue Stabilization Trust Fund
8 for the purpose of addressing emergency conditions across the state in Fiscal Year 2024-
9 2025.

10 Section 10.(A) This Section and Sections 1, 3, 4, and 9 of this Act shall become
11 effective upon signature by the governor or, if not signed by the governor, upon expiration
12 of the time for bills to become law without signature by the governor, as provided by Article
13 III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently
14 approved by the legislature, this Section and Sections 1, 3, 4, and 9 of this Act shall become
15 effective on the day following such approval.

16 (B) Sections 2, 7, and 8 of this Act shall become effective on July 1, 2024; if vetoed
17 by the governor and subsequently approved by the legislature, Sections 2, 7, and 8 of this
18 Act shall become effective on July 1, 2024, or on the day following such approval by the
19 legislature, whichever is later.

20 (C) Section 5 of this Act shall become effective on January 1, 2025.

21 (D) Section 6 of this Act shall become effective on July 1, 2025.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____