

2020 Second Extraordinary Session

SENATE BILL NO. 37

BY SENATOR WHITE

CAPITAL OUTLAY. To provide relative to the capital outlay process. (gov sig) (Item #15)

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AN ACT

To enact R.S. 48:58, relative to the duties of the secretary of the Department of Transportation and Development; to provide that the secretary shall begin construction immediately and expeditiously after funding is made available for a project in the capital outlay act; to provide relative to public statements and notices of delay in construction; to provide for an effective date; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 48:58 is hereby enacted to read as follows:

**§58. Duties of the secretary; commencement of work; notice of delays**

**Upon funds becoming available for a department project in the capital outlay act, the secretary shall cause the work described in the contract to be commenced immediately and expeditiously. If a project cannot be commenced within the fiscal year for which it is planned to commence, the secretary shall file with the project records a public statement as to the factors causing the delay. The secretary shall send a copy of the public statement regarding the cause of the delay and notice when the delaying factors have been overcome**

1           semi-annually, to the Joint Legislative Committee on Capital Outlay and to each  
 2           senator and representative in whose district the project is located. When the  
 3           cause of the delay has been cured, the secretary shall commence work on the  
 4           project immediately and expeditiously.

5           Section 2. This Act shall become effective upon signature by the governor or, if not  
 6           signed by the governor, upon expiration of the time for bills to become law without signature  
 7           by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
 8           vetoed by the governor and subsequently approved by the legislature, this Act shall become  
 9           effective on the day following such approval.

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The original instrument and the following digest, which constitutes no part  
 of the legislative instrument, were prepared by Martha S. Hess.

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#### DIGEST

SB 37 Engrossed

2020 Second Extraordinary Session

White

Proposed law provides that upon funds becoming available for a Dept. of Transportation and Development project in the capital outlay act, the secretary shall cause the work described in the contract to be commenced immediately and expeditiously.

Proposed law provides that if a project cannot be commenced within the fiscal year for which it is planned to commence, the secretary shall file with the project records a public statement as to the factors causing the delay. The secretary shall send a copy of the public statement regarding the cause of the delay and notice when the delaying factors have been overcome semi-annually, to the Joint Legislative Committee on Capital Outlay and to each senator and representative in whose district the project is located. Further provides that when the cause of the delay has been cured, the secretary shall commence work on the project immediately and expeditiously.

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

(Adds R.S. 48:58)

#### Summary of Amendments Adopted by Senate

##### Committee Amendments Proposed by Senate Committee on Finance to the original bill

1. Provides that if a project cannot be commenced within the fiscal year for which it is planned to commence, the secretary shall file with the project records a public statement as to the factors causing the delay.
2. Requires the secretary to send a copy of the public statement regarding the cause of the delay and notice when the delaying factors have been overcome, semi-annually, to the Joint Legislative Committee on Capital Outlay and to each senator and representative in whose district the project is located.
3. Provides that when the cause of the delay has been cured, the secretary shall commence work on the project immediately and expeditiously.