

Second Extraordinary Session, 2008

HOUSE BILL NO. 4

BY REPRESENTATIVES TUCKER, FANNIN, HUTTER, DOWNS, ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BARROW, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOVE, EDWARDS, ELLINGTON, FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE, ELBERT GUILLORY, MICKEY GUILLORY, GUINN, HARRISON, HAZEL, HENRY, HINES, HOFFMANN, HOWARD, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, NORTON, NOWLIN, PEARSON, PERRY, PETERSON, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, WADDELL, WHITE, WILLIAMS, WILLMOTT, AND WOOTON AND SENATOR WALSWORTH

FUNDS/FUNDING: Provides for the dedication of certain revenues to transportation (Item #6)

1 AN ACT

2 To amend and reenact R.S. 47:481 and R.S. 48:196(A), and to enact R.S. 48:77, relative to

3 the dedication of revenues to transportation related matters; to provide for the deposit

4 into and allowable uses thereof of certain monies in the Transportation Trust Fund,

5 the Transportation Mobility Fund, and the State Highway Improvement Fund; to

6 provide for an effective date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 47:481 is hereby amended and reenacted to read as follows:

9 §481. Disposition of collections

10 Except as provided in R.S. 47:480, all fees and taxes provided for in this

11 Chapter, including the permit fees, shall be paid to the state treasurer on or before the

12 tenth day of each month following their collection and shall be credited to the

1 account of the state general fund, the Transportation Trust Fund, the State Highway  
2 Improvement Fund, and ~~the~~ state highway fund No. 2, as provided by law.

3 Section 2. R.S. 48:196(A) is hereby amended and reenacted and R.S. 48:77 is hereby  
4 enacted to read as follows:

5 §77. Transportation Trust Fund; dedication and uses of certain monies for  
6 transportation purposes

7 A. Beginning July 1, 2008, from the avails of the tax imposed by Chapters  
8 2, 2-A, and 2-B of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950  
9 from the sale, use, lease or rental, the distribution, the consumption, and the storage  
10 for use or consumption of motor vehicles which are taxable pursuant to said Chapters  
11 2, 2-A, and 2-B, and after satisfying the requirements of Article VII, Section 9(B) of  
12 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,  
13 the treasurer shall deposit the following amounts as provided in Subsection B of this  
14 Section:

15 (1) For Fiscal Year 2008-2009, ten percent of such avails.

16 (2) For Fiscal Year 2009-2010, twenty percent of such avails.

17 (3) For Fiscal Year 2010-2011, thirty percent of such avails.

18 (4) For Fiscal Year 2011-2012, fifty percent of such avails.

19 (5) For Fiscal Year 2012-2013, seventy-five percent of such avails.

20 (6) For Fiscal Year 2013-2014, eighty-five percent of such avails.

21 (7) For Fiscal Year 2014-2015 and thereafter, all of the collections.

22 B. The avails of the taxes dedicated pursuant to Subsection A of this Section  
23 shall be deposited into the following for the purposes specified:

24 (1) Ninety-three percent to the Transportation Trust Fund to be appropriated  
25 and expended as follows:

26 (a) Not less than thirty percent of the total avails deposited in the  
27 Transportation Trust Fund pursuant to Subsection A of this Section shall be  
28 dedicated to capacity projects.





- (2) 7% of the total avails deposited in the TTF shall be used for port priority projects as provided in present law.
- (3) The remainder (93%) of the total avails deposited in the TTF shall be used exclusively for priority projects as provided by present law.

Proposed law provides for a reduction in accordance with present constitution in the deposits required under proposed law if a deficit for the current fiscal year is projected due to a decrease in the official forecast of the Revenue Estimating Conference.

Present law creates the State Highway Improvement Fund in the state treasury. Provides that the source of the monies shall be registration and license fees and taxes on trucks and trailers collected. Provides that, after making allocation for state highway fund No. 2, a percentage of the monies be deposited in the State Highway Improvement Fund as follows:

- (1) For FY 2007-2008, 25% of collections.
- (2) For FY 2008-2009, 50% of collections.
- (3) For FY 2009-2010, 75% of collection.
- (4) For FY 2010-2011 and thereafter, 100% of collections.

Proposed law provides that for FY 2008-2009, 75% of collections shall be deposited in the State Highway Improvement Fund and for FY 2009-2010 and thereafter, 100% of collections shall be deposited in said fund.

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

(Amends R.S. 47:481 and R.S. 48:196(A); Adds R.S. 48:77)

#### Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Appropriations to the original bill.

- 1. Changes provisions related to reducing deposits in the event the Revenue Estimating Conference projects a deficit. Deletes provisions reducing the amount deposited into the TTF and the Transportation Mobility Fund by the amount of any projected deficit within a fiscal year, net of an authorized appropriation from the Budget Stabilization Fund, and instead requires the treasurer to adjust the deposits in accordance with present constitution in the event of a projected deficit.

#### Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

- 1. Specifies that deposits in the Transportation Mobility Fund shall be used exclusively for design and construction and shall not be used for studies.