

SENATE BILL NO. 11

BY SENATORS MICHOT, ALARIO, CHEEK, DONAHUE, DUPRE, N. GAUTREAUX, JACKSON, LONG, MURRAY, SCALISE, SMITH AND WALSWORTH AND REPRESENTATIVES ABRAMSON, ANDERS, ARMES, ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BURFORD, HENRY BURNS, TIM BURNS, CARMODY, CARTER, CHAMPAGNE, CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN, FOIL, GALLOT, GEYMANN, GISCLAIR, GREENE, MICKEY GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD JACKSON, JOHNSON, KATZ, KLECKLEY, LABRUZZO, LAMBERT, LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS, MONICA, MONTOUCET, MORRELL, MORRIS, PEARSON, PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, TALBOT, TEMPLET, TRAHAN, TUCKER, WADDELL, WHITE, WILLIAMS AND WILLMOTT

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

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

1 **§77. Transportation Trust Fund; dedication and uses of certain monies for**
2 **transportation purposes**

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

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

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

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

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

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

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

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

18 **B. The avails of the taxes dedicated pursuant to Subsection A of this**
19 **Section shall be deposited for the purposes specified:**

20 **(1) Ninety-three percent to the Transportation Trust Fund to be**
21 **appropriated and expended as follows:**

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

25 **(b) Seven percent of the total avails deposited in the Transportation**
26 **Trust Fund pursuant to Subsection A of this Section shall be used exclusively**
27 **for port priority projects as provided in Chapter 47 of Title 34 (R.S. 34:3451**
28 **through 3463).**

29 **(c) The remainder of the total avails deposited in the Transportation**
30 **Trust Fund pursuant to Subsection A of this Section shall be used exclusively**

1 for priority projects.

2 (2) Seven percent to the Transportation Mobility Fund. Unless otherwise
3 approved by the Louisiana Transportation Authority, the avails deposited in the
4 Transportation Mobility Fund pursuant to Subsection A of this Section shall be
5 used exclusively for final design and construction and shall not be used for
6 studies.

7 C.(1) Notwithstanding any provision of this Section to the contrary, if
8 a deficit for the current fiscal year is projected due to a decrease in the official
9 forecast of the Revenue Estimating Conference, the treasurer is hereby directed
10 to reduce the deposits required by this Section by an amount equal to the
11 amount of the projected deficit less the amount which is authorized to be
12 appropriated from the Budget Stabilization Fund as provided in Article VII,
13 Section 10.3(C)(2) of the Constitution of Louisiana. Deposits to the fund shall
14 be reduced as provided in this Subsection until such time as the official forecast
15 of the Revenue Estimating Conference equals or exceeds the official forecast in
16 effect prior to the projected deficit, at which time the reduction shall cease.

17 (2) Any reduction in deposits for any fiscal year made pursuant to this
18 Section shall be made on a pro rata basis for all purposes as provided in
19 Subsection B of this Section.

20 * * *

21 §196. State Highway Improvement Fund

22 A. There is hereby created, as a special fund in the state treasury, the State
23 Highway Improvement Fund, hereinafter referred to as the "fund." The source of
24 monies in this fund shall be registration and license fees and taxes on trucks and
25 trailers collected by the state pursuant to R.S. 47:462, and as provided in R.S.
26 47:481. Beginning July 1, 2007, and each fiscal year thereafter, after compliance
27 with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana,
28 and after making the allocation for state highway fund No. 2, the treasurer shall
29 deposit into the fund the following amounts:

30 (1) For Fiscal Year 2007-2008, twenty-five percent of such collections.

1 (2) For Fiscal Year 2008-2009, ~~fifty~~ **seventy-five** percent of such collections.

2 (3) ~~For Fiscal Year 2009-2010, seventy-five percent of such collections.~~

3 (~~4~~) For Fiscal Year ~~2010-2011~~ **2009-2010** and thereafter, all of the
4 collections.

5 * * *

6 Section 3. This Act shall become effective upon signature by the governor or, if not
7 signed by the governor, upon expiration of the time for bills to become law without signature
8 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
9 vetoed by the governor and subsequently approved by the legislature, this Act shall become
10 effective on the day following such approval.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____