

2025 Regular Session

HOUSE BILL NO.

BY

FUNDS/FUNDING: (Constitutional Amendment) Revises Article VII of the Constitution of Louisiana

1 A JOINT RESOLUTION

2 Proposing to amend Article VII of the Constitution of Louisiana, relative to revenue and
3 finance; to provide with respect to the legislature's power to tax and power to enact
4 laws relative to revenue and finance; to provide relative to political subdivisions'
5 power to tax; to provide relative to fees and fines; to authorized taxes; to debt; to
6 bonds; to budgets; to applicability; to certain boards, commissions, and conferences;
7 to state funds; to the expenditure of state funds; to appropriations; to deficits; to
8 receipts and expenditures of state money; to certain funds, subfunds, and trusts in the
9 state treasury; to reports and records; to investment of monies; to things of value;
10 to cooperative endeavor agreements; to limitations on the legislature's power; to tax
11 exemptions, exclusions, deductions, reductions, and credits; to the impairment of
12 taxes or obligations; to payments to certain political subdivisions; to millages; to tax
13 assessors; to unclaimed property; to tax sales; and to liens and privileges; to require
14 transfer of certain assets to the Teachers' Retirement System of Louisiana; to provide
15 with respect to the authority of the Teachers' Retirement System of Louisiana
16 regarding calculation of system liabilities and required funding; to require certain
17 political subdivisions to provide a salary increase for certain personnel; to provide
18 for submission of the proposed amendment to the electors; and to provide for related
19 matters.

1 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members
2 elected to each house concurring, that there shall be submitted to the electors of the state of
3 Louisiana, for their approval or rejection in the manner provided by law, a proposal to
4 amend Article VII, Sections 1 through 10.1, 10.2(A) through (D), (E)(2) and (3), and (F),
5 and 10.3 through 28 and to enact Article VII, Sections 29 through 38 of the Constitution of
6 Louisiana, to read as follows:

7 ARTICLE VII. REVENUE AND FINANCE

8 PART I. GENERAL PROVISIONS

9 §1. Power to Tax; Public Purpose

10 Section 1.(A) Except as otherwise provided by this constitution, the power
11 of taxation shall be vested in the legislature, shall never be surrendered, suspended,
12 or contracted away, and shall be exercised for public purposes only.

13 (B) The power to tax ~~may~~ shall not be exercised by any court in the state,
14 either by ordering the levy of a tax, an increase in an existing tax, or the repeal of an
15 existing tax exemption or by ordering the legislature or any municipal or parish
16 governing authority or any other political subdivision or governmental entity to do
17 so.

18 §2. Power to Tax; Limitation

19 Section 2. The levy of a new tax, an increase in an existing tax, the
20 enactment or expansion of an exemption, exclusion, credit, rebate, payment in lieu
21 of taxes, incentive, or other treatment that reduces or eliminates a tax burden, or a
22 repeal of an existing tax exemption shall require the enactment of a law by two-thirds
23 of the elected members of each house of the legislature.

24 ~~§2.1.~~ §3. Fees and Civil Fines; Limitation

25 ~~Section 2.1.~~ Section 3.(A) Any new fee or civil fine or increase in an existing
26 fee or civil fine imposed or assessed by the state or any board, department, or agency
27 of the state shall require the enactment of a law by a two-thirds ~~vote~~ of the elected
28 members of each house of the legislature.

1 (B) The provisions of this Section shall not apply to any department which
2 is constitutionally created and headed by an officer who is elected by majority vote
3 of the electorate of the state.

4 ~~§2.2. Power to Tax, Sales and Use~~ §4. Tax; Limitation

5 ~~Section 2.2.~~ Section 4.(A) ~~Effective January 1, 2003, the sales and use tax~~
6 ~~rate imposed by the state of Louisiana or by a political subdivision whose boundaries~~
7 ~~are coterminous with those of the state shall not exceed two percent of the price of~~
8 ~~the following items:~~

9 (1) ~~Food for home consumption, as defined in R.S. 47:305(D)(1)(n) through~~
10 ~~(r) on January 1, 2003.~~

11 (2) ~~Natural gas, electricity, and water sold directly to the consumer for~~
12 ~~residential use.~~

13 (3) ~~Prescription drugs.~~

14 (B) ~~Effective July 1, 2003, the~~ The sales and use tax imposed by the state of
15 Louisiana or by a political subdivision whose boundaries are coterminous with those
16 of the state shall not apply to sales or purchases of the following items:

17 (1) Food for home consumption, as ~~defined~~ provided in R.S. 47:305(D)(1)(n)
18 ~~through (r) on January 1, 2003.~~

19 (2)(i) Natural gas, electricity, and water sold directly to the consumer for
20 residential use.

21 (3) ~~Prescription drugs.~~

22 (C) (ii) ~~As used in this Section, Subparagraph,~~ the term "sold directly to the
23 consumer for residential use" includes the furnishing of natural gas, electricity, or
24 water to single private residences, including the separate private units of apartment
25 houses and other multiple dwellings, actually used for residential purposes, which
26 residences are separately metered or measured, regardless of the fact that a person
27 other than the resident is contractually bound to the supplier for the charges, actually
28 pays the charges, or is billed for the charges. The use of electricity, natural gas, or
29 water in hotel or motel units does not constitute residential use.

1 B. The sales and use tax imposed by the state of Louisiana or by a political
2 subdivision shall not apply to sales or purchases of prescription drugs. No ad
3 valorem tax shall be imposed by the state of Louisiana or by a political subdivision
4 on prescription drugs.

5 D. Notwithstanding the provisions of Article VI, Section 29, of this
6 constitution, a political subdivision may levy a tax upon any sale at retail, use, lease,
7 rental, consumption, or storage as provided by law.

8 ~~§2.3. §5. Power to Tax; Limitation; Sale or Transfer of Immovable Property~~
9 Limitations

10 ~~Section 2.3. Section 5.(A)~~ Section 5.(A) A political subdivision of the state shall not levy
11 a severance tax, income tax, inheritance tax, or tax on motor fuel.

12 (B) Effective January 1, 2026, no new sales and use tax exemption,
13 exclusion, credit, rebate, or refund shall be enacted unless the proposed exemption,
14 exclusion, credit, rebate, or refund is applicable to both sales and use taxes levied by
15 the state and those levied by political subdivisions.

16 (C) No new tax or fee upon the sale or transfer of immovable property,
17 including documentary transaction taxes or fees, or any other tax or fee, shall be
18 levied by the state of Louisiana, by a political subdivision whose boundaries are
19 coterminous with those of the state, or by a political subdivision, as defined in
20 Article VI, Section 44(2) of this constitution ~~after November 30, 2011.~~ A
21 documentary transaction is any transaction pursuant to any instrument, act, writing,
22 or document which transfers or conveys immovable property. Fees for the cost of
23 recordation, filing, or maintenance of documents, or records effectuating the sale or
24 transfer of immovable property, impact fees for development of property, annual
25 parcel fees, and ad valorem taxes shall not be considered taxes or fees upon the sale
26 or transfer of immovable property.

27 ~~§3. §6.~~ Collection of Taxes

1 ~~Section 3.~~ Section 6.(A) The legislature shall prohibit the issuance of process
2 to restrain the collection of any tax. It shall provide a complete and adequate remedy
3 for the prompt recovery of an illegal tax paid by a taxpayer.

4 (B)(1) Notwithstanding any contrary provision of this constitution, sales and
5 use taxes levied by political subdivisions shall be collected by a single collector for
6 each parish. ~~On or before July 1, 1992, all~~ All political subdivisions within each
7 parish which levy a sales and use tax shall agree between and among themselves to
8 provide for the collection of such taxes by a single collector or a central collection
9 commission. The legislature, by general law, shall provide for the collection of sales
10 and use taxes, levied by political subdivisions, by a central collection commission
11 in those parishes where a single collector or a central collection commission has not
12 been established ~~by July 1, 1992.~~

13 (2) The legislature, by local law enacted by two-thirds of the elected
14 members of each house of the legislature, may establish an alternate method of
15 providing for a single collector or a central collection commission in each parish.

16 (3) Except when authorized by the unanimous agreement of all political
17 subdivisions levying a sales and use tax within a parish, only those political
18 subdivisions levying a sales and use tax shall be authorized to act as the single
19 collector or participate on any commission established for the collection of such
20 taxes.

21 (4) The legislature shall provide for the prompt remittance to the political
22 subdivisions identified on the taxpayers' returns of funds collected pursuant to the
23 provisions of this Paragraph by a single collector or under any other centralized
24 collection arrangement.

25 (5) ~~The provisions of this Paragraph shall not apply in those parishes which~~
26 ~~have a single collector or a centralized collection arrangement as of July 1, 1992.~~ If
27 the Department of Revenue or its successor becomes the central, single sales and use
28 tax collector, the revenues it collects on behalf of a taxing authority shall be held in
29 trust and shall not be commingled with state monies nor be considered state money

1 or state funds for purposes of Section 13 of this Article. The tax monies collected
2 shall be the property of the taxing authority which imposed the tax.

3 ~~§4.~~ §7. ~~Income Tax, Severance Tax, Political Subdivisions Tax~~

4 ~~Section 4.(A) Income Tax.~~ Section 7. Equal and uniform taxes may be
5 levied on net incomes, and these taxes may be graduated according to the amount of
6 ~~net income.~~ incomes. However, the maximum state individual rate shall not exceed
7 four and three-quarters percent for tax years beginning after December 31, 2021.
8 ~~Federal income taxes paid may be allowed as a deductible item in computing state~~
9 ~~income taxes for the same period as provided by law.~~ For tax years beginning after
10 December 31, 2025, persons sixty-five years of age or older shall be entitled to a
11 standard deduction equal to twice the applicable amount provided for in R.S. 47:294.

12 §8. Severance Tax

13 ~~(B) Severance Tax. (1) Section 8.(A)~~ Taxes may be levied by the state on
14 natural resources severed from the soil or water, to be paid proportionately by the
15 owners thereof at the time of severance. ~~Natural resources may be classified for the~~
16 ~~purpose of taxation. Such taxes may be predicated upon either the quantity or value~~
17 ~~of the products at the time and place of severance. No further or additional tax or~~
18 ~~license shall be levied or imposed upon oil, gas, or sulphur leases or rights. No~~
19 ~~additional value shall be added to the assessment of land by reason of the presence~~
20 ~~of oil, gas, or sulphur therein or their production therefrom. However, sulphur in~~
21 ~~place shall be assessed for ad valorem taxation to the person, firm, or corporation~~
22 ~~having the right to mine or produce the same in the parish where located, at no more~~
23 ~~than twice the total assessed value of the physical property subject to taxation,~~
24 ~~excluding the assessed value of sulphur above ground, as is used in sulphur~~
25 ~~operations in such parish. Likewise, the severance tax shall be the only tax on~~
26 ~~timber; however, standing timber shall be liable equally with the land on which it~~
27 ~~stands for ad valorem taxes levied on the land.~~

28 (2) Notwithstanding the provisions of Subparagraph (1) of this Paragraph,
29 ~~the presence of oil or gas or the production thereof, may be included in the~~

1 methodology to determine the fair market value of an oil or gas well for ad valorem
2 taxes.

3 ~~(C) Political Subdivisions, Prohibitions. A political subdivision of the state~~
4 ~~shall not levy a severance tax, income tax, inheritance tax, or tax on motor fuel.~~

5 ~~(D)(1) Severance Tax Allocation. (B) One-third of the sulphur severance~~
6 ~~tax, but not to exceed one hundred thousand dollars; one-third of the lignite~~
7 ~~severance tax, but not to exceed one hundred thousand dollars; one-fifth of the~~
8 ~~severance tax on all natural resources, other than sulphur, lignite, or timber, but not~~
9 ~~to exceed five hundred thousand dollars; and three-fourths of the timber severance~~
10 ~~tax shall be remitted to the governing authority of the parish in which severance or~~
11 ~~production occurs. The allocation provided for in this Paragraph may be subject to~~
12 ~~limitations as provided by law.~~

13 ~~(2) Effective July 1, 1999, one-third of the sulphur severance tax, but not to~~
14 ~~exceed one hundred thousand dollars; one-third of the lignite severance tax, but not~~
15 ~~to exceed one hundred thousand dollars; one-fifth of the severance tax on all natural~~
16 ~~resources, other than sulphur, lignite, or timber, but not to exceed seven hundred fifty~~
17 ~~thousand dollars; and three-fourths of the timber severance tax shall be remitted to~~
18 ~~the governing authority of the parish in which severance or production occurs.~~

19 ~~(3) Effective July 1, 2007, one-fifth of the severance tax on all natural~~
20 ~~resources other than sulphur, lignite, or timber shall be remitted to the governing~~
21 ~~authority of the parish in which severance or production occurs. The initial~~
22 ~~maximum amount remitted to the parish in which severance or production occurs~~
23 ~~shall not exceed eight hundred fifty thousand dollars. The maximum amount~~
24 ~~remitted shall be increased each July first, beginning in 2008, by an amount equal to~~
25 ~~the average annual increase in the Consumer Price Index for all urban consumers, as~~
26 ~~published by the United States Department of Labor, for the previous calendar year,~~
27 ~~as calculated and adopted by the Revenue Estimating Conference.~~

28 ~~(4) Effective April 1, 2012, the provisions of this Subparagraph shall be~~
29 ~~implemented if and when the last official forecast of revenues adopted for a fiscal~~

1 year before the start of that fiscal year contains an estimate of severance tax revenues
2 derived from natural resources other than sulphur, lignite, or timber in an amount
3 which exceeds the actual severance tax revenues from such natural resources
4 collected in Fiscal Year 2008-2009. Upon the adoption of such official forecast, the
5 Revenue Estimating Conference shall certify that the requirements for the
6 implementation of the provisions contained in this Subparagraph have been met. In
7 such event, the following distributions and allocations of severance tax revenues and
8 other revenues provided in this Subparagraph shall be effective and implemented for
9 the fiscal year for which the official forecast was adopted, and each year thereafter.
10 The legislature shall provide by law for the administrative procedures necessary to
11 change the severance tax allocation to parishes from a calendar year basis to a fiscal
12 year basis:

13 (a) Remittance to parishes:

14 (i) In the first fiscal year of implementation of this Subparagraph, the
15 maximum amount of severance tax on all natural resources other than sulphur,
16 lignite, or timber which is remitted to the parish in which severance or production
17 occurs shall not exceed one million eight hundred fifty thousand dollars. For all
18 subsequent fiscal years, the maximum amount remitted to a parish shall not exceed
19 two million eight hundred fifty thousand dollars:

20 (ii) On July first of each year the maximum amount remitted to the parish in
21 which severance or production occurs, as provided in Item (i) of this
22 Subsubparagraph, shall be increased by an amount equal to the average annual
23 increase in the Consumer Price Index for all urban consumers for the previous
24 calendar year, as published by the United States Department of Labor, which amount
25 shall be as calculated and adopted by the Revenue Estimating Conference:

26 (iii) Of the total amount of severance tax revenues remitted in a fiscal year
27 to a parish governing authority pursuant to the provisions of this Subparagraph, any
28 portion which is in excess of the amount of such tax revenues remitted to that parish
29 in Fiscal Year 2011-2012 shall be known as "excess severance tax". At least fifty

1 percent of the ~~excess severance tax received by a parish governing authority in a~~
2 ~~fiscal year shall be expended within the parish in the same manner and for the same~~
3 ~~purposes as monies received by the parish from the Parish Transportation Fund.~~

4 (E) (C) ~~Royalties Allocation.~~ One-tenth of the royalties from mineral leases
5 on state-owned ~~land~~, land and lake and river beds and other water bottoms belonging
6 to the state or the title to which is in the public for mineral development shall be
7 remitted to the governing authority of the parish in which severance or production
8 occurs. A parish governing authority may fund these royalties into general
9 obligation bonds of the parish in accordance with law. The provisions of this
10 Paragraph shall not apply to properties comprising the Russell Sage Wildlife and
11 Game Refuge.

12 ~~§4.1. Cigarette Tax Rates~~

13 ~~Section 4.1. To ensure revenue for the dedication provided for in Article VII,~~
14 ~~Section 10.8(C)(2)(c) of this constitution, the rate of the tax levied pursuant to R.S.~~
15 ~~47:841(B)(3) shall not be less than the rate set forth in that provision as it exists on~~
16 ~~January 1, 2012.~~

17 ~~§5. §9.~~ §9. Motor Vehicle License Tax

18 ~~Section 5. Section 9.~~ The legislature shall impose an annual license tax of not
19 more than one dollar per each one thousand dollars of actual value on automobiles
20 for private use based on the actual value of the vehicle, as provided by law.
21 However, the annual license tax shall not be less than ten dollars per automobile for
22 private use. On other motor vehicles, the legislature shall impose an annual license
23 tax based upon carrying capacity, horsepower, value, weight, or any of these. After
24 satisfying the requirements of Section 9(B) of this Article, and after satisfying
25 pledges respecting that portion of the revenues attributable to the tax rates in effect
26 at the time of such pledges for the payment of obligations for bonds or other
27 evidences of indebtedness and upon the creation of a Transportation Trust Fund
28 within this constitution, the revenues from the license tax on automobiles for private
29 use shall be deposited therein. In the event no such trust fund is established in this

1 constitution, the revenues shall be used exclusively and solely as provided by law for
2 the construction, maintenance, and safety of the federal and state system of roads and
3 bridges, for the parish and municipal road systems, for the operations of the office
4 of state police, Department of Public Safety and Corrections or its successor, and for
5 the payment of any obligation for bonds issued or indebtedness incurred in
6 connection with any of the foregoing, which bonds may be issued as revenue bonds
7 under Article VII, Section 6(C) of this constitution, subject to existing pledges only
8 as to that portion of the tax collections attributable to the rates in effect at the time
9 of such pledges for the payment of any obligations for bonds or other evidences of
10 indebtedness outstanding on the effective date of this Section. No parish or
11 municipality may Only the state may impose a license fee on motor vehicles.

12 ~~§6.~~ §10. State Debt; Full Faith and Credit Obligations

13 ~~Section 6.~~ Section 10.(A) Authorization. Unless otherwise authorized by
14 this constitution, the state shall have no power, directly or indirectly, or through any
15 state board, agency, commission, or otherwise, to incur debt or issue bonds except
16 by law enacted by two-thirds of the elected members of each house of the legislature.
17 The debt may be incurred or the bonds issued only if the funds are to be used to repel
18 invasion; suppress insurrection; provide relief from natural catastrophes; refund
19 outstanding indebtedness at the same or a lower effective interest rate; or make
20 capital improvements, but only in accordance with a comprehensive capital budget,
21 which the legislature shall adopt.

22 (B) Capital Improvements. (1) If the purpose is to make capital
23 improvements, the nature and location and, if more than one project, the amount
24 allocated to each and the order of priority shall be stated in the comprehensive
25 capital budget which the legislature adopts.

26 (2) The estimated amount of debt service to be paid for capital improvements
27 for the next fiscal year shall be stated as a separate item and by budget unit in the
28 budget estimate required to be submitted by the governor in accordance with ~~Section~~
29 ~~††~~ Section 21 of this Article.

1 (C) Full Faith and Credit. The full faith and credit of the state shall be
2 pledged to the repayment of all bonds or other evidences of indebtedness issued by
3 the state directly or through any state board, agency, or commission pursuant to the
4 provisions of Paragraphs (A) and (B) ~~hereof.~~ of this Section. The full faith and credit
5 of the state is not hereby pledged to the repayment of bonds of a levee district,
6 political subdivision, or local public agency. In addition, any state board, agency,
7 or commission authorized by law to issue bonds, in the manner so authorized and
8 with the approval of the State Bond Commission or its successor, may issue bonds
9 which are payable from fees, rates, rentals, tolls, charges, grants, or other receipts or
10 income derived by or in connection with an undertaking, facility, project, or any
11 combination thereof, without a pledge of the full faith and credit of the state. Such
12 revenue bonds may, but are not required to, be issued in accordance with the
13 provisions of Paragraphs (A) and (B) ~~hereof.~~ of this Section. If issued other than as
14 provided in Paragraphs (A) and (B), such revenue bonds shall not carry the pledge
15 of the full faith and credit of the state and the issuance of the bonds shall not
16 constitute the incurring of state debt under this constitution. The rights granted to
17 deep-water port commissions or deep-water port, harbor, and terminal districts under
18 this constitution shall not be impaired by this Section.

19 (D) Referendum. The legislature, by law enacted by two-thirds of the
20 elected members of each house, may propose a statewide public referendum to
21 authorize incurrence of debt for any purpose for which the legislature is not herein
22 authorized to incur debt.

23 (E) Exception. Nothing in this Section shall apply to any levee district,
24 political subdivision, or local public agency unless the full faith and credit of the
25 state is pledged to the payment of the bonds of the levee district, political
26 subdivision, or local public agency.

27 (F) Limitation. (1) The legislature shall provide for the determination of a
28 limit to the amount of net state tax supported debt which may be issued by the state
29 in any fiscal year. Net state tax supported debt shall be defined by law. When

1 enacted, such definition shall not be changed except by specific legislative
2 instrument which receives a favorable vote of two-thirds of the elected members of
3 each house of the legislature. The limitation shall be established so that ~~by Fiscal~~
4 ~~Year 2003-2004 and thereafter~~ the amount necessary to service outstanding net state
5 tax supported debt shall not exceed six percent of the estimate of money to be
6 received by the state general fund and dedicated funds contained in the official
7 forecast adopted by the Revenue Estimating Conference at its first meeting after the
8 beginning of each fiscal year and any other money required to be included in the
9 estimate by this Paragraph. In making such estimate, the conference shall include
10 all amounts which are to be used to service net state tax supported debt. For
11 purposes of this Paragraph, servicing outstanding net state tax supported debt
12 includes payments of principal, interest, and sinking fund requirements. The
13 limitation established pursuant to this Paragraph shall not be construed to prevent the
14 payment of debt service on net state tax supported debt.

15 (2) The limitation established pursuant to this Paragraph may be changed by
16 passage of a specific legislative instrument by a favorable vote of two-thirds of the
17 elected members of each house of the legislature. The limitation may be exceeded
18 by passage of a specific legislative instrument for a project or related projects by a
19 favorable vote of two-thirds of the elected members of each house of the legislature,
20 provided that any debt service payment required for ~~such~~ the projects shall, once
21 bonds have been issued in connection therewith, not be impaired in any future year
22 by application of this limitation. The limitation established pursuant to this
23 Subparagraph shall be deemed to be increased as necessary to accommodate any
24 projects approved to exceed this limit if approved as provided in this Paragraph, but
25 only as long as there are bonds outstanding for the projects.

26 (3) Except as provided in Subparagraph (2) of this Paragraph, the State Bond
27 Commission shall not approve the issuance of any net state tax supported debt, the
28 debt service requirement of which would cause the limit herein established to be
29 exceeded.

1 ~~§7. §11.~~ State Debt; Interim Emergency Board Board; Composition; Powers

2 ~~Section 7.~~ Section 11.(A) Composition. The Interim Emergency Board is
3 created. It shall be composed of the governor, lieutenant governor, state treasurer,
4 presiding officer of each house of the legislature, chairman of the Senate Finance
5 Committee, and chairman of the House Appropriations Committee, or their
6 designees.

7 (B) Powers. (1) Between sessions of the legislature, when the board by
8 majority vote determines that an emergency or impending flood emergency exists,
9 it may appropriate from the state general fund or borrow on the full faith and credit
10 of the state an amount to meet the emergency. The appropriation may be made or
11 the indebtedness incurred only for a purpose for which the legislature may
12 appropriate funds and then only after the board obtains, as provided by law, the
13 written consent of two-thirds of the elected members of each house of the legislature.

14 (2) For the purposes of this Paragraph, an emergency is an event or
15 occurrence not reasonably anticipated by the legislature and an impending flood
16 emergency shall be an anticipated situation which endangers an existing flood
17 protection structure. The appropriation or indebtedness incurred for an impending
18 flood emergency shall not exceed two hundred fifty thousand dollars for any one
19 event or occurrence. For an impending emergency to qualify for funding it must be
20 determined as such by the United States Army Corp of Engineers or the United
21 States Coast Guard. Total funding for ~~such~~ impending emergencies shall not exceed
22 twenty-five percent of the funds annually available to the Interim Emergency Board.

23 (C) Limits. The aggregate of indebtedness outstanding at any one time and
24 the amount appropriated from the state general fund for the current fiscal year under
25 the authority of this Section shall not exceed one-tenth of one percent of total state
26 revenue receipts for the previous fiscal year.

27 (D) Allocation. An amount sufficient to pay indebtedness incurred during
28 the preceding fiscal year under the authority of this Section is allocated, as a first
29 priority, each year from the state general fund.

1 ~~§8.~~ §12. State Bond Commission

2 ~~Section 8.~~ Section 12.(A) Creation. The State Bond Commission is created.

3 Its membership and authority shall be determined by law.

4 (B) Approval of Bonds. No bonds or other obligations shall be issued or
5 sold by the state, directly or through any state board, agency, or commission, or by
6 any political subdivision of the state, unless prior written approval of the bond
7 commission is obtained.

8 (C) Contesting State Bonds. Bonds, notes, certificates, or other evidences
9 of indebtedness of the ~~state (hereafter~~ state, hereafter referred to as "~~bonds~~") "bonds",
10 shall not be invalid because of any irregularity or defect in the proceedings or in the
11 issuance and sale thereof and shall be incontestable in the hands of a bona fide
12 purchaser or holder. The issuing agency, after authorizing the issuance of bonds by
13 resolution, shall publish once in the official journal of the state, as provided by law,
14 a notice of intention to issue the bonds. The notice shall include a description of the
15 bonds and the security therefor. Within thirty days after the publication, any person
16 in interest may contest the legality of the resolution, any provision of the bonds to
17 be issued pursuant to it, the provisions securing the bonds, and the validity of all
18 other provisions and proceedings relating to the authorization and issuance of the
19 bonds. If no action or proceeding is instituted within the thirty days, no person may
20 contest the validity of the bonds, the provisions of the resolution pursuant to which
21 the bonds were issued, the security of the bonds, or the validity of any other
22 provisions or proceedings relating to their authorization and issuance, and the bonds
23 shall be presumed conclusively to be legal. Thereafter no court shall have authority
24 to inquire into such matters.

25 ~~§9.~~ §13. State Funds

26 ~~Section 9.~~ Section 13.(A) Deposit in State Treasury. All money received by
27 the state or by any state board, agency, or commission shall be deposited
28 immediately upon receipt in the state treasury, except ~~that~~ monies received:

1 (1) as a result of ~~grants or donations~~ grants, donations, or other forms of
2 assistance when the terms and conditions thereof or of agreements pertaining thereto
3 require otherwise;

4 (2) by trade or professional associations;

5 (3) by the employment security administration fund or its successor;

6 (4) by retirement system funds;

7 (5) by state agencies operating under authority of this constitution
8 preponderantly from fees and charges for the shipment of goods in international
9 maritime trade and commerce; and

10 (6) by a state board, agency, or commission, but pledged by it in connection
11 with the issuance of revenue bonds as provided in Paragraph (C) of Section ~~6~~ 10 of
12 this Article, other than any surplus as may be defined in the law authorizing such
13 revenue bonds.

14 (B) Bond Security and Redemption Fund. Subject to contractual obligations
15 existing on the effective date of this constitution, all state money deposited in the
16 state treasury shall be credited to a special fund designated as the Bond Security and
17 Redemption Fund, except money received as the result of grants or donations or
18 other forms of assistance when the terms and conditions thereof or of agreements
19 pertaining thereto require otherwise. In each fiscal year an amount is allocated from
20 the bond security and redemption fund sufficient to pay all obligations ~~which~~ that are
21 secured by the full faith and credit of the state and ~~which~~ become due and payable
22 within the current fiscal year, including principal, interest, premiums, sinking or
23 reserve fund, and other requirements. Thereafter, except as otherwise provided by
24 law, money remaining in the fund shall be credited to the state general fund.

25 (C) Exception. Nothing in this Section shall apply to a levee district or
26 political subdivision unless the full faith and credit of the state is pledged to the
27 payment of the bonds of the levee district or political subdivision.

28 ~~§10. §14. Expenditure of State Funds~~ Revenue

1 ~~Section 10:~~ Section 14.(A) Revenue Estimating Conference. The Revenue
2 Estimating Conference shall be composed of four members: the governor, or his
3 designee, the president of the senate, or his designee, the speaker of the house or his
4 designee, and a faculty member of a university or college in Louisiana who has
5 expertise in forecasting revenues. Changes to the membership beyond the four
6 members shall be made by law enacted by a favorable vote of two-thirds of the
7 elected members of each house of the legislature.

8 (B) Official Forecast. The conference shall prepare and publish initial and
9 revised estimates of money to be received by the state general fund and dedicated
10 funds for the current and next fiscal years which are available for appropriation. In
11 each estimate, the conference shall designate the money in the estimate which is
12 recurring and which is nonrecurring. All conference decisions to adopt these
13 estimates shall be by unanimous vote of its members. Changes to the unanimous
14 vote requirement shall be made by law enacted by a favorable vote of two-thirds of
15 the elected members of each house of the legislature. The most recently adopted
16 estimate of money available for appropriation shall be the official forecast.

17 (C) Expenditure Limit. ~~(1) The legislature shall provide for the~~
18 ~~determination of an expenditure limit for each fiscal year to be established during the~~
19 ~~first quarter of the calendar year for the next fiscal year. However, the expenditure~~
20 ~~limit for the 1991-1992 Fiscal Year shall be the actual appropriations from the state~~
21 ~~general fund and dedicated funds for that year except funds allocated by Article VII,~~
22 ~~Section 4, Paragraphs (D) and (E). For subsequent fiscal years, the limit shall not~~
23 ~~exceed the expenditure limit for the current fiscal year plus an amount equal to that~~
24 ~~limit times a positive growth factor. The growth factor is the average annual~~
25 ~~percentage rate of change of personal income for Louisiana as defined and reported~~
26 ~~by the United States Department of Commerce for the three calendar years prior to~~
27 ~~the fiscal year for which the limit is calculated. There shall be an expenditure limit~~
28 ~~for each fiscal year. The legislature by law shall establish a procedure to determine~~
29 the expenditure limit; however, such procedure shall prohibit an expenditure limit

1 for an ensuing fiscal year from exceeding one hundred and five percent of the
2 preceding year's limit. Once established, any change to the procedure to determine
3 the expenditure limit shall be made by law enacted by two-thirds of the elected
4 members of each house of the legislature.

5 ~~(2) The expenditure limit may be changed in any fiscal year by a favorable~~
6 ~~vote of two-thirds of the elected members of each house. Any such change in the~~
7 ~~expenditure limit shall be approved by passage of a specific legislative instrument~~
8 ~~which clearly states the intent to change the limit.~~

9 ~~(3) Beginning with the 1995-1996 Fiscal Year, the expenditure limit shall~~
10 ~~be determined in accordance with the provisions of Paragraph (J) of this Section.~~
11 ~~The redetermination of the expenditure limit for each fiscal year from the 1991-1992~~
12 ~~Fiscal Year through the 1994-1995 Fiscal Year shall only be used in computing the~~
13 ~~expenditure limit for the 1995-1996 Fiscal Year and shall not affect the expenditure~~
14 ~~limit already computed in accordance with this Paragraph for such fiscal years.~~

15 ~~(4) The provisions of this Paragraph shall not apply to or affect funds~~
16 ~~allocated by Article VII, Section 4, Paragraphs (D) and (E) Section 8, Paragraphs (B)~~
17 ~~and (C).~~

18 (D) Appropriations. (1) Except as otherwise provided by this constitution,
19 money shall be drawn from the state treasury only pursuant to an appropriation made
20 in accordance with law. Appropriations from the state general fund and dedicated
21 funds except funds allocated by Article VII, ~~Section 4, Paragraphs (D) and (E)~~
22 Section 8, Paragraphs (B) and (C) shall not exceed the expenditure limit for the fiscal
23 year.

24 (2) Except as otherwise provided in this constitution, the appropriation or
25 allocation of any money designated in the official forecast as nonrecurring shall be
26 made only for the following purposes:

27 (a) Retiring or for the defeasance of bonds in advance or in addition to the
28 existing amortization requirements of the state.

1 (b)(i) Providing for payments against the unfunded accrued liability of the
2 public retirement systems which are in addition to any payments required for the
3 annual amortization of the unfunded accrued liability of the public retirement
4 systems, as required by Article X, Section 29(E)(2)(c) of this constitution; however,
5 any such payments to the public retirement systems shall not be used, directly or
6 indirectly, to fund cost-of-living increases for such systems.

7 (ii) ~~For Fiscal Year 2015-2016 through Fiscal Year 2023-2024, the~~
8 ~~legislature shall appropriate no less than ten percent of any money designated in the~~
9 ~~official forecast as nonrecurring to the Louisiana State Employees' Retirement~~
10 ~~System and the Teachers' Retirement System of Louisiana for application to the~~
11 ~~balance of the unfunded accrued liability of such systems existing as of June 30,~~
12 ~~1988, in proportion to the balance of such unfunded accrued liability of each such~~
13 ~~system. Any such payments to the public retirement systems shall not be used,~~
14 ~~directly or indirectly, to fund cost-of-living increases for such systems.~~

15 (iii) ~~For Fiscal Year 2024-2025 and each fiscal year thereafter, the~~ The
16 legislature shall appropriate no less than twenty-five percent of any money
17 designated in the official forecast as nonrecurring to the state retirement systems for
18 application to their unfunded accrued liability. Money appropriated pursuant to this
19 Item shall be applied by the receiving system to its outstanding positive amortization
20 bases in the order in which they were created, from oldest to newest. The legislature
21 may provide by law for a formula to distribute the nonrecurring money between
22 those state retirement systems that have unfunded accrued liability. If the legislature
23 has not provided by law for a distribution formula, nonrecurring money shall be
24 appropriated pursuant to this Item to each system in the proportion that the system's
25 total unfunded accrued liability bears to the total of all state system unfunded
26 accrued liability, using the most recent system valuations adopted by the Public
27 Retirement Systems' Actuarial Committee or its successor. Any payment to a state
28 retirement system made pursuant to the provisions of this Item shall not be used,
29 directly or indirectly, to fund cost-of-living increases for such system.

1 (c) Providing funding for capital outlay projects in the comprehensive state
2 capital budget.

3 (d) ~~Providing~~ Unless prohibited by the provisions of Article VII, Section 15
4 of this constitution, providing for allocation or appropriation for deposit into the
5 Budget Stabilization Fund established in Article VII, Section ~~10.3~~ 15 of this
6 constitution.

7 (e) Providing for allocation or appropriation for deposit into the Coastal
8 Protection and Restoration Fund established in Article VII, Section ~~10.2~~ 17 of this
9 constitution.

10 (f) Providing for new highway construction for which federal matching
11 funds are available, without excluding highway projects otherwise eligible as capital
12 projects under other provisions of this constitution.

13 (3)(a) The legislature shall provide by law for the payment by the state of
14 supplements to the salaries of full-time local law enforcement and fire protection
15 officers of the state. No law shall reduce any payments by the state provided as a
16 supplement to the salaries of full-time local law enforcement and fire protection
17 officers of the state. ~~Beginning with the fiscal year which begins July 1, 2003, the~~
18 The legislature shall appropriate funds sufficient to fully fund the cost of such state
19 supplement to the salaries of full-time law enforcement and fire protection officers.

20 (b) For the purposes of this Subparagraph, local law enforcement and fire
21 protection officers shall mean and include the same classes of officers which are
22 eligible for such state salary supplements under the law as of July 1, 2003.

23 (c) Full funding as required in Subsubparagraph (a) of this Subparagraph
24 shall be equal to the amount which is required to meet the requirements of law.

25 (d) Neither the governor nor the legislature may reduce an appropriation
26 made pursuant to this Subparagraph except that the governor may reduce such an
27 appropriation using means provided in the Act containing the appropriation,
28 provided that two-thirds of the elected members of each house of the legislature
29 consent to any such reduction in writing.

1 (E) Balanced Budget. Appropriations by the legislature from the state
2 general fund and dedicated funds for any fiscal year except funds allocated by
3 Article VII, ~~Section 4, Paragraphs (D) and (E)~~ Section 8, Paragraphs (B) and (C)
4 shall not exceed the official forecast in effect at the time the appropriations are made.

5 (F) Projected Deficit. (1) The legislature by law shall establish a procedure
6 to determine if appropriations will exceed the official forecast and an adequate
7 method for adjusting appropriations in order to eliminate a projected deficit. Any
8 law establishing a procedure to determine if appropriations will exceed the official
9 forecast and methods for adjusting appropriations, including any constitutionally
10 protected or mandated allocations or appropriations, once enacted, shall not be
11 changed except by specific legislative instrument which receives a favorable vote of
12 two-thirds of the elected members of each house of the legislature. Notwithstanding
13 the provisions of Article III, Section 2 of this constitution, such law may be
14 introduced and considered in any regular session of the legislature.

15 (2)(a) Notwithstanding any other provision of this constitution to the
16 contrary, adjustments to any constitutionally protected or mandated allocations or
17 appropriations, and transfer of monies associated with such adjustments, are
18 authorized when state general fund allocations or appropriations have been reduced
19 in an aggregate amount equal to at least seven-tenths of one percent of the total of
20 such allocations and appropriations for a fiscal year. Such adjustments may not
21 exceed five percent of the total appropriation or allocation from a fund for the fiscal
22 year. For purposes of this Subsubparagraph, reductions to expenditures required by
23 Article VIII, Section 13(B) of this constitution shall not exceed one percent and ~~such~~
24 ~~reductions~~ shall not be applicable to instructional activities included within the
25 meaning of instruction pursuant to the Minimum Foundation Program formula.
26 Notwithstanding any other provisions of this constitution to the contrary, monies
27 transferred as a result of such budget adjustments are deemed available for
28 appropriation and expenditure in the year of the transfer from one fund to another,

1 but in no event shall the aggregate amount of any transfers exceed the amount of the
2 deficit.

3 (b) Notwithstanding any other provision of this constitution to the contrary,
4 for the purposes of the budget estimate and enactment of the budget for the next
5 fiscal year, when the official forecast of recurring revenues for the next fiscal year
6 is at least one percent less than the official forecast for the current fiscal year, the
7 following procedure may be employed to avoid a budget deficit in the next fiscal
8 year. An amount not to exceed five percent of the total appropriations or allocations
9 for the current fiscal year from any fund established by law or this constitution shall
10 be available for expenditure in the next fiscal year for a purpose other than as
11 specifically provided by law or this constitution. For the purposes of this
12 Subsubparagraph, an amount not to exceed one percent of the current fiscal year
13 appropriation for expenditures required by Article VIII, Section 13(B) of this
14 constitution shall be available for expenditures for other purposes in the next fiscal
15 year. Notwithstanding any other provisions of this constitution to the contrary,
16 monies made available as authorized under this Subsubparagraph may be transferred
17 to a fund for which revenues have been forecast to be less than the revenues in the
18 current fiscal year for such fund. Monies transferred as a result of the budget actions
19 authorized by this Subsubparagraph are deemed available for appropriation and
20 expenditure, but in no event shall the aggregate amount of any such transfers exceed
21 the amount of the difference between the official forecast for the current fiscal year
22 and the next fiscal year.

23 (c) The legislature may provide by law for the implementation of the
24 provisions of this Subparagraph.

25 (3) If within thirty days of the determination that appropriations will exceed
26 the official forecast the necessary adjustments in appropriations are not made to
27 eliminate the projected deficit, the governor shall call a special session of the
28 legislature for this purpose unless the legislature is in regular session. This special

1 session shall commence as soon as possible as allowed by the provisions of this
2 constitution, including but not limited to Article III, Section 2(B).

3 (4) The provisions of Subparagraphs (1) and (2) of this Paragraph shall not
4 be applicable to, nor affect:

5 (a) The Bond Security and Redemption Fund or any bonds secured thereby,
6 or any other funds pledged as security for bonds or other evidences of indebtedness.

7 (b) The allocations provided for by Article VII, ~~Section 4(D) and (E)~~ Section
8 8, Paragraphs (B) and (C) of this constitution.

9 (c) The contributions made in accordance with Article X, Section 29(E) of
10 this constitution.

11 (d) ~~The Louisiana Education Quality Trust Fund as defined in Article VII,~~
12 ~~Section 10.1(A)(1) of this constitution.~~

13 (e) The Millennium Trust as provided in Article VII, Section ~~10:8~~ 20 of this
14 constitution, except for appropriations from the trust.

15 (f) (e) Any monies not required to be deposited in the state treasury as
16 provided in Article VII, Section ~~9~~ 13 of this constitution.

17 (g) (f) The Medicaid Trust Fund for the Elderly created under the provisions
18 of R.S. 46:2691 et seq.

19 (h) ~~The Revenue Stabilization Trust Fund, as provided in Article VII,~~
20 ~~Section 10.15 of this constitution.~~

21 (i) (g) The Louisiana Unclaimed Property ~~Permanent~~ Trust Fund, as provided
22 in Article VII, Section ~~28~~ of this Constitution Fund or its successor.

23 (G) Year End Deficit. If a deficit exists in any fund at the end of a fiscal
24 year, that deficit shall be eliminated no later than the end of the next fiscal year.

25 (H) Publication. The legislature shall have published a regular statement of
26 receipts and expenditures of all state money at intervals of not more than one year.

27 (I) Public Purpose. No appropriation shall be made except for a public
28 purpose.

1 (J) Definition of Funds. For the purposes of this Article, the state general
2 fund and dedicated funds shall be all money required to be deposited in the state
3 treasury, except that money the origin of which is:

4 (1) The federal government.

5 (2) Self-generated collections by any entity subject to the policy and
6 management authority established by Article VIII, Sections 5 through 7.

7 (3) A transfer from another state agency, board, or commission.

8 (4) The provisions of this Paragraph shall not apply to or affect funds
9 allocated by Article VII, ~~Section 4, Paragraphs (D) and (E)~~ Section 8, Paragraphs (B)
10 and (C).

11 §15. Budget Stabilization Fund

12 Section 15.(A) There is hereby established in the state treasury a Budget
13 Stabilization Fund, hereafter referred to in this Section as the "fund". Money shall
14 be deposited into the fund as follows:

15 (1) All money available for appropriation from the state general fund and
16 dedicated funds in excess of the expenditure limit, except funds allocated by Article
17 VII, Section 8, Paragraphs (B) and (C) of this constitution.

18 (2)(a) Fifteen percent of the corporation income and franchise tax revenues
19 received in each fiscal year as recognized by the Revenue Estimating Conference and
20 fifteen percent of mineral revenues received each fiscal year by the state as a result
21 of the production on minerals, as provided by law. If the total amount of deposits
22 required pursuant to this Subparagraph cannot be deposited due to the prohibitions
23 provided for in Subparagraph (C)(5) of this Section, then the remaining monies shall
24 be deposited into the state general fund and incorporated into the official forecast as
25 nonrecurring revenues for use as provided in Article VII, Section 14(D)(2) of this
26 constitution.

27 (b) Except as otherwise provided in this Subparagraph, for purposes of this
28 Subparagraph, mineral revenues shall include severance taxes, royalty payments,
29 bonus payments, or rentals. Mineral revenues shall not include:

1 (i) Revenues designated as nonrecurring, pursuant to Article VII, Section 14
2 of this constitution.

3 (ii) Revenues received by the state as a result of grants or donations when
4 the terms or conditions thereof require otherwise.

5 (iii) Revenues derived from any tax on the transportation of minerals.

6 (3) Twenty-five percent of any money designated in the official forecast as
7 nonrecurring as provided in Article VII, Section 14(D)(2) of this constitution.

8 (4) Any money appropriated or transferred to the fund by the legislature.

9 (5) An amount equivalent to the money received by the state from the federal
10 government for the reimbursement of costs associated with a federally declared
11 disaster, not to exceed the amount of costs appropriated out of the fund for the same
12 disaster pursuant to Subparagraph (C)(3) of this Section.

13 (B) Money in the fund shall be invested as provided by law. Earnings
14 realized in each fiscal year on the investment of monies in the fund shall be
15 deposited to the credit of the fund. All unexpended and unencumbered monies in the
16 fund at the end of the fiscal year shall remain in the fund.

17 (C) The money in the fund shall not be available for appropriation or use
18 except under the following conditions:

19 (1) If the official forecast of recurring money for the next fiscal year is less
20 than the official forecast of recurring money for the current fiscal year, the
21 difference, not to exceed one-third of the fund shall be incorporated into the next
22 year's official forecast only after the consent of two-thirds of the elected members
23 of each house of the legislature is obtained. If the legislature is not in session, the
24 two-thirds consent requirement shall be obtained by procedures provided by law.

25 (2) If a deficit for the current fiscal year is projected due to a decrease in the
26 official forecast, an amount equal to one-third of the fund not to exceed the projected
27 deficit may be appropriated after the consent of two-thirds of the elected members
28 of each house of the legislature is obtained. If the legislature is not in session, the
29 two-thirds consent requirement shall be obtained by procedures provided by law.

1 (3) If there is a federally declared disaster in the state, up to one-third of the
2 fund, not to exceed the state costs associated with the disaster, may be appropriated
3 after the consent of two-thirds of the elected members of each house of the
4 legislature is obtained. If the legislature is not in session, the two-thirds consent
5 requirement shall be obtained by procedures provided by law.

6 (4) In no event shall the amount included in the official forecast for the next
7 fiscal year pursuant to Subparagraph (1) of this Paragraph, plus the amount
8 appropriated in the current fiscal year pursuant to Subparagraph (2) of this
9 Paragraph, plus the amount appropriated pursuant to Subparagraph (3) of this
10 Paragraph exceed one-third of the fund balance at the beginning of the current fiscal
11 year.

12 (5) No appropriation or deposit to the fund shall be made if such
13 appropriation or deposit would cause the balance in the fund to exceed seven and
14 one-half percent of total state revenue receipts for the previous fiscal year.

15 §16. Transportation Trust Fund

16 Section 16. (A) Creation of fund. There shall be established in the state
17 treasury as a special permanent trust fund the Transportation Trust Fund (“the trust
18 fund”) in which shall be deposited the “excess revenues” as defined herein which are
19 a portion of the avails received in each year from all taxes levied on gasoline and
20 motor fuels and on special fuels (said avails referred to as the “revenues”) as
21 provided herein. After satisfying pledges respecting that portion of the revenues
22 attributable to the tax rates in effect at the time of such pledges for the payment of
23 obligations for bonds or other evidences of indebtedness on January 1, 1990, the
24 treasurer shall allocate such portion of the revenues received in each year as
25 necessary to pay all principal, interest, premium, if any, and other obligations
26 incident to the issuance, security, and payment in respect of bonds as authorized in
27 Paragraph (C) hereof. Thereafter, the portion of the revenues remaining shall be
28 deposited in the Bond Security and Redemption Fund in the state treasury. After (1)
29 the payment of any obligations for bonds or other evidences of indebtedness in

1 existence on January 1, 1990, which are secured by revenues; (2) payments in
2 respect of bonds authorized in Paragraph (C) hereof; and (3) credit to the Bond
3 Security and Redemption Fund, the treasurer shall deposit in and credit to the trust
4 fund all of the revenues remaining (the “excess revenues”) from the avails of all
5 taxes levied on gasoline and motor fuels and on special fuels. Purchases of gasoline,
6 diesel fuel, or special fuels which are subject to excise tax under Chapter 7 of
7 Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950 shall be exempt from
8 the state sales tax and any sales tax levied by a political subdivision as defined by
9 Article VI, Section 44(2). All monies appropriated by the Federal Highway
10 Administration and the Federal Aviation Administration, or their successors, either
11 reimbursed or paid directly, shall be paid directly or deposited in and credited to the
12 trust fund.

13 (B)(1) Except as provided for in Subparagraph (2) of this Paragraph, the
14 monies in the trust fund shall be appropriated or dedicated solely and exclusively for
15 the costs for and associated with construction and maintenance of the roads and
16 bridges of the state and federal highway systems, the Statewide Flood-Control
17 Program or its successor, ports, airports, transit, and the Parish Transportation Fund
18 or its successor and for the payment of all principal, interest, premium, if any, and
19 other obligations incident to the issuance, security, and payment in respect of bonds
20 or other obligations payable from the trust fund as authorized in Paragraph (D) of
21 this Section. Unless pledged to the repayment of bonds authorized in Paragraphs (C)
22 or (D) of this Section, the monies in the trust fund allocated to ports, airports, flood
23 control, parish transportation, and state highway construction shall be appropriated
24 annually by the legislature only pursuant to programs established by law which
25 establish a system of priorities for the expenditure of such monies, except that the
26 Transportation Infrastructure Model for Economic Development, which shall include
27 only those projects enumerated in House Bill 17 of the 1989 First Extraordinary
28 Session of the Legislature and US Highway 61 from Thompson Creek to the
29 Mississippi Line, in lieu of “US 61-Bains to Mississippi Line”, and US Highway 165

1 from I-10 to Alexandria to Monroe to Bastrop and thence on US Highway 425 from
2 Bastrop to the Arkansas Line, in lieu of “US 165-I-10 Alexandria-Monroe-Bastrop-
3 Arkansas Line” and LA 15-Natchez, Mississippi to Chase in lieu of “LA 15-Natchez,
4 Mississippi to Monroe”, shall be funded as provided by law. The state-generated tax
5 monies appropriated for ports, Parish Transportation Fund, or its successor, and the
6 Statewide Flood-Control Program, or its successor shall not exceed twenty percent
7 annually of the state-generated tax revenues in the trust fund; provided, however, that
8 no less than the avails of one cent of the excise tax on gasoline and special fuels shall
9 be appropriated each year to the Parish Transportation Fund, or its successor.
10 Beginning with the appropriation for Fiscal Year 2025-2026, the annual
11 appropriation for airports shall be a sum equal to, but not greater than, the annual
12 estimated revenue to be derived from the state taxes collected and received on
13 aviation fuel in the immediately preceding year. Unencumbered and unexpended
14 balances at the end of each fiscal year shall remain in the trust fund. The earnings
15 realized in each fiscal year on the investment of monies in the trust fund shall be
16 deposited in and credited to the trust fund.

17 (2) There is hereby established in the Transportation Trust Fund a special
18 subfund to be known as the “Construction Subfund”, hereinafter referred to as “the
19 subfund”. The monies in the subfund shall be appropriated and dedicated solely for
20 the direct costs associated with actual project delivery, construction, and
21 maintenance of transportation and capital transit infrastructure projects of the state
22 and local government. The monies in the subfund that are appropriated by the
23 legislature to the Department of Transportation and Development, or its successor,
24 shall not be utilized by the department for the payment of employee wages and
25 related benefits or employee retirement benefits.

26 (C) The State Bond Commission or its successor, may issue and sell bonds,
27 notes, or other obligations (“Bonds”) secured by a pledge of a portion of the
28 revenues not to exceed the avails of four cents per gallon of the taxes on gasoline and
29 motor fuels and on special fuels received by the state treasurer. Bonds so issued may

1 also be secured by a pledge of all or a portion of excess revenues as additional
2 security therefor, and if so pledged any portion thereof needed to pay principal,
3 interest, or premium, if any, and other obligations incident to the issuance, security,
4 and payment in respect to Bonds may be expended by the treasurer without the need
5 for legislative appropriation. The Bonds may be issued in the manner set forth in this
6 Section to provide for the costs for and associated with construction and maintenance
7 of the roads and bridges of the state and federal highway systems, Statewide Flood-
8 Control Program, ports, airports, and for any other purpose for which monies in the
9 trust fund may be expended as provided by law. Such Bonds shall not be considered
10 to be debt under Article VII, Section 10 of this constitution, unless the provisions of
11 Article VII, Section 10, relative to incurring debt by the state are met, in which case
12 the full faith and credit of the state may also be pledged in addition to the revenues
13 received by the treasurer.

14 (D) The State Bond Commission or its successor may also issue and sell
15 bonds, notes, or other obligations secured by a pledge of the excess revenues
16 deposited in the trust fund, which shall otherwise be issued in the manner and for the
17 purposes provided for in this Section, and if so pledged any portion thereof needed
18 to pay principal, interest, or premium, if any, and other obligations incident to the
19 issuance, security, and payment in respect thereof may be expended by the treasurer
20 without the need for legislative appropriation.

21 (E) Bonds, notes, or other obligations issued pursuant to the provisions of
22 Paragraphs (C) or (D) of this Section may be issued in the manner provided by
23 resolution of the State Bond Commission or its successor under the authority of said
24 Paragraphs without compliance with any other requirement of this constitution or
25 law. Paragraphs (C) and (D) of this Section shall be deemed self-operative.

26 §17. Coastal Protection and Restoration Fund

27 Section 17.(A) There shall be established in the state treasury the Coastal
28 Protection and Restoration Fund to provide a dedicated, recurring source of revenues

1 for the development and implementation of a program to protect and restore
2 Louisiana’s coastal area.

3 (B) The money in the fund shall be invested as provided by law and any
4 earnings realized on investment of money in the fund shall be deposited in and
5 credited to the fund. Money from other sources, such as donations, appropriations,
6 or dedications, may be deposited in and credited to the fund. Any unexpended money
7 remaining in the fund at the end of the fiscal year shall be retained in the fund.

8 (C) The money in the fund may be appropriated for purposes consistent with
9 the Coastal Protection Plan developed by the Coastal Protection and Restoration
10 Authority or its successor. No appropriation shall be made from the fund inconsistent
11 with the purposes of the plan.

12 (D)(1) Subject to Article VII, Section 13(B) of this constitution, in each fiscal
13 year the federal revenues that are received by the state generated from Outer
14 Continental Shelf oil and gas activity and eligible, as provided by federal law, to be
15 used for the purposes of this Paragraph shall be deposited and credited by the
16 treasurer to the Coastal Protection and Restoration Fund.

17 (2) Federal revenues credited to the Coastal Protection and Restoration Fund
18 pursuant to this Paragraph shall be used only for the purposes of coastal protection,
19 including conservation, coastal restoration, hurricane protection, and infrastructure
20 directly impacted by coastal wetland losses.

21 §18. Permanent Trust Funds

22 Section 18. (A) Funds created by the legislature and designated as permanent
23 trust funds shall be subject to the following restrictions:

24 (1) Except as otherwise provided in this Section, funds deposited into a
25 permanent trust fund shall constitute its principal and shall be held in trust
26 permanently and invested by the state treasurer as provided by law.

27 (2) The removal of any portion of the principle of a permanent trust fund,
28 except for investment purposes as authorized by law, shall require a constitutional
29 amendment.

1 (3) Interest and investment earnings from monies held in a permanent trust
2 shall not constitute any portion of the principle and may be dedicated as provided by
3 law. Once enacted, any such dedication shall not be changed except by a specific
4 legislative instrument passed by the favorable vote of two-thirds of the elected
5 members of each house of the legislature.

6 (B) Each of the following shall be permanent trust funds:

7 (1) The Millennium Trust or its successor.

8 (2) Any other trust designated by law as a permanent trust fund.

9 § 19. Program Funds

10 Section 19. (A) The legislature may create and designate funds as program
11 funds. Any change to program funds once enacted shall be by a specific legislative
12 instrument passed by the favorable vote of two-thirds of the elected members of each
13 house of the legislature.

14 (B) Each of the following funds or its successor shall be a program fund:

15 (1) The Conservation Fund.

16 (2) The Artificial Reef Development Fund.

17 (3) The Mineral Revenue Audit and Settlement Fund.

18 (4) The Oil Spill Contingency Fund.

19 (5) The Oilfield Site Restoration Fund.

20 (6) The Louisiana Unclaimed Property Trust Fund.

21 (7) The Louisiana Medical Assistance Trust Fund.

22 (8) The Louisiana Fund.

23 (9) Any other fund designated by law as a program fund.

24 ~~§10.1. Quality Trust Fund; Education~~

25 ~~Section 10.1.(A) Louisiana Education Quality Trust Fund. (1) Effective~~
26 ~~January 1, 1987, there shall be established in the state treasury as a special permanent~~
27 ~~trust fund the Louisiana Education Quality Trust Fund, hereinafter referred to as the~~
28 ~~"Permanent Trust Fund." After allocation of money to the Bond Security and~~
29 ~~Redemption Fund as provided in Article VII, Section 9(B) of this constitution, and~~

1 ~~notwithstanding Article XIV, Section 10 of this constitution, the treasurer shall~~
2 ~~deposit in and credit to the Permanent Trust Fund all money which is received after~~
3 ~~the first one hundred million dollars from the federal government under Section~~
4 ~~1337(g) of Title 43 of the United States Code which is attributable to mineral~~
5 ~~production activity or leasing activity on the Outer Continental Shelf which has been~~
6 ~~held in escrow pending a settlement between the United States and the state of~~
7 ~~Louisiana; twenty-five percent of the recurring revenues received under Section~~
8 ~~1337(g) of Title 43 of the United States Code which are attributable to mineral~~
9 ~~production activity or leasing activity on the Outer Continental Shelf; twenty-five~~
10 ~~percent of the interest income earned on investment of monies in the Permanent~~
11 ~~Trust Fund; seventy-five percent of the realized capital gains on investment of the~~
12 ~~Permanent Trust Fund, unless such percentage is changed by law enacted by two-~~
13 ~~thirds of the elected members of each house of the legislature; and twenty-five~~
14 ~~percent of the dividend income earned on investment of the Permanent Trust Fund.~~
15 ~~No appropriation shall be made from the Permanent Trust Fund. If any such money~~
16 ~~has been received prior to the effective date of this Section, the treasurer shall~~
17 ~~transfer from the state general fund to the Permanent Trust Fund on the effective date~~
18 ~~of this Section an amount of money which shall make the Permanent Trust Fund~~
19 ~~balance equal to the amount of such money previously received, except for the first~~
20 ~~one hundred million dollars. After six hundred million dollars has been credited to~~
21 ~~the Permanent Trust Fund, the sum of fifty million dollars shall be credited to the~~
22 ~~Coastal Environment Protection Trust Fund, as established in R.S. 30:313, from~~
23 ~~those monies received from the federal government under Section 1337(g) of Title~~
24 ~~43 of the United States Code which is attributable to mineral production activity or~~
25 ~~leasing activity on the Outer Continental Shelf and which has been held in escrow~~
26 ~~pending a settlement between the United States and the state of Louisiana; all funds~~
27 ~~in excess of seven hundred fifty million dollars shall be credited to the Permanent~~
28 ~~Trust Fund.~~

1 ~~(2) After allocation of money to the Bond Security and Redemption Fund as~~
2 ~~provided in Article VII, Section 9(B) of the constitution, and notwithstanding Article~~
3 ~~XIV, Section 10 of the constitution, seventy-five percent of the recurring revenues~~
4 ~~received under Section 1337(g) of Title 43 of the United States Code which are~~
5 ~~attributable to mineral production activity or leasing activity, and the percent~~
6 ~~remaining of the realized capital gains and interest income and dividend income~~
7 ~~earned on investment of the Permanent Trust Fund after the deposit required to the~~
8 ~~Permanent Trust Fund in Paragraph A(1) of this Section shall be deposited and~~
9 ~~credited to a special fund which is hereby created in the state treasury and which~~
10 ~~shall be known as the Louisiana Quality Education Support Fund, hereinafter~~
11 ~~referred to as the "Support Fund".~~

12 ~~(3) All recurring revenues and interest earnings shall be credited to the~~
13 ~~respective funds as provided in Subparagraphs (1) and (2) above until the balance in~~
14 ~~the Permanent Trust Fund equals two billion dollars. After the Permanent Trust~~
15 ~~Fund reaches a balance of two billion dollars, all interest earnings on the Permanent~~
16 ~~Trust Fund shall be credited to the Support Fund and all recurring revenues shall be~~
17 ~~credited to the State General Fund.~~

18 ~~(B) Investment. The money credited to the Permanent Trust Fund pursuant~~
19 ~~to Paragraph (A) of this Section shall be permanently credited to the Permanent Trust~~
20 ~~Fund and shall be invested by the treasurer. Notwithstanding any provision of this~~
21 ~~constitution or other law to the contrary, a portion of money in the Permanent Trust~~
22 ~~Fund, not to exceed thirty-five percent, may be invested in stock. The legislature~~
23 ~~shall provide for procedures for the investment of such monies by law. The treasurer~~
24 ~~shall contract, subject to the approval of the State Bond Commission, for the~~
25 ~~management of such investments. The amounts in the Support Fund shall be~~
26 ~~available for appropriation to pay expenses incurred in the investment and~~
27 ~~management of the Permanent Trust Fund and for educational purposes only as~~
28 ~~provided in Paragraphs (C) and (D) of this Section.~~

1 ~~(C) Reports; Allocation. (1) The State Board of Elementary and Secondary~~
2 ~~Education and the Board of Regents shall annually submit to the legislature and the~~
3 ~~governor not less than sixty days prior to the beginning of each regular session of the~~
4 ~~legislature a proposed program and budget for the expenditure of the monies in the~~
5 ~~Support Fund. Proposals for such expenditures shall be designed to improve the~~
6 ~~quality of education and shall specifically designate those monies to be used for~~
7 ~~administrative costs, as defined and authorized by law.~~

8 ~~(2) Except for appropriations to pay expenses incurred in the investment and~~
9 ~~management of the Permanent Trust Fund, the legislature shall appropriate from the~~
10 ~~Support Fund only for educational purposes provided in Paragraph (D) of this~~
11 ~~Section and shall appropriate fifty percent of the available funds for higher~~
12 ~~educational purposes and fifty percent for elementary and secondary educational~~
13 ~~purposes. Those monies to be used for administrative costs shall be expended for~~
14 ~~such purposes only if so approved and appropriated by the legislature.~~

15 ~~(3) The legislature shall appropriate the total amount intended for higher~~
16 ~~educational purposes to the Board of Regents and the total amount intended for~~
17 ~~elementary and secondary educational purposes to the State Board of Elementary and~~
18 ~~Secondary Education which boards shall allocate the monies so appropriated to the~~
19 ~~programs as previously approved by the legislature.~~

20 ~~(4) The monies appropriated by the legislature and disbursed from the~~
21 ~~Support Fund shall not displace, replace, or supplant appropriations from the general~~
22 ~~fund for elementary and secondary education, including implementing the Minimum~~
23 ~~Foundation Program, or displace, replace, or supplant funding for higher education.~~
24 ~~For elementary and secondary education and for higher education, this Paragraph~~
25 ~~shall mean that no appropriation for any fiscal year from the Support Fund shall be~~
26 ~~made for any purpose for which a general fund appropriation was made in the~~
27 ~~previous year unless the total appropriations for that fiscal year from the state general~~
28 ~~fund for such purpose exceed general fund appropriations for the previous year. This~~

1 Paragraph shall in no way limit general fund appropriations in excess of the
2 minimum amounts herein established.

3 ~~(D) Disbursement, Higher Education and Elementary and Secondary~~
4 ~~Education.~~

5 ~~(1) The treasurer shall disburse not more than fifty percent of the monies in~~
6 ~~the Support Fund as that money is appropriated by the legislature and allocated by~~
7 ~~the Board of Regents for any or all of the following higher educational purposes to~~
8 ~~enhance economic development:~~

9 ~~(a) The carefully defined research efforts of public and private universities~~
10 ~~in Louisiana.~~

11 ~~(b) The endowment of chairs for eminent scholars.~~

12 ~~(c) The enhancement of the quality of academic, research, or agricultural~~
13 ~~departments or units within a community college, college, or university. These funds~~
14 ~~shall not be used for athletic purposes or programs.~~

15 ~~(d) The recruitment of superior graduate students.~~

16 ~~(2) The treasurer shall disburse not more than fifty percent of the monies in~~
17 ~~the Support Fund as that money is appropriated by the legislature and allocated by~~
18 ~~the State Board of Elementary and Secondary Education for any or all of the~~
19 ~~following elementary and secondary educational purposes:~~

20 ~~(a) To provide compensation to city or parish school board professional~~
21 ~~instructional employees.~~

22 ~~(b) To insure an adequate supply of superior textbooks, library books,~~
23 ~~equipment, and other instructional materials.~~

24 ~~(c) To fund exemplary programs in elementary and secondary schools~~
25 ~~designed to improve elementary or secondary student academic achievement or~~
26 ~~vocational-technical skill.~~

27 ~~(d) To fund carefully defined research efforts, including pilot programs,~~
28 ~~designed to improve elementary and secondary student academic achievement.~~

29 ~~(e) To fund school remediation programs and preschool programs.~~

1 ~~(f) To fund the teaching of foreign languages in elementary and secondary~~
2 ~~schools:~~

3 ~~(g) To fund an adequate supply of teachers by providing scholarships or~~
4 ~~stipends to prospective teachers in academic or vocational-technical areas where~~
5 ~~there is a critical teacher shortage.~~

6 ~~§10.2. Coastal Protection and Restoration Fund~~

7 ~~Section 10.2(A) There shall be established in the state treasury the Coastal~~
8 ~~Protection and Restoration Fund to provide a dedicated, recurring source of revenues~~
9 ~~for the development and implementation of a program to protect and restore~~
10 ~~Louisiana's coastal area.~~

11 ~~Of revenues received in each fiscal year by the state as a result of the~~
12 ~~production of or exploration for minerals, hereinafter referred to as mineral revenues~~
13 ~~from severance taxes, royalty payments, bonus payments, or rentals, and excluding~~
14 ~~such revenues received by the state as a result of grants or donations when the terms~~
15 ~~or conditions thereof require otherwise, the treasurer shall make the following~~
16 ~~allocations:~~

17 ~~(1) To the Bond Security and Redemption Fund as provided in Article VII,~~
18 ~~Section 9(B) of this constitution.~~

19 ~~(2) To the political subdivisions of the state as provided in Article VII,~~
20 ~~Sections 4(D) and (E) of this constitution.~~

21 ~~(3) As provided by the requirements of Article VII, Sections 10-A and 10.1~~
22 ~~of this constitution.~~

23 ~~(B)(1) After making the allocations provided for in Paragraph (A), the~~
24 ~~treasurer shall then deposit in and credit to the Coastal Protection and Restoration~~
25 ~~Fund any amount of mineral revenues that may be necessary to insure that a total of~~
26 ~~five million dollars is deposited into such fund for the fiscal year from this source;~~
27 ~~provided that the balance of the fund which consists of mineral revenues from~~
28 ~~severance taxes, royalty payments, bonus payments, or rentals shall not exceed an~~

1 amount provided by law, but in no event shall the amount provided by law be less
2 than five hundred million dollars.

3 (2) After making the allocations and deposits provided for in Paragraphs (A)
4 and (B)(1) of this Section, the treasurer shall deposit in and credit to the Coastal
5 Protection and Restoration Fund as follows:

6 (a) Ten million dollars of the mineral revenues in excess of six hundred
7 million dollars which remain after the allocations provided for in Paragraph (A) are
8 made by the treasurer.

9 (b) Ten million dollars of the mineral revenues in excess of six hundred fifty
10 million dollars which remain after the allocations provided in Paragraph (A) are
11 made by the treasurer.

12 However, the balance of the fund which consists of mineral revenues from
13 severance taxes, royalty payments, bonus payments, or rentals shall not exceed an
14 amount provided by law, but in no event shall the amount provided by law be less
15 than five hundred million dollars.

16 (C) The money in the fund shall be invested as provided by law and any
17 earnings realized on investment of money in the fund shall be deposited in and
18 credited to the fund. Money from other sources, such as donations, appropriations,
19 or dedications, may be deposited in and credited to the fund; however, the balance
20 of the fund which consists of mineral revenues from severance taxes, royalty
21 payments, bonus payments, or rentals shall not exceed an amount provided by law,
22 but in no event shall the amount provided by law be less than five hundred million
23 dollars. Any unexpended money remaining in the fund at the end of the fiscal year
24 shall be retained in the fund.

25 (D) The money in the fund may be appropriated for purposes consistent with
26 the Coastal Protection Plan developed by the Coastal Protection and Restoration
27 Authority, or its successor.

28 No appropriation shall be made from the fund inconsistent with the purposes
29 of the plan.

* * *

1
2 (2) Federal revenues credited to the Coastal Protection and Restoration Fund
3 pursuant to this Paragraph shall be used only for the purposes of coastal protection,
4 including conservation, coastal restoration, hurricane protection, and infrastructure
5 directly impacted by coastal wetland losses.

6 (3) ~~The fund balance limitations provided for in Paragraph (B) of this~~
7 ~~Section relative to the mineral revenues deposited to this fund shall not apply to~~
8 ~~revenues deposited pursuant to the provisions of this Paragraph.~~

9 (F)(1) ~~Notwithstanding the provisions of Article VII, Section 10, Article VII,~~
10 ~~Section 10.3, Article VII, Section 10.8, or any other provision of this constitution to~~
11 ~~the contrary, if, after July 1, 2006, the state securitizes any portion of the revenues~~
12 ~~received from the Master Settlement Agreement executed November 23, 1998, and~~
13 ~~approved by Consent Decree and Final Judgment entered in the case "Richard P.~~
14 ~~Ieyoub, Attorney General, ex rel. State of Louisiana v. Philip Morris, Incorporated,~~
15 ~~et al.," bearing Number 98-6473 on the docket of the Fourteenth Judicial District for~~
16 ~~the parish of Calcasieu, state of Louisiana, the treasurer shall transfer to the fund~~
17 ~~established in Paragraph A of this Section twenty percent in the aggregate of the~~
18 ~~revenues received as a result of the securitization occurring after July 1, 2006.~~

19 (2) ~~The legislature may appropriate up to twenty percent of the funds~~
20 ~~deposited into the fund pursuant to Subparagraph (1) of this Paragraph to the Barrier~~
21 ~~Island Stabilization and Preservation Fund to be used for purposes of the Louisiana~~
22 ~~Coastal Wetlands Conservation and Restoration Program.~~

23 (3) ~~The fund balance limitations provided for in Paragraph (B) of this~~
24 ~~Section relative to the mineral revenues deposited to this fund shall not apply to~~
25 ~~revenues deposited pursuant to the provisions of this Paragraph.~~

26 ~~§10.3. Budget Stabilization Fund~~

27 ~~Section 10.3.(A) There is hereby established in the state treasury a Budget~~
28 ~~Stabilization Fund hereinafter referred to as the fund. Money shall be deposited in~~
29 ~~the fund as follows:~~

1 ~~(1) All money available for appropriation from the state general fund and~~
2 ~~dedicated funds in excess of the expenditure limit, except funds allocated by Article~~
3 ~~VII, Section 4, Paragraphs (D) and (E), shall be deposited in the fund.~~

4 ~~(2)(a) All revenues received in each fiscal year by the state in excess of~~
5 ~~seven hundred fifty million dollars, hereinafter referred to as the base, as a result of~~
6 ~~the production of or exploration for minerals, hereinafter referred to as mineral~~
7 ~~revenues, including severance taxes, royalty payments, bonus payments, or rentals,~~
8 ~~and excluding such revenues designated as nonrecurring pursuant to Article VII,~~
9 ~~Section 10(B) of the constitution, any such revenues received by the state as a result~~
10 ~~of grants or donations when the terms or conditions thereof require otherwise, and~~
11 ~~revenues derived from any tax on the transportation of minerals, shall be deposited~~
12 ~~in the fund after the following allocations of said mineral revenues have been made:~~

13 ~~(i) To the Bond Security and Redemption Fund as provided by Article VII,~~
14 ~~Section 9 (B) of this constitution.~~

15 ~~(ii) To the political subdivisions of the state as provided in Article VII,~~
16 ~~Sections 4 (D) and (E) of this constitution.~~

17 ~~(iii) As provided by the requirements of Article VII, Section 10-A and 10.1~~
18 ~~of this constitution.~~

19 ~~(b) The base may be increased every ten years beginning in the year 2000~~
20 ~~by a law enacted by two-thirds of the elected members of each house of the~~
21 ~~legislature. Any such increase shall not exceed fifty percent in the aggregate of the~~
22 ~~increase in the consumer price index for the immediately preceding ten years.~~

23 ~~(3) Twenty-five percent of any money designated in the official forecast as~~
24 ~~nonrecurring as provided in Article VII, Section 10(D)(2) of this constitution shall~~
25 ~~be deposited in and credited to the fund.~~

26 ~~(4) Any money appropriated to the fund by the legislature including any~~
27 ~~appropriation to the fund from money designated in the official forecast as provided~~
28 ~~in Article VII, Section 10(D)(2) of this constitution shall be deposited in the fund.~~

1 ~~(5) An amount equivalent to the money received by the state from the federal~~
2 ~~government for the reimbursement of costs associated with a federally declared~~
3 ~~disaster, not to exceed the amount of costs appropriated out of the fund for the same~~
4 ~~disaster pursuant to Subparagraph (C)(3) of this Section.~~

5 ~~(B) Money in the fund shall be invested as provided by law. Earnings~~
6 ~~realized in each fiscal year on the investment of monies in the fund shall be~~
7 ~~deposited to the credit of the fund. All unexpended and unencumbered monies in the~~
8 ~~fund at the end of the fiscal year shall remain in the fund.~~

9 ~~(C) The money in the fund shall not be available for appropriation or use~~
10 ~~except under the following conditions:~~

11 ~~(1) If the official forecast of recurring money for the next fiscal year is less~~
12 ~~than the official forecast of recurring money for the current fiscal year, the~~
13 ~~difference, not to exceed one-third of the fund shall be incorporated into the next~~
14 ~~year's official forecast only after the consent of two-thirds of the elected members~~
15 ~~of each house of the legislature. If the legislature is not in session, the two-thirds~~
16 ~~requirement may be satisfied upon obtaining the written consent of two-thirds of the~~
17 ~~elected members of each house of the legislature in a manner provided by law.~~

18 ~~(2) If a deficit for the current fiscal year is projected due to a decrease in the~~
19 ~~official forecast, an amount equal to one-third of the fund not to exceed the projected~~
20 ~~deficit may be appropriated after the consent of two-thirds of the elected members~~
21 ~~of each house of the legislature. Between sessions of the legislature the~~
22 ~~appropriation may be made only after the written consent of two-thirds of the elected~~
23 ~~members of each house of the legislature.~~

24 ~~(3) If there is a federally declared disaster in the state, up to one-third of the~~
25 ~~fund, not to exceed the state costs associated with the disaster, may be appropriated~~
26 ~~after the consent of two-thirds of the elected members of each house of the~~
27 ~~legislature. Between sessions of the legislature, the appropriation may be made only~~
28 ~~with written consent of two-thirds of the elected members of each house of the~~
29 ~~legislature.~~

1 ~~(4) In no event shall the amount included in the official forecast for the next~~
2 ~~fiscal year pursuant to Subparagraph (1) of this Paragraph, plus the amount~~
3 ~~appropriated in the current fiscal year pursuant to Subparagraph (2) of this~~
4 ~~Paragraph, plus the amount appropriated pursuant to Subparagraph (3) of this~~
5 ~~Paragraph exceed one-third of the fund balance at the beginning of the current fiscal~~
6 ~~year.~~

7 ~~(5) No appropriation or deposit to the fund shall be made if such~~
8 ~~appropriation or deposit would cause the balance in the fund to exceed four percent~~
9 ~~of total state revenue receipts for the previous fiscal year.~~

10 ~~§10.5. Mineral Revenue Audit and Settlement Fund~~

11 ~~Section 10.5.(A) There shall be established in the state treasury the Mineral~~
12 ~~Revenue Audit and Settlement Fund, hereinafter referred to as the "fund". Of~~
13 ~~revenues received in each fiscal year by the state through settlements or judgments~~
14 ~~which equal, in both principal and interest, five million dollars or more for each such~~
15 ~~settlement or judgment, resulting from underpayment to the state of severance taxes,~~
16 ~~royalty payments, bonus payments, or rentals, the treasurer shall make the following~~
17 ~~allocations as required:~~

18 ~~(1) To the Bond Security and Redemption Fund as provided in Article VII,~~
19 ~~Section 9(B) of this constitution.~~

20 ~~(2) To the political subdivisions of the state as provided in Article VII,~~
21 ~~Section 4(D) and (E) of this constitution.~~

22 ~~(3) As provided by the requirements of Article VII, Sections 10-A, 10.1,~~
23 ~~10.2, and 10.3 of this constitution.~~

24 ~~(B) After making the allocations provided for in Paragraph (A), the treasurer~~
25 ~~shall then deposit in and credit to the Mineral Revenue Audit and Settlement Fund~~
26 ~~any such remaining revenues. Any revenues deposited in and credited to the fund~~
27 ~~shall be considered mineral revenues from severance taxes, royalty payments, bonus~~
28 ~~payments, or rentals for purposes of determining deposits and credits to be made in~~
29 ~~and to the Coastal Protection and Restoration Fund as provided in Article VII,~~

1 ~~Section 10.2 of this constitution. Any revenues deposited in and credited to the fund~~
2 ~~shall not be considered mineral revenues for purposes of the Budget Stabilization~~
3 ~~Fund as provided in Article VII, Section 10.3 of this constitution. Money in the fund~~
4 ~~shall be invested as provided by law. The earnings realized in each fiscal year on the~~
5 ~~investment of monies in the Mineral Revenue Audit and Settlement Fund shall be~~
6 ~~deposited in and credited to the Mineral Revenue Audit and Settlement Fund.~~

7 ~~(C) After making the allocations provided for in Paragraph (A), the treasurer~~
8 ~~shall credit thirty-five million dollars to the Coastal Protection and Restoration Fund,~~
9 ~~and thereafter any monies credited to the fund in any fiscal year may be annually~~
10 ~~appropriated by the legislature only for the purposes of retirement in advance of~~
11 ~~maturity through redemption, purchase, or repayment of debt of the state, pursuant~~
12 ~~to a plan proposed by the State Bond Commission to maximize the savings to the~~
13 ~~state; for payments against the unfunded accrued liability of the public retirement~~
14 ~~systems which are in addition to any payments required for the annual amortization~~
15 ~~of the unfunded accrued liability of the public retirement systems, required by~~
16 ~~Article X, Section 29 of this constitution; however, any such payment to the public~~
17 ~~retirement systems shall not be used, directly or indirectly, to fund cost-of-living~~
18 ~~increases for such systems; and for deposit in the Coastal Protection and Restoration~~
19 ~~Fund.~~

20 ~~§10.6. Oilfield Site Restoration Fund~~

21 ~~Section 10.6.(A) Oilfield Site Restoration Fund. Effective January 4, 1996,~~
22 ~~there shall be established in the state treasury, as a special fund, the Oilfield Site~~
23 ~~Restoration Fund, hereinafter referred to as the restoration fund. Out of the funds~~
24 ~~remaining in the Bond Security and Redemption Fund after a sufficient amount is~~
25 ~~allocated from that fund to pay all obligations secured by the full faith and credit of~~
26 ~~the state which become due and payable within any fiscal year as required by Article~~
27 ~~VII, Section 9(B) of this constitution, the treasurer shall pay into the restoration fund~~
28 ~~all of the following:~~

1 ~~(1) All revenue from the types and classes of fees, penalties, other revenues,~~
2 ~~or judgments associated with site cleanup activities paid into the restoration fund as~~
3 ~~provided by law on the effective date of this Section. Such revenue shall be~~
4 ~~deposited in the restoration fund even if the names of such fees, other revenues, or~~
5 ~~penalties are changed.~~

6 ~~Any increase in the amount charged for such fees, penalties, other revenues,~~
7 ~~or judgments associated with site cleanup activities enacted by the legislature after~~
8 ~~the effective date of this Section, for the purpose of orphaned oilfield site restoration~~
9 ~~shall be irrevocably dedicated and deposited in the restoration fund.~~

10 ~~(2) The balance remaining on January 4, 1996 in the Oilfield Site Restoration~~
11 ~~Fund established by law.~~

12 ~~(3) All funds or revenues which may be donated expressly to the restoration~~
13 ~~fund.~~

14 ~~(4) All site-specific trust account funds established by law.~~

15 ~~(B) The monies in the restoration fund shall be appropriated by the~~
16 ~~legislature to the Department of Natural Resources, or its successor, and shall be~~
17 ~~used solely for the programs and purposes of oilfield site restoration as required by~~
18 ~~law.~~

19 ~~(C) All unexpended and unencumbered monies in the restoration fund at the~~
20 ~~end of the fiscal year shall remain in the fund. The monies in the fund shall be~~
21 ~~invested by the treasurer in the manner provided by law. All interest earned on~~
22 ~~monies invested by the treasurer shall be deposited in the fund. The treasurer shall~~
23 ~~prepare and submit to the department on a quarterly basis a printed report showing~~
24 ~~the amount of money contained in the fund from all sources.~~

25 ~~(D) The provisions of this Section shall not apply to or affect funds allocated~~
26 ~~by Article VII, Section 4, Paragraphs (D) and (E).~~

27 ~~§10.7. Oil Spill Contingency Fund~~

28 ~~Section 10.7.(A) Oil Spill Contingency Fund. Effective January 4, 1996,~~
29 ~~there shall be established in the state treasury, as a special fund, the Oil Spill~~

1 Contingency Fund, hereinafter referred to as the contingency fund. Out of the funds
2 remaining in the Bond Security and Redemption Fund after a sufficient amount is
3 allocated from that fund to pay all obligations secured by the full faith and credit of
4 the state which become due and payable within any fiscal year as required by Article
5 VII, Section 9(B) of this constitution, the treasurer shall pay into the contingency
6 fund all of the following, on the effective date of this Section:

7 (1) ~~All revenue from the types and classes of fees, taxes, penalties,~~
8 ~~judgments, reimbursements, charges, and federal funds collected or other revenue~~
9 ~~paid into the contingency fund as provided by law on the effective date of this~~
10 ~~Section. Such revenue shall be deposited in the contingency fund even if the names~~
11 ~~of such fees, taxes, penalties, judgments, reimbursements, charges, and federal funds~~
12 ~~collected or other revenues are changed.~~

13 Any increase in the amount charged for such fees, taxes, penalties,
14 judgments, reimbursements, charges, and federal funds collected or other revenue,
15 or any new fees, taxes, penalties, judgments, reimbursements, charges, and federal
16 funds collected or other revenue enacted by the legislature for the purposes of
17 abatement and containment of actual or threatened unauthorized discharges of oil
18 after the effective date of this Section, shall be irrevocably dedicated and deposited
19 in the contingency fund.

20 (2) ~~The balance remaining on January 4, 1996 in the Oil Spill Contingency~~
21 ~~Fund established by law.~~

22 (3) ~~All funds or revenues which may be donated expressly to the~~
23 ~~contingency fund.~~

24 (B) ~~The monies in the contingency fund shall be appropriated by the~~
25 ~~legislature to be used solely for the programs and purposes of abatement and~~
26 ~~containment of actual or threatened unauthorized discharges of oil as provided by~~
27 ~~law; and for administrative expenses associated with such programs and purposes as~~
28 ~~provided by law.~~

1 ~~(C) All unexpended and unencumbered monies in the contingency fund at~~
2 ~~the end of the fiscal year shall remain in the fund. The monies in the fund shall be~~
3 ~~invested by the treasurer in the manner provided by law. All interest earned on~~
4 ~~monies invested by the treasurer shall be deposited in the fund. The balance of the~~
5 ~~fund shall not exceed thirty million dollars or otherwise as provided by law.~~

6 ~~(D) The provisions of this Section shall not apply to or affect funds allocated~~
7 ~~by Article VII, Section 4, Paragraphs (D) and (E).~~

8 ~~§10.8. Section 20.~~ Millennium Trust

9 ~~Section 10.8. §20.~~ Millennium Trust

10 (A) Creation

11 (1) There shall be established in the state treasury ~~as~~ a special permanent
12 trust known as the "Millennium Trust". After allocation of money to the Bond
13 Security and Redemption Fund as provided in Article VII, ~~Section 9(B)~~ Section
14 13(B) of this constitution, the treasurer shall deposit in and credit to the Millennium
15 Trust certain monies received as a result of the Master Settlement Agreement,
16 hereinafter the "Settlement Agreement", executed November 23, 1998, and approved
17 by Consent Decree and Final Judgment entered in the case "Richard P. Ieyoub,
18 Attorney General, ex rel. State of Louisiana v. Philip Morris, Incorporated, et al.",
19 bearing Number 98-6473 on the docket of the Fourteenth Judicial District for the
20 parish of Calcasieu, state of Louisiana; ~~and all dividend and interest income and all~~
21 ~~realized capital gains on investment of the monies in the Millennium Trust.~~
22 Louisiana. The treasurer shall deposit in and credit to the Millennium Trust ~~the~~
23 following amounts of monies received as a result of the Settlement Agreement:

24 ~~(a) Fiscal Year 2000-2001, forty-five percent of the total monies received~~
25 ~~that year.~~

26 ~~(b) Fiscal Year 2001-2002, sixty percent of the total monies received that~~
27 ~~year.~~

28 ~~(c) Fiscal Year 2002-2003 and each fiscal year thereafter, seventy-five~~
29 ~~percent of the total monies received that year.~~ each fiscal year However, beginning

1 in Fiscal Year 2011-2012 after the balance in the Millennium Trust reaches a total
2 of one billion three hundred eighty million dollars, the monies deposited in and
3 credited to the Millennium Trust, received as a result of the Settlement Agreement,
4 which shall be allocated to the various funds within the Millennium Trust as
5 provided in ~~Subsubparagraphs (2)(b), (3)(b), and (4)(b) and (c) of this Paragraph.~~ by
6 law.

7 (d) ~~For Fiscal Year 2000-2001, Fiscal Year 2001-2002, and Fiscal Year~~
8 ~~2002-2003, ten percent of the total monies received in each of those years for credit~~
9 ~~to the Education Excellence Fund which, notwithstanding the provisions of~~
10 ~~Subparagraph (C)(1) of this Section, shall be appropriated for the purposes provided~~
11 ~~in Subsubparagraph (d) of Subparagraph (3) of Paragraph (C) of this Section.~~

12 (2)(a) The Health Excellence Fund shall be established as a special fund
13 within the Millennium Trust. Funding for the Health Excellence Fund shall be
14 provided by law. ~~The treasurer shall credit to the Health Excellence Fund one-third~~
15 ~~of the Settlement Agreement proceeds deposited each year into the Millennium~~
16 ~~Trust, and one-third of all investment earnings on the investment of the Millennium~~
17 ~~Trust. The treasurer shall report annually to the legislature as to the amount of~~
18 ~~Millennium Trust investment earnings credited to the Health Excellence Fund.~~

19 (b) ~~Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the~~
20 ~~treasurer shall credit to the Health Excellence Fund one-third of all investment~~
21 ~~earnings on the investment of the Millennium Trust. The treasurer shall report~~
22 ~~annually to the legislature as to the amount of Millennium Trust investment earnings~~
23 ~~credited to the Health Excellence Fund.~~

24 (c) ~~Beginning on July 1, 2012, after allocation of money to the Bond~~
25 ~~Security and Redemption Fund as provided in Article VII, Section 9(B) of this~~
26 ~~constitution, the state treasurer shall deposit in and credit to the Health Excellence~~
27 ~~Fund an amount equal to the revenues derived from the tax levied pursuant to R.S.~~
28 ~~47:841(B)(3).~~

1 (3)(a) ~~The Education Excellence Fund shall be established as a special fund~~
2 ~~within the Millennium Trust. The treasurer shall credit to the Education Excellence~~
3 ~~Fund one-third of the Settlement Agreement proceeds deposited each year into the~~
4 ~~Millennium Trust, and one-third of all investment earnings on the investment of the~~
5 ~~Millennium Trust. The treasurer shall report annually to the legislature and the state~~
6 ~~superintendent of education as to the amount of Millennium Trust investment~~
7 ~~earnings credited to the Education Excellence Fund.~~

8 (b) ~~Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the~~
9 ~~treasurer shall credit to the Education Excellence Fund one-third of all investment~~
10 ~~earnings on the investment of the Millennium Trust. The treasurer shall report~~
11 ~~annually to the legislature and the state superintendent of education as to the amount~~
12 ~~of Millennium Trust investment earnings credited to the Education Excellence Fund.~~

13 (4)(a) The TOPS Fund shall be established as a special fund within the
14 Millennium Trust. ~~The treasurer shall deposit in and credit to the TOPS Fund one-~~
15 ~~third of the Settlement Agreement proceeds deposited into the Millennium Trust, and~~
16 ~~one-third of all investment earnings on the investment of the Millennium Trust. The~~
17 ~~treasurer shall report annually to the legislature as to the amount of Millennium Trust~~
18 ~~investment earnings credited to the TOPS Fund.~~

19 (b) ~~Beginning Fiscal Year 2011-2012, and each fiscal year thereafter, the~~
20 ~~treasurer shall credit to the TOPS Fund one hundred percent of the Settlement~~
21 ~~Agreement proceeds deposited into the Millennium Trust, and one-third of all~~
22 ~~investment earnings on the investment of the Millennium Trust. Funding for the~~
23 ~~TOPS Fund shall be provided by law. The treasurer shall report annually to the~~
24 ~~legislature as to the amount of Millennium Trust Settlement Agreement proceeds and~~
25 ~~investment earnings credited to the TOPS Fund.~~

26 (c) ~~Upon the effective date of this Subsubparagraph, the state treasurer shall~~
27 ~~deposit, transfer, or otherwise credit funds in an amount equal to such Settlement~~
28 ~~Agreement proceeds deposited in and credited to the Millennium Trust received by~~

1 the state between April 1, 2011 and the effective date of this Subsubparagraph to the
2 TOPS Fund.

3 (5) (4) The amount of Settlement Agreement revenues deposited in the
4 Millennium Trust and credited to the respective funds may be increased and the
5 amount of such revenues deposited into the Louisiana Fund may be decreased by a
6 specific legislative instrument which receives a favorable vote of two-thirds of the
7 elected members of each house of the legislature.

8 (B) ~~Investment.~~ Monies credited to the Millennium Trust pursuant to
9 Paragraph (A) of this Section shall be invested by the treasurer with the same
10 authority and subject to the same restrictions as the Louisiana Education Quality
11 Trust Fund. However, the portion of monies in the Millennium Trust which may be
12 invested in stock may be increased to no more than fifty percent by a specific
13 legislative instrument which receives a favorable vote of two-thirds of the elected
14 members of each house of the legislature. The legislature shall provide for
15 procedures for the investment of such monies by law. The treasurer may contract,
16 subject to the approval of the State Bond Commission, for the management of such
17 investments and, if a contract is entered into, amounts necessary to pay the costs of
18 the contract shall be appropriated from the Millennium Trust.

19 (C) ~~Appropriations.~~ (1)(a) ~~Appropriations from the Education Excellence~~
20 ~~Fund shall be limited to an annual amount not to exceed the estimated aggregate~~
21 ~~annual earnings from interest, dividends, and realized capital gains on investment of~~
22 ~~the trust allocated as provided by Paragraph (A) of this Section and as recognized by~~
23 ~~the Revenue Estimating Conference. Amounts determined to be available for~~
24 ~~appropriation shall be those aggregate investment earnings which are in excess of an~~
25 ~~inflation factor as determined by the Revenue Estimating Conference. The amount~~
26 ~~of realized capital gains on investment which may be included in the aggregate~~
27 ~~earnings available for appropriation in any year shall not exceed the aggregate of~~
28 ~~earnings from interest and dividends for that year.~~

1 ~~(b)(i) For Fiscal Year 2011-2012, appropriations from the Health Excellence~~
2 ~~Fund shall be limited to an annual amount not to exceed the estimated aggregate~~
3 ~~annual earnings from interest, dividends, and realized capital gains on investment of~~
4 ~~the trust and credited to the Health Excellence Fund as provided by Subsubparagraph~~
5 ~~(A)(2)(b) of this Section and as recognized by the Revenue Estimating Conference.~~

6 ~~(ii) For Fiscal Year 2012-2013, and each fiscal year thereafter,~~
7 ~~appropriations from the Health Excellence Fund shall be limited to an annual amount~~
8 ~~not to exceed the estimated aggregate annual earnings from interest, dividends, and~~
9 ~~realized capital gains on investment of the trust and credited to the Health Excellence~~
10 ~~Fund as provided by Subsubparagraph (A)(2)(b) of this Section and as recognized~~
11 ~~by the Revenue Estimating Conference and the amount of proceeds credited to and~~
12 ~~deposited into the Health Excellence Fund as provided by Subsubparagraph (A)(2)(c)~~
13 ~~of this Section.~~

14 ~~(c)(i) For Fiscal Year 2011-2012, appropriations from the TOPS Fund shall~~
15 ~~be limited to the amount of Settlement Agreement proceeds credited to and deposited~~
16 ~~into the TOPS Fund as provided by Subsubparagraphs (A)(4)(b) and (c) of this~~
17 ~~Section, and an annual amount not to exceed the estimated aggregate annual earnings~~
18 ~~from interest, dividends, and realized capital gains on investment of the trust and~~
19 ~~credited to the TOPS Fund as provided by Subsubparagraph (A)(4)(b) of this Section~~
20 ~~and as recognized by the Revenue Estimating Conference.~~

21 ~~(ii) For Fiscal Year 2012-2013, and each fiscal year thereafter,~~
22 ~~appropriations from the TOPS Fund shall be limited to the amount of annual~~
23 ~~Settlement Agreement proceeds credited to and deposited into the TOPS Fund as~~
24 ~~provided in Subsubparagraph (A)(4)(b) of this Section, and an annual amount not to~~
25 ~~exceed the estimated aggregate annual earnings from interest, dividends, and realized~~
26 ~~capital gains on investment of the trust and credited to the TOPS Fund as provided~~
27 ~~in Subsubparagraph (A)(4)(b) of this Section and as recognized by the Revenue~~
28 ~~Estimating Conference.~~

1 ~~(iii) Further, for Fiscal Year 2011-2012, and each fiscal year thereafter,~~
2 ~~amounts determined to be available for appropriation from the TOPS Fund from~~
3 ~~interest earnings shall be those aggregate investment earnings which are in excess~~
4 ~~of an inflation factor as determined by the Revenue Estimating Conference. The~~
5 ~~amount of realized capital gains on investment which may be included in the~~
6 ~~aggregate earnings available for appropriation in any year shall not exceed the~~
7 ~~aggregate of earnings from interest and dividends for that year.~~

8 ~~(2) Appropriations from the Health Excellence Fund shall be restricted to the~~
9 ~~following purposes:~~

10 ~~(a) Initiatives to ensure the optimal development of Louisiana's children~~
11 ~~through the provision of appropriate health care, including children's health~~
12 ~~insurance, services provided by school-based health clinics, rural health clinics, and~~
13 ~~primary care clinics, and early childhood intervention programs targeting children~~
14 ~~from birth through age four including programs to reduce infant mortality.~~

15 ~~(b) Initiatives to benefit the citizens of Louisiana with respect to health care~~
16 ~~through pursuit of innovation in advanced health care sciences, and the provision of~~
17 ~~comprehensive chronic disease management services.~~

18 ~~(c) Each appropriation from the Health Excellence Fund shall include~~
19 ~~performance expectations to ensure accountability in the expenditure of such monies.~~

20 ~~(3) Appropriations from the Education Excellence Fund shall be limited as~~
21 ~~follows:~~

22 ~~(a) Fifteen percent of monies available for appropriation in any fiscal year~~
23 ~~from the Education Excellence Fund shall be appropriated to the state superintendent~~
24 ~~of education for distribution on behalf of all children attending private elementary~~
25 ~~and secondary schools that have been approved by the State Board of Elementary~~
26 ~~and Secondary Education, both academically and as required for such school to~~
27 ~~receive money from the state.~~

28 ~~(b) Appropriations shall be made each year to the Louisiana Educational~~
29 ~~Television Authority in the amount of seventy-five thousand dollars and to the~~

1 Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the
2 Louisiana Special Education Center in Alexandria, the Jimmy D. Long, Sr. Louisiana
3 School for Math, Science, and the Arts, the New Orleans Center for Creative Arts,
4 the Louis Armstrong High School for the Arts, and Thrive Academy, after such
5 schools are operational, to provide for a payment to each school of seventy-five
6 thousand dollars plus an allocation for each pupil equal to the average statewide per
7 pupil amount provided each city, parish, and local school system pursuant to
8 Subsubparagraph (e) of this Subparagraph.

9 (e) ~~Appropriations may be made for independent public schools approved~~
10 ~~by the State Board of Elementary and Secondary Education or any city, parish, or~~
11 ~~other local school system, laboratory schools approved by the State Board of~~
12 ~~Elementary and Secondary Education and operated by a public postsecondary~~
13 ~~education institution, and for alternative schools and programs which are authorized~~
14 ~~and approved by the State Board of Elementary and Secondary Education but are not~~
15 ~~subject to the jurisdiction and management of any city, parish, or local school system~~
16 ~~to provide for an allocation for each pupil, which shall be the average statewide per~~
17 ~~pupil amount provided in each city, parish, or local school system pursuant to~~
18 ~~Subsubparagraph (e) of this Subparagraph.~~

19 (e) ~~Beginning Fiscal Year 2007-2008 and for each fiscal year thereafter, of~~
20 ~~the monies available for appropriation after providing for the purposes enumerated~~
21 ~~in Subsubparagraphs (a), (b), and (c) of this Subparagraph, one hundred percent of~~
22 ~~the monies available for appropriation in any fiscal year shall be appropriated for~~
23 ~~each city, parish, and other local school system on a pro rata basis which is based on~~
24 ~~the ratio of the student population of that school or school system to that of the total~~
25 ~~state student population as contained in the most recent Minimum Foundation~~
26 ~~Program.~~

27 (f) ~~Monies appropriated pursuant to this Subparagraph shall be restricted to~~
28 ~~expenditure for pre-kindergarten through twelfth grade instructional enhancement~~
29 ~~for students, including early childhood education programs focused on enhancing the~~

1 ~~preparation of at-risk children for school, remedial instruction, and assistance to~~
2 ~~children who fail to achieve the required scores on any tests passage of which are~~
3 ~~required pursuant to state law or rule for advancement to a succeeding grade or other~~
4 ~~educational programs approved by the legislature. Expenditures for maintenance or~~
5 ~~renovation of buildings, capital improvements, and increases in employee salaries~~
6 ~~are prohibited. The state superintendent of education shall be responsible for~~
7 ~~allocating all money due private schools.~~

8 (g) ~~Each recipient entity shall annually prepare and submit to the state~~
9 ~~Department of Education, hereinafter the "department", a prioritized plan for~~
10 ~~expenditure of funds it expects to receive in the coming year from the Education~~
11 ~~Excellence Fund. The plan shall include performance expectations to ensure~~
12 ~~accountability in the expenditure of such monies. The department shall review such~~
13 ~~plans for compliance with the requirements of this Subparagraph and to assure that~~
14 ~~the expenditure plans will support excellence in educational practice. No funds may~~
15 ~~be distributed to a recipient entity until its plan has received both legislative and~~
16 ~~departmental approval as provided by law.~~

17 (h) ~~No amount appropriated as required in this Paragraph shall displace,~~
18 ~~replace, or supplant appropriations from the general fund for elementary and~~
19 ~~secondary education, including implementing the Minimum Foundation Program.~~
20 ~~This Subsubparagraph shall mean that no appropriation for any fiscal year from the~~
21 ~~Education Excellence Fund shall be made for any purpose for which a general fund~~
22 ~~appropriation was made in the previous year unless the total appropriations for the~~
23 ~~fiscal year from the state general fund for such purpose exceed general fund~~
24 ~~appropriations of the previous year. Nor shall any money allocated to a city or parish~~
25 ~~school board pursuant to this Paragraph displace, replace, or supplant locally~~
26 ~~generated revenue, which means that no allocation to any city or parish school board~~
27 ~~from the investment earnings attributable to the Education Excellence Fund shall be~~
28 ~~expended for any purpose for which a local revenue source was expended for that~~
29 ~~purpose for the previous year unless the total of the local revenue amount expended~~

1 ~~that fiscal year exceeds the total of such local revenue amounts for the previous~~
2 ~~fiscal year.~~

3 ~~(i) The treasurer shall maintain within the state treasury a record of the~~
4 ~~amounts appropriated and credited for each entity through appropriations authorized~~
5 ~~in this Subparagraph and which remain in the state treasury. Notwithstanding any~~
6 ~~other provisions of this constitution to the contrary, such amounts, and investment~~
7 ~~earnings attributable to such amounts, shall remain to the credit of each recipient~~
8 ~~entity at the close of each fiscal year.~~

9 ~~(4) Appropriations from the TOPS Fund shall be restricted to support of state~~
10 ~~programs for financial assistance for students attending Louisiana institutions of~~
11 ~~postsecondary education.~~

12 ~~§10.9. Louisiana Fund~~

13 ~~Section 10.9. Louisiana Fund~~

14 ~~(A) The Louisiana Fund is established in the state treasury as a special fund.~~
15 ~~After allocation of money to the Bond Security and Redemption Fund as provided~~
16 ~~in Article VII, Section 9(B) of this constitution, the treasurer shall deposit in and~~
17 ~~credit to the Louisiana Fund all remaining monies received as a result of the~~
18 ~~Settlement Agreement after deposits into the Millennium Trust as provided in~~
19 ~~Section 10.8 of this Article, and all interest income on the investment of monies in~~
20 ~~the Louisiana Fund. Monies in the Louisiana Fund shall be invested by the treasurer~~
21 ~~in the same manner as the state general fund.~~

22 ~~(B) Appropriations from the Louisiana Fund shall be restricted to the~~
23 ~~following purposes:~~

24 ~~(1) Initiatives to ensure the optimal development of Louisiana's children~~
25 ~~through enhancement of educational opportunities and the provision of appropriate~~
26 ~~health care, which shall include but not be limited to:~~

27 ~~(a) Early childhood intervention programs targeting children from birth~~
28 ~~through age four, including programs to reduce infant mortality.~~

29 ~~(b) Support of state programs for children's health insurance.~~

1 ~~(c) School-based health clinics, rural health clinics, and primary care clinics.~~

2 ~~(2) Initiatives to benefit the citizens of Louisiana with respect to health care~~
3 ~~through pursuit of innovation in advanced health care sciences, provision of~~
4 ~~comprehensive chronic disease management services, and expenditures for capital~~
5 ~~improvements for state health care facilities.~~

6 ~~(3) Provision of direct health care services for tobacco-related illnesses.~~

7 ~~(4) Initiatives to diminish tobacco-related injury and death to Louisiana's~~
8 ~~citizens through educational efforts, cessation assistance services, promotion of a~~
9 ~~tobacco-free lifestyle, and enforcement of the requirements of the Settlement~~
10 ~~Agreement by the attorney general.~~

11 ~~(C) Each appropriation from the Louisiana Fund shall include performance~~
12 ~~expectations to ensure accountability in the expenditure of such monies. Any~~
13 ~~unexpended and unencumbered monies in each fund at the end of a fiscal year shall~~
14 ~~remain in the respective fund.~~

15 ~~§10.11. Artificial Reef Development Fund~~

16 ~~(A) Artificial Reef Development Fund. There shall be established in the state~~
17 ~~treasury, as a special fund, the Artificial Reef Development Fund. Out of the funds~~
18 ~~remaining in the Bond Security and Redemption Fund after a sufficient amount is~~
19 ~~allocated from that fund to pay all obligations secured by the full faith and credit of~~
20 ~~the state that become due and payable within any fiscal year as required by Article~~
21 ~~VII, Section 9(B) of this constitution, the treasurer shall pay into the Artificial Reef~~
22 ~~Development Fund the monies received as provided in Paragraph (B) of this Section.~~

23 ~~(B) The secretary of the Department of Wildlife and Fisheries is authorized~~
24 ~~to accept and receive grants, donations of monies, and other forms of assistance from~~
25 ~~private and public sources that are provided to the state for the purpose of siting,~~
26 ~~designing, constructing, permitting, monitoring, and otherwise managing an artificial~~
27 ~~reef system.~~

1 ~~(C) The monies in the Artificial Reef Development Fund shall be~~
2 ~~appropriated by the legislature to the Department of Wildlife and Fisheries, or its~~
3 ~~successor, and shall be allocated solely for the following:~~

4 ~~(1) For the programs and purposes of siting, designing, constructing,~~
5 ~~permitting, monitoring, and otherwise managing an artificial reef system.~~

6 ~~(2) For the salaries of personnel assigned to the Artificial Reef Development~~
7 ~~Program and for related operating expenses.~~

8 ~~(3) An amount not to exceed ten percent of the monies deposited to the fund~~
9 ~~each year and ten percent of the interest income credited to the fund each year may~~
10 ~~be used by the department to provide funding in association with the wild seafood~~
11 ~~certification program, particularly in support of wild-caught shrimp, established by~~
12 ~~the department. Such funding may be used for a subsidy granted to seafood~~
13 ~~harvesters or processors to assist in their efforts to comply with the certification~~
14 ~~program requirements and may be used for administration of the program.~~

15 ~~(4) An amount not to exceed ten percent of the funds deposited to the fund~~
16 ~~each year and ten percent of the interest income credited to the fund each year may~~
17 ~~be used by the department to provide funding for inshore fisheries habitat~~
18 ~~enhancement projects, particularly in support of the Artificial Reef Development~~
19 ~~Program established by the department. Such funding may be used for grants to~~
20 ~~nonprofit conservation organizations working in cooperation with the department.~~

21 ~~(D) All unexpended and unencumbered monies in the Artificial Reef~~
22 ~~Development Fund at the end of the fiscal year shall remain in the fund. The monies~~
23 ~~in the fund shall be invested by the treasurer in the manner provided by law. All~~
24 ~~interest earned on monies invested by the treasurer shall be deposited in the fund.~~
25 ~~The treasurer shall prepare and submit to the department on a quarterly basis a~~
26 ~~written report showing the amount of money contained in the fund from all sources.~~

27 ~~§10.12. Farmers and fishermen assistance programs; Agricultural and Seafood~~
28 ~~Products Support Fund~~

1 ~~(A) The legislature is authorized to provide by law for programs to assist~~
2 ~~Louisiana farmers and fishermen with support and expansion of their industries.~~

3 ~~§10.13. §21.~~ Hospital stabilization formula and assessment; Hospital Stabilization
4 Fund

5 (A) Hospital Stabilization Formula. (1) The legislature may annually adopt
6 a Hospital Stabilization Formula, hereafter referred to in this Section as "the
7 formula", by concurrent resolution by a favorable vote of a majority of the elected
8 members of each house. Such resolution shall be referred to the standing committees
9 of the legislature that hear the general appropriation bill. The formula shall, to the
10 maximum extent possible, enhance the economic viability of Louisiana hospitals and
11 reduce shifting the cost of caring for Louisiana's needy residents to the state's insured
12 residents.

13 (2)(a) The first formula established pursuant to Subparagraph (1) of this
14 Paragraph, which shall require a favorable vote of two-thirds of the elected members
15 of each house for adoption, shall define and establish as the base reimbursement
16 level under the Louisiana medical assistance program provided for in Title XIX of
17 the Social Security Act, hereafter referred to as the "Medicaid Program", to hospitals
18 for inpatient and outpatient services in Fiscal Year 2012-2013. The formula shall
19 also provide for the preservation and protection of rural hospitals as provided for by
20 law. Each formula established thereafter may apply a rate of inflation, which shall
21 not be a negative rate, to the base reimbursement level from the previous formula
22 adopted by the legislature.

23 (b) Each formula shall also include and establish assessments to be paid by
24 hospitals and the basis on which such assessments shall be calculated, provided the
25 amount of the assessments does not exceed the nonfederal share of the
26 reimbursement enhancements.

27 (c) Each formula shall also establish reimbursement enhancements under
28 the Medicaid Program, or its successor, achieving the maximum reimbursement by
29 federal law and resulting in distributing such reimbursement enhancements

1 exclusively among hospitals for hospital services. Reimbursement enhancements
2 may also be distributed for uninsured services delivered.

3 (d) Each formula shall also include any additional provisions necessary to
4 the implementation of the formula. Neither the assessments nor the reimbursement
5 enhancements established in the formula adopted by the legislature shall be
6 implemented until each has been approved by the federal authority which
7 administers the Medicaid Program.

8 (3) The base reimbursement level resulting from the formula shall not be
9 paid from the Hospital Stabilization Fund.

10 (4) No additional assessment shall be collected and any assessment shall be
11 terminated for the remainder of the fiscal year from the date on which any of the
12 following occur:

13 (a) The legislature fails to adopt a formula for the subsequent fiscal year.

14 (b) The Louisiana Department of Health, or its successor or contractors,
15 reduces or does not pay reimbursement enhancements established in the current
16 formula as adopted by the legislature.

17 (c) The appropriations provided for in Subparagraph (B)(2) of this Section
18 are reduced.

19 (5) The treasurer shall return any monies collected after the date of
20 termination of an assessment to the hospital from which it was collected.

21 (B) Appropriation. (1) The legislature shall annually appropriate an amount
22 necessary to fund the base reimbursement level for hospitals established in the most
23 recent formula adopted by the legislature.

24 (2) The legislature shall annually appropriate the balance of the Hospital
25 Stabilization Fund solely to fund the reimbursement enhancements as provided in the
26 most recent formula adopted by the legislature.

27 (3) Notwithstanding Article VII, Section ~~10(F)~~ 14(F) of this constitution,
28 neither the governor nor the legislature may reduce the appropriation funding the
29 base reimbursement level or the reimbursement enhancements to satisfy a budget

1 deficit, except the governor may reduce the appropriation to the base reimbursement
2 level if the following occur:

3 (a) Such reduction does not exceed the average reduction of those made to
4 the appropriations and reimbursement for other providers under the Medicaid
5 Program, or its successor; and

6 (b)(i) If the legislature is in session, the reduction is consented to in writing
7 by two-thirds of the elected members of each house in a manner provided by law; or

8 (ii) If the legislature is not in session, the reduction is approved by two-thirds
9 of the members of the Joint Legislative Committee on the Budget, or its successor.

10 (C) Hospital Stabilization Fund. There is hereby established as a special
11 fund in the state treasury the Hospital Stabilization Fund, hereafter referred to as "the
12 fund". After compliance with the requirements of Article VII, Section ~~9(B)~~ 13(B)
13 of this constitution relative to the Bond Security and Redemption Fund, the treasurer
14 shall deposit all proceeds from the assessment collected pursuant to the Hospital
15 Stabilization Formula provided for in this Section. The monies in the fund shall be
16 invested in the same manner as monies in the state general fund, and all interest
17 earned on the investment of the fund shall be deposited in and credited to the fund.
18 Appropriations from the fund shall be restricted to funding the reimbursement
19 enhancements established in the Hospital Stabilization Formula adopted by the
20 legislature for the fiscal year in which the assessment is collected.

21 ~~§10.14. Louisiana Medical Assistance Trust Fund~~

22 ~~(A) There is hereby established as a special fund in the state treasury the~~
23 ~~Louisiana Medical Assistance Trust Fund, hereinafter referred to as "the fund",~~
24 ~~which shall consist of monies generated by fees as provided for in law. Subject to~~
25 ~~the exceptions contained in Article VII, Section 9(A) of this constitution, and after~~
26 ~~compliance with the requirements of Article VII, Section 9(B) of this constitution~~
27 ~~relative to the Bond Security and Redemption Fund, the treasurer shall deposit all~~
28 ~~proceeds from the fees collected as provided for in laws relative to the Louisiana~~
29 ~~Medical Assistance Trust Fund into the fund. The monies in the fund shall be~~

1 invested by the state treasurer in the same manner as monies in the state general
2 fund. ~~All interest earned from the investment of monies in the fund shall be~~
3 deposited in and remain to the credit of the fund. All unexpended and unencumbered
4 monies remaining in the fund at the close of each fiscal year shall remain in the fund.

5 (B) ~~The treasurer is hereby authorized to establish a separate account within~~
6 the fund for each health care provider group in which fees are collected according
7 to law. ~~Monies collected from each provider group, and the interest earned on those~~
8 monies, shall be deposited into the account created for that provider group. ~~Any~~
9 monies deposited into the fund from sources not required by law, and the interest
10 earned on those monies, shall be deposited into a separate account within the fund,
11 hereafter referred to as "the general account".

12 (C) ~~The legislature is authorized to appropriate monies from the fund only~~
13 if the appropriation is eligible for federal financial participation under Title XIX of
14 the Social Security Act, or its successor. ~~The balance of each account shall be~~
15 appropriated for reimbursement of services to the provider group which paid the fee
16 into the account in any fiscal year, except monies deposited into the general account
17 may be appropriated for any Medicaid Program expenditure.

18 (D) ~~The monies appropriated from the provider accounts in the fund shall not~~
19 be used to displace, replace, or supplant appropriations from the state general fund
20 for the Medicaid Program below the amount of state general fund appropriations to
21 the Medicaid Program for Fiscal Year 2013-2014.

22 (E)(1) ~~The legislature shall annually appropriate the funds necessary to~~
23 provide for Medicaid Program rates for each provider group which pays fees into the
24 fund that is no less than the average Medicaid Program rates established for Fiscal
25 Year 2013-2014 and which may be adjusted annually by establishing the rates of
26 inflation, or rebasing if applicable, which rates shall not be negative, to be applied
27 to the base rates to establish the new base rates for the next fiscal year as authorized
28 by law. For the purpose of this Section, "Medicaid Program" shall refer to the

1 ~~Louisiana medical assistance program provided for in Title XIX of the Social~~
2 ~~Security Act, or its successor.~~

3 ~~(2) Notwithstanding Article VII, Section 10(F) of this constitution, neither~~
4 ~~the governor nor the legislature may reduce the base rate as provided for in this~~
5 ~~Paragraph to satisfy a budget deficit, except the governor may reduce the~~
6 ~~appropriation for the base rate if the following occur:~~

7 ~~(a) Such reduction does not exceed the average reduction of those made to~~
8 ~~the appropriations and reimbursement for other providers under the Medicaid~~
9 ~~Program, or its successor; and~~

10 ~~(b)(i) If the legislature is in session, the reduction is consented to in writing~~
11 ~~by two-thirds of the elected members of each house in a manner provided by law; or~~

12 ~~(ii) If the legislature is not in session, the reduction is approved by two-thirds~~
13 ~~of the members of the Joint Legislative Committee on the Budget, or its successor.~~

14 ~~§10.15. Revenue Stabilization Trust Fund~~

15 ~~Section 10.15.—Revenue Stabilization Trust Fund.—(A) The Revenue~~
16 ~~Stabilization Trust Fund is hereby established in the state treasury as a special trust~~
17 ~~fund, hereinafter referred to as the "fund".~~

18 ~~(B) After allocation of money to the Bond Redemption and Security Fund~~
19 ~~as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the~~
20 ~~treasurer shall deposit in and credit to the fund the revenues as provided for in~~
21 ~~Paragraphs (C) and (D) of this Section.~~

22 ~~(C) The treasurer shall deposit into the fund the amount of mineral revenues~~
23 ~~as provided in Section 10.16 of this constitution.~~

24 ~~(D) The treasurer shall deposit into the fund the amount of revenues in~~
25 ~~excess of six hundred million dollars received each fiscal year from corporate~~
26 ~~franchise and income taxes as recognized by the Revenue Estimating Conference.~~

27 ~~(E)(1) Except as provided for in Paragraph (F) of this Section, monies~~
28 ~~deposited into the Revenue Stabilization Trust Fund shall be permanently credited~~

1 to the trust fund and shall be invested by the treasurer in a manner provided for by
2 law:

3 ~~(2) The treasurer shall deposit all interest or other income from investment~~
4 ~~generated from the fund into the state general fund.~~

5 ~~(F)(1) Except as provided in Subparagraphs (2) and (3) of this Paragraph, no~~
6 ~~appropriations shall be made from the Revenue Stabilization Trust Fund.~~

7 ~~(2)(a) In any fiscal year in which the balance of the fund at the beginning of~~
8 ~~the year is in excess of five billion dollars, hereinafter referred to as the minimum~~
9 ~~fund balance, the legislature may appropriate an amount not to exceed ten percent~~
10 ~~of the fund balance, hereinafter referred to as the allowable percentage, for the~~
11 ~~following:~~

12 ~~(i) Capital outlay projects in the comprehensive state capital budget.~~

13 ~~(ii) Transportation infrastructure.~~

14 ~~(b) The minimum fund balance or the allowable percentage may be changed~~
15 ~~by a law enacted by two-thirds of the elected members of each house of the~~
16 ~~legislature.~~

17 ~~(3) In order to ensure the money in the fund is available for appropriation in~~
18 ~~an emergency, the legislature may authorize an appropriation from the fund at any~~
19 ~~time for any purpose only after the consent of two-thirds of the elected members of~~
20 ~~each house of the legislature. If the legislature is not in session, the two-thirds~~
21 ~~requirement may be satisfied upon obtaining the written consent of two-thirds of the~~
22 ~~elected members of each house of the legislature in a manner provided by law.~~

23 ~~§10.16. Dedications of Mineral Revenues~~

24 ~~Section 10.16.(A) All mineral revenues as defined in Paragraph (D) of this~~
25 ~~Section received in each fiscal year by the state as a result of the production of or~~
26 ~~exploration for minerals, hereinafter referred to as "mineral revenues", shall be~~
27 ~~allocated as provided in this Section after the following allocations and deposits of~~
28 ~~mineral revenues have been made:~~

1 ~~(1) To the Bond Security and Redemption Fund as provided in Article VII,~~
2 ~~Section 9 (B) of this constitution.~~

3 ~~(2) To the political subdivisions of the state as provided in Article VII,~~
4 ~~Sections 4 (D) and (E) of this constitution.~~

5 ~~(3) To the Louisiana Wildlife and Fisheries Conservation Fund as provided~~
6 ~~by the requirements of Article VII, Section 10-A of this constitution and as provided~~
7 ~~by law.~~

8 ~~(4) To the Louisiana Wildlife and Fisheries Conservation Fund and the Oil~~
9 ~~and Gas Regulatory Fund as provided by law.~~

10 ~~(5) To the Rockefeller Wildlife Refuge and Game Preserve Fund as provided~~
11 ~~by law.~~

12 ~~(6) To the Marsh Island Operating Fund and the Russell Sage or Marsh~~
13 ~~Island Refuge Fund as provided by law.~~

14 ~~(7) To the MC Davis Conservation Fund as provided by law.~~

15 ~~(8) To the White Lake Property Fund as provided by law.~~

16 ~~(9) To the Louisiana Education Quality Trust Fund and Louisiana Quality~~
17 ~~Education Support Fund as provided in Article VII, Section 10.1 of this constitution.~~

18 ~~(10) To the Coastal Protection and Restoration Fund as provided in Article~~
19 ~~VII, Section 10.2 of this constitution and as provided by law.~~

20 ~~(11) To the Mineral Revenue and Audit Settlement Fund as provided in~~
21 ~~Article VII, Section 10.5 of this constitution and as provided by law.~~

22 ~~(12) To the Budget Stabilization Fund as provided in Article VII, Section~~
23 ~~10.3 of this constitution and as provided by law.~~

24 ~~(13) An amount equal to the state general fund deposited into the~~
25 ~~Transportation Trust Fund and the Louisiana State Transportation Infrastructure~~
26 ~~Fund as provided by law.~~

27 ~~(B) Allocation of Mineral Revenues. After the allocations and deposits~~
28 ~~provided in Paragraph (A) of this Section, the mineral revenues received in each year~~

1 in excess of six hundred sixty million dollars and less than nine hundred fifty million
2 dollars shall be allocated as follows:

3 (1) ~~Thirty percent shall be appropriated to the Louisiana State Employees'~~
4 ~~Retirement System and the Teachers' Retirement System of Louisiana for application~~
5 ~~to the balance of the unfunded accrued liability of such systems existing as of June~~
6 ~~30, 1988, in proportion to the balance of such unfunded accrued liability of each such~~
7 ~~system, until such unfunded accrued liability has been eliminated. Any such~~
8 ~~payments to the public retirement systems shall not be used, directly or indirectly,~~
9 ~~to fund cost-of-living increases for such systems.~~

10 (2) ~~The remainder shall be deposited into the Revenue Stabilization Trust~~
11 ~~Fund.~~

12 (C) ~~Mineral revenues in excess of the base which would otherwise be~~
13 ~~deposited into the Budget Stabilization Fund under Subparagraph (A)(2) of Section~~
14 ~~10.3 of this constitution, but are prohibited from being deposited into the fund under~~
15 ~~Subparagraph (C)(4) of Section 10.3 of this constitution, shall be distributed as~~
16 ~~follows:~~

17 (1) ~~Thirty percent shall be appropriated to the Louisiana State Employees'~~
18 ~~Retirement System and the Teachers' Retirement System of Louisiana for application~~
19 ~~to the balance of the unfunded accrued liability of such systems existing as of June~~
20 ~~30, 1988, in proportion to the balance of such unfunded accrued liability of each such~~
21 ~~system, until such unfunded accrued liability has been eliminated. Any such~~
22 ~~payments to the public retirement systems shall not be used, directly or indirectly,~~
23 ~~to fund cost-of-living increases for such systems.~~

24 (2) ~~The remainder shall be deposited into the Revenue Stabilization Trust~~
25 ~~Fund.~~

26 (D) ~~For purposes of this Section, "mineral revenues" shall include severance~~
27 ~~taxes, royalty payments, bonus payments, or rentals, with the following exceptions:~~

28 (1) ~~Revenues designated as nonrecurring, pursuant to Article VII, Section~~
29 ~~10(B) of this constitution.~~

1 ~~(2) Revenues received by the state as a result of grants or donations when the~~
2 ~~terms or conditions thereof require otherwise.~~

3 ~~(3) Revenues derived from any tax on the transportation of minerals.~~

4 ~~§10-A. Wildlife and Fisheries; Conservation Fund~~

5 ~~Section 10-A. (A) Conservation Fund. Effective July 1, 1988, there shall be~~
6 ~~established in the state treasury, as a special fund, the Louisiana Wildlife and~~
7 ~~Fisheries Conservation Fund, hereinafter referred to as the Conservation Fund. Out~~
8 ~~of the funds remaining in the Bond Security and Redemption Fund after a sufficient~~
9 ~~amount is allocated from that fund to pay all obligations secured by the full faith and~~
10 ~~credit of the state which become due and payable within any fiscal year as required~~
11 ~~by Article VII, Section 9(B) of this constitution, the treasurer shall pay into the~~
12 ~~Conservation Fund all of the following, except as provided in Article VII, Section~~
13 ~~9(A), and except for the amount provided in R.S. 56:10(B)(1)(a) as that provision~~
14 ~~existed on the effective date of this Section:~~

15 ~~(1) All revenue from the types and classes of fees, licenses, permits,~~
16 ~~royalties, or other revenue paid into the Conservation Fund as provided by law on~~
17 ~~the effective date of this Section. Such revenue shall be deposited in the~~
18 ~~Conservation Fund even if the names of such fees, licenses, permits, or other~~
19 ~~revenues are changed.~~

20 ~~Any increase in the amount charged for such fees, licenses, permits, royalties,~~
21 ~~and other revenue, or any new fee, license, permit, royalty, or other revenue, enacted~~
22 ~~by the legislature after the effective date of this Section, shall be irrevocably~~
23 ~~dedicated and deposited in the Conservation Fund unless the legislature enacts a law~~
24 ~~specifically appropriating or dedicating such revenue to another fund or purpose.~~

25 ~~(2) The balance remaining on June 30, 1988 in the Conservation Fund~~
26 ~~established pursuant to R.S. 56:10.~~

27 ~~(3) All funds or revenues which may be donated expressly to the~~
28 ~~Conservation Fund.~~

1 ~~(B) The monies in the Conservation Fund shall be appropriated by the~~
2 ~~legislature to the Department of Wildlife and Fisheries, or its successor, and shall be~~
3 ~~used solely for the programs and purposes of conservation, protection, preservation,~~
4 ~~management, and replenishment of the state's natural resources and wildlife,~~
5 ~~including use for land acquisition or for federal matching fund programs which~~
6 ~~promote such purposes, and for the operation and administration of the Department~~
7 ~~and the Wildlife and Fisheries Commission, or their successors.~~

8 ~~(C) All unexpended and unencumbered monies in the Conservation Fund at~~
9 ~~the end of the fiscal year shall remain in the fund. The monies in the fund shall be~~
10 ~~invested by the treasurer in the manner provided by law. All interest earned on~~
11 ~~monies invested by the treasurer shall be deposited in the fund. The treasurer shall~~
12 ~~prepare and submit to the department on a quarterly basis a printed report showing~~
13 ~~the amount of money contained in the fund from all sources.~~

14 ~~§11.~~ §22. Budgets

15 ~~Section 11.~~ Section 22.(A) Budget Estimate. The governor shall submit to
16 the legislature, at the time and in the form fixed by law, a budget estimate for the
17 next fiscal year setting forth all proposed state expenditures. This budget shall
18 include a recommendation for appropriations from the state general fund and from
19 dedicated funds, except funds allocated by Article VII, ~~Section 4, Paragraphs (D) and~~
20 ~~(E)~~, Section 8, Paragraphs (B) and (C), which shall not exceed the official forecast
21 of the Revenue Estimating Conference and the expenditure limit for the fiscal year.
22 The recommendation shall also comply with the provisions of Article VII, ~~Section~~
23 ~~10(D)~~. Section 14(D). This budget shall include a recommendation for funding of
24 state salary supplements for full-time law enforcement and fire protection officers
25 of the state, as provided in Article VII, ~~Section 10(D)(3)~~ Section 14(D)(3) of this
26 constitution.

27 (B) Operating Budget. The governor shall cause to be submitted a general
28 appropriation bill for proposed ordinary operating expenditures which shall be in
29 conformity with the recommendations for appropriations contained in the budget

1 estimate. The governor may cause to be submitted a bill or bills to raise additional
2 revenues with proposals for the use of these revenues.

3 (C) Capital Budget. The governor shall submit to the legislature, at each
4 regular session, a proposed five-year capital outlay program and request
5 implementation of the first year of the program. Prior to inclusion in the
6 comprehensive capital budget which the legislature adopts, each capital improvement
7 project shall be evaluated through a feasibility study, as defined by the legislature,
8 which shall include an analysis of need and estimates of construction and operating
9 costs. The legislature shall provide by law for procedures, standards, and criteria for
10 the evaluation of such feasibility studies and shall set the schedule of submission of
11 such feasibility studies ~~which shall take effect not later than December thirty-first~~
12 ~~following the first regular session convening after this Paragraph takes effect.~~
13 studies. These procedures, standards, and criteria for evaluation of such feasibility
14 studies cannot be changed or altered except by a separate legislative instrument
15 approved by a favorable vote of two-thirds of the elected members of each house of
16 the legislature. For ~~those~~ projects not eligible for funding under the provisions of
17 Article VII, ~~Section 27~~ Section 16 of this constitution, the request for
18 implementation of the first year of the program shall include a list of the proposed
19 projects in priority order based on the evaluation of the feasibility studies submitted.
20 Capital outlay projects approved by the legislature shall be made a part of the
21 comprehensive state capital budget, which shall be adopted by the legislature.

22 ~~§12.~~ §23. Reports and Records

23 ~~Section 12.~~ Section 23. Reports and records of the collection, expenditure,
24 investment, and use of state money and those relating to state obligations shall be
25 matters of public record, except returns of taxpayers and matters pertaining to those
26 returns.

27 ~~§13.~~ §24. Investment of State Funds

28 ~~Section 13.~~ Section 24. All money in the custody of the state treasurer which
29 is available for investment shall be invested as provided by law.

1 ~~§14.~~ §25. Donation, Loan, or Pledge of Public Credit

2 ~~Section 14.~~ Section 25.(A) Prohibited Uses. Except as otherwise provided
3 by this constitution, the funds, credit, property, or things of value of the state or of
4 any political subdivision shall not be loaned, pledged, or donated to or for any
5 person, association, or corporation, public or private. Except as otherwise provided
6 in this Section, neither the state nor a political subdivision shall subscribe to or
7 purchase the stock of a corporation or association or for any private enterprise.

8 (B) Authorized Uses. Nothing in this Section shall prevent (1) the use of
9 public funds for programs of social welfare for the aid and support of the needy; (2)
10 contributions of public funds to pension and insurance programs for the benefit of
11 public employees; (3) the pledge of public funds, credit, property, or things of value
12 for public purposes with respect to the issuance of bonds or other evidences of
13 indebtedness to meet public obligations as provided by law; (4) the return of
14 property, including mineral rights, to a former owner from whom the property had
15 previously been expropriated, or purchased under threat of expropriation, when the
16 legislature by law declares that the public and necessary purpose which originally
17 supported the expropriation has ceased to exist and orders the return of the property
18 to the former owner under such terms and conditions as specified by the legislature;
19 (5) acquisition of stock by any institution of higher education in exchange for any
20 intellectual property; (6) the donation of abandoned or blighted housing property by
21 the governing authority of a municipality or a parish to a nonprofit organization
22 which is recognized by the Internal Revenue Service as a 501(c)(3) or 501(c)(4)
23 nonprofit organization and which agrees to renovate and maintain such property until
24 conveyance of the property by such organization; (7) the deduction of any tax,
25 interest, penalty, or other charges forming the basis of tax liens on blighted property
26 so that they may be subordinated and waived in favor of any purchaser who is not
27 a member of the immediate family of the blighted property owner or which is not
28 any entity in which the owner has a substantial economic interest, but only in
29 connection with a property renovation plan approved by an administrative hearing

1 officer appointed by the parish or municipal government where the property is
2 located; (8) the deduction of past due taxes, interest, and penalties in favor of an
3 owner of a blighted property, but only when the owner sells the property at less than
4 the appraised value to facilitate the blighted property renovation plan approved by
5 the parish or municipal government and only after the renovation is completed such
6 deduction being canceled, null and void, and to no effect in the event ownership of
7 the property in the future reverts back to the owner or any member of his immediate
8 family; (9) the donation by the state of asphalt which has been removed from state
9 roads and highways to the governing authority of the parish or municipality where
10 the asphalt was removed, or if not needed by such governing authority, then to any
11 other parish or municipal governing authority, but only pursuant to a cooperative
12 endeavor agreement between the state and the governing authority receiving the
13 donated property; (10) the investment in stocks of a portion of the Rockefeller
14 Wildlife Refuge Trust and Protection Fund, ~~created under the provisions of R.S.~~
15 ~~56:797, Fund~~ and the Russell Sage or Marsh Island Refuge Fund, ~~created under the~~
16 ~~provisions of R.S. 56:798~~, such portion not to exceed thirty-five percent of each
17 fund; (11) the investment in stocks of a portion of the state-funded permanently
18 endowed funds of a public or private college or university, not to exceed thirty-five
19 percent of the public funds endowed; (12) the investment in equities of a portion of
20 the Medicaid Trust Fund for the Elderly created under the provisions of R.S. 46:2691
21 et seq., such portion not to exceed thirty-five percent of the fund; (13) the investment
22 of public funds to capitalize a state infrastructure bank and the loan, pledge, or
23 guarantee of public funds by a state infrastructure bank solely for transportation
24 projects; (14) pursuant to a written agreement, the donation of the use of public
25 equipment and personnel by a political subdivision upon request to another political
26 subdivision for an activity or function the requesting political subdivision is
27 authorized to exercise; or (15) a political subdivision from waiving charges for water
28 if the charges are the result of water lost due to damage to the water delivery

1 infrastructure and that damage is not the result of any act or failure to act by the
2 customer being charged for the water.

3 (C) Cooperative Endeavors. For a public purpose, the state and its political
4 subdivisions or political corporations may engage in cooperative endeavors with
5 each other, with the United States or its agencies, or with any public or private
6 association, corporation, or individual.

7 (D) Prior Obligations. Funds, credit, property, or things of value of the state
8 or of a political subdivision heretofore loaned, pledged, dedicated, or granted by
9 prior state law or authorized to be loaned, pledged, dedicated, or granted by ~~the~~ prior
10 laws and constitution of this state shall so remain for the full term as provided by ~~the~~
11 such prior laws and constitution and for the full term as provided by any contract,
12 unless the authorization is revoked by law enacted by two-thirds of the elected
13 members of each house of the legislature prior to the vesting of any contractual
14 rights pursuant to this Section.

15 (E) Surplus Property. Nothing in this Section shall prevent the donation or
16 exchange of movable surplus property between or among political subdivisions
17 whose functions include public safety.

18 ~~§15: §26.~~ Release of Obligations to State, Parish, or Municipality

19 ~~Section 15: Section 26.~~ The legislature shall have no power to release,
20 extinguish, or authorize the releasing or extinguishing of any indebtedness, liability,
21 or obligation of a corporation or individual to the state, a parish, or a municipality.
22 However, the legislature, by law, may establish a system under which claims by the
23 state or a political subdivision may be compromised, and may provide for the release
24 of heirs to confiscated property from which taxes are due ~~thereon~~ at the date of its
25 reversion to them.

26 ~~§16: §27.~~ Taxes; Prescription

27 ~~Section 16: Section 27.~~ Taxes, except real property taxes, and licenses shall
28 prescribe in three years after the thirty-first day of December in the year in which

1 they are ~~due, but~~ due; however, prescription may be interrupted or suspended as
2 provided by law.

3 ~~§17. §28.~~ Legislation to Obtain Federal Aid

4 ~~Section 17. Section 28.~~ The legislature may enact laws to enable the state,
5 its agencies, boards, commissions, and political subdivisions and their agencies to
6 comply with federal laws and regulations in order to secure federal participation in
7 funding capital improvement projects.

8 § 29. Funding; Teacher Salaries

9 (A)(1) Notwithstanding any other provision of this constitution to the
10 contrary, upon the effective date of this Section the state treasurer is authorized and
11 directed to transfer to the Teachers' Retirement System of Louisiana the balance of
12 each of the following:

13 (a) The Education Excellence Fund.

14 (b) The Louisiana Education Quality Trust Fund.

15 (c) The Louisiana Quality Education Support Fund.

16 (2) The Teachers' Retirement System of Louisiana shall apply monies
17 received pursuant to Subparagraph (1) of this Paragraph to its oldest outstanding
18 positive amortization base. After liquidation of such base, any remaining monies
19 shall be applied to the next-oldest outstanding positive amortization base, until all
20 such monies have been applied. If application of monies pursuant to the provisions
21 of this Subparagraph are insufficient to fully liquidate an amortization base, after
22 application of such monies the net remaining liability of such amortization base shall
23 be reamortized with annual level-dollar payments calculated in the same manner as
24 other system amortization payments and over the remainder of the amortization
25 period originally established for that base.

26 (B) As provided by law, participating employers in the Teachers' Retirement
27 System of Louisiana shall provide a permanent salary increase to eligible personnel.
28 Such increase shall be funded using the employer's net savings attributable to the
29 payments made pursuant to Paragraph (A) of this Section.

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PART II. PROPERTY TAXATION

~~§18.~~ §30. Ad Valorem Taxes

~~Section 18.~~ Section 30.(A) Assessments. Property subject to ad valorem taxation shall be listed on the assessment rolls at its assessed valuation, which, except as provided in ~~Paragraphs (C), (F), and (G),~~ law, shall be a percentage of its fair market value. The percentage of fair market value shall be uniform throughout the state upon the same class of property.

(B) Classification. The classifications of property subject to ad valorem taxation and the percentage of fair market value applicable to each classification for the purpose of determining assessed valuation ~~are as follows:~~ shall be established by law.

Classifications	Percentages
1. Land	10%
2. Improvements for residential purposes	10%
3. Electric cooperative properties, excluding land	15%
4. Public service properties, excluding land	25%
5. Other property	15%

~~The legislature may enact laws defining electric cooperative properties and public service properties.~~

~~(C) Use Value.~~ Bona fide agricultural, horticultural, marsh, and timber lands, as defined by general law, shall be assessed for tax purposes at ten percent of use value rather than fair market value. The legislature may provide by law similarly for buildings of historic architectural importance.

~~(D) Valuation.~~ Each assessor shall determine the fair market value of all property subject to taxation within his respective parish or district except public service properties, which shall be valued at fair market value by the Louisiana Tax Commission or its successor. Each assessor shall determine the use value of property which is to be so assessed under the provisions of Paragraph (C). Fair market value and use value of property shall be determined in accordance with

CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.

1 ~~criteria which shall be established by law and which shall apply uniformly~~
2 ~~throughout the state.~~

3 (E) ~~Review. The correctness of assessments by the assessor shall be subject~~
4 ~~to review first by the parish governing authority, then by the Louisiana Tax~~
5 ~~Commission or its successor, and finally by the courts, all in accordance with~~
6 ~~procedures established by law.~~

7 (F) ~~Reappraisal. (1) All property subject to taxation shall be reappraised~~
8 ~~and valued in accordance with this Section, at intervals of not more than four years.~~

9 (2)(a) ~~In the year of implementation of a reappraisal as required in~~
10 ~~Subparagraph (1) of this Paragraph, solely for purposes of determining the ad~~
11 ~~valorem tax imposed on residential property subject to the homestead exemption as~~
12 ~~provided in Section 20 of this Article, if the assessed value of immovable property~~
13 ~~increases by an amount which is greater than fifty percent of the property's assessed~~
14 ~~value in the previous year, the collector shall phase-in the additional tax liability~~
15 ~~resulting from the increase in the property's assessed value over a four-year period~~
16 ~~as follows:~~

17 (i) ~~For purposes of calculating the ad valorem taxes on the property in the~~
18 ~~first levy following reappraisal, the collector shall use the property's assessed value~~
19 ~~from the previous year, which shall be called the base amount as used in this~~
20 ~~Subparagraph, and shall increase the portion of the assessed value of the property~~
21 ~~used to calculate ad valorem taxes by adding an amount which is equal to one-fourth~~
22 ~~of the amount of the increase in the property's assessed value as a result of the~~
23 ~~reappraisal to the base amount. This resulting amount shall constitute the property's~~
24 ~~taxable value and shall be used solely for purposes of calculating ad valorem taxes~~
25 ~~for that taxable year.~~

26 (ii) ~~For purposes of calculating the ad valorem taxes on the property in the~~
27 ~~second levy following reappraisal, the collector shall increase the portion of the~~
28 ~~assessed value of the property used to calculate ad valorem taxes by adding an~~
29 ~~amount which is equal to one-half of the amount of the increase in the property's~~

1 ~~assessed value as a result of the reappraisal to the base amount. This resulting~~
2 ~~amount shall constitute the property's taxable value and shall be used solely for~~
3 ~~purposes of calculating ad valorem taxes for that taxable year.~~

4 ~~(iii) For purposes of calculating the ad valorem taxes on the property in the~~
5 ~~third levy following reappraisal, the collector shall increase the portion of the~~
6 ~~assessed value of the property used to calculate ad valorem taxes by adding an~~
7 ~~amount which is equal to three-quarters of the amount of the increase in the~~
8 ~~property's assessed value as a result of the reappraisal to the base amount. This~~
9 ~~resulting amount shall constitute the property's taxable value and shall be used solely~~
10 ~~for purposes of calculating ad valorem taxes for that taxable year.~~

11 ~~(iv) In the fourth levy following reappraisal, the collector shall calculate ad~~
12 ~~valorem taxes based on the property's full assessed value.~~

13 ~~(b) The provisions of this Subparagraph providing for a phase-in of~~
14 ~~additional ad valorem tax liability following reappraisal shall cease to apply upon the~~
15 ~~transfer or conveyance of ownership of the property. Following a transfer or~~
16 ~~conveyance, the collector shall calculate ad valorem taxes based on the property's~~
17 ~~full assessed value.~~

18 ~~(c) Property subject to the provisions of this Subparagraph shall not be~~
19 ~~subject to reappraisal by an assessor until after the four-year phase-in of the amount~~
20 ~~of the increase in the property's assessed value is complete.~~

21 ~~(d) Notwithstanding any provision of this constitution to the contrary, the~~
22 ~~increase in assessed valuation of property phased-in under this Subparagraph shall~~
23 ~~be included as taxable property for purposes of any subsequent reappraisals and~~
24 ~~valuation for millage adjustment purposes under Article VII, Section 23(B) of this~~
25 ~~constitution. The decrease in the total amount of ad valorem tax collected by a~~
26 ~~taxing authority as a result of this phase-in of assessed valuation shall be absorbed~~
27 ~~by the taxing authority and shall not create any additional tax liability for other~~
28 ~~taxpayers in the taxing district as a result of any subsequent reappraisal and valuation~~
29 ~~or millage adjustment. Implementation of this phase-in of increase in assessed~~

1 valuation authorized in this Subparagraph shall neither trigger nor be cause for a
2 reappraisal of property or an adjustment of millages pursuant to the provisions of
3 Article VII, Section 23(B) of this constitution.

4 (e) ~~The provisions of this Subparagraph shall not apply to the extent the~~
5 ~~increase was attributable to construction on or improvements to the property.~~

6 (G) ~~Special Assessment Level.~~

7 (1)(a)(i) ~~The assessment of residential property receiving the homestead~~
8 ~~exemption which is owned and occupied by any of the following and who meet all~~
9 ~~of the other requirements of this Section shall not be increased above the total~~
10 ~~assessment of that property for the first year that the owner qualifies for and receives~~
11 ~~the special assessment level, provided that such person or persons remain qualified~~
12 ~~for and receive the special assessment level:~~

13 (aa) ~~People who are sixty-five years of age or older.~~

14 (bb) ~~People who have a service-connected disability rating of fifty percent~~
15 ~~or more by the United States Department of Veterans Affairs.~~

16 (cc) ~~Members of the armed forces of the United States or the Louisiana~~
17 ~~National Guard who owned and last occupied such property who are killed in action,~~
18 ~~or who are missing in action or are a prisoner of war for a period exceeding ninety~~
19 ~~days.~~

20 (dd) ~~Any person or persons permanently totally disabled as determined by~~
21 ~~a final non-appealable judgment of a court or as certified by a state or federal~~
22 ~~administrative agency charged with the responsibility for making determinations~~
23 ~~regarding disability.~~

24 (ii) ~~Any person or persons shall be prohibited from receiving the special~~
25 ~~assessment as provided in this Section if such person's or persons' adjusted gross~~
26 ~~income, as reported in the federal tax return for the year prior to the application for~~
27 ~~the special assessment, exceeds one hundred thousand dollars. For persons applying~~
28 ~~for the special assessment whose filing status is married filing separately, the~~
29 ~~adjusted gross income for purposes of this Section shall be determined by combining~~

1 ~~the adjusted gross income on both federal tax returns. Beginning for the tax year~~
2 ~~2026, and for each tax year thereafter, the one hundred thousand dollar limit shall be~~
3 ~~adjusted annually by the Consumer Price Index as reported by the United States~~
4 ~~Government.~~

5 ~~(iii) An eligible owner or the owner's spouse or other legally qualified~~
6 ~~representative shall apply for the special assessment level by filing a signed~~
7 ~~application establishing that the owner qualifies for the special assessment level with~~
8 ~~the assessor of the parish or, in the parish of Orleans, the assessor of the district~~
9 ~~where the property is located.~~

10 ~~(iv) An owner who is below the age of sixty-five and who has applied for~~
11 ~~and received the special assessment level may qualify for and receive the special~~
12 ~~assessment level in the subsequent year by certifying to the assessor of the parish~~
13 ~~that such person or persons' adjusted gross income in the prior tax year satisfied the~~
14 ~~income requirement of this Section. The provisions of this Item shall not apply to~~
15 ~~an owner who has qualified for and received the special assessment level for persons~~
16 ~~sixty-five years of age or older or to such owner's surviving spouse as described in~~
17 ~~Item (2)(a)(i) of this Paragraph or for an owner who is permanently totally disabled~~
18 ~~as provided for in Subitem (i)(dd) of this Subsubparagraph.~~

19 ~~(b) Any millage rate applied to the special assessment level shall not be~~
20 ~~subject to a limitation.~~

21 ~~(2) Provided such owner is qualified for and receives the special assessment~~
22 ~~level, the special assessment level shall remain on the property as long as:~~

23 ~~(a)(i) The owner who is sixty-five years of age or older, or that owner's~~
24 ~~surviving spouse who is fifty-five years of age or older or who has minor children,~~
25 ~~remains the owner of the property.~~

26 ~~(ii) The owner who has a service-connected disability of fifty percent or~~
27 ~~more, or that owner's surviving spouse who is forty-five years of age or older or who~~
28 ~~has minor children, remains the owner of the property.~~

1 ~~(iii) The spouse of the owner who is killed in action remains the owner of the~~
2 ~~property.~~

3 ~~(iv) The first day of the tax year following the tax year in which an owner~~
4 ~~who was missing in action or was a prisoner of war for a period exceeding ninety~~
5 ~~days is no longer missing in action or a prisoner of war.~~

6 ~~(v) Even if the ownership interest of any surviving spouse or spouse of an~~
7 ~~owner who is missing in action as provided for in this Subparagraph is an interest in~~
8 ~~usufruct.~~

9 ~~(b) The value of the property does not increase more than twenty-five~~
10 ~~percent because of construction or reconstruction.~~

11 ~~(3) A new or subsequent owner of the property may claim a special~~
12 ~~assessment level when eligible under this Section. The new owner is not necessarily~~
13 ~~entitled to the same special assessment level on the property as when that property~~
14 ~~was owned by the previous owner.~~

15 ~~(4)(a) The special assessment level on property that is sold shall~~
16 ~~automatically expire on the last day of December in the year prior to the year that the~~
17 ~~property is sold. The property shall be immediately revalued at fair market value by~~
18 ~~the assessor and shall be assessed by the assessor on the assessment rolls in the year~~
19 ~~it was sold at the assessment level provided for in Article VII, Section 18 of the~~
20 ~~Constitution of Louisiana.~~

21 ~~(b) This new assessment level shall remain in effect until changed as~~
22 ~~provided by this Section or this Constitution.~~

23 ~~(5)(a) Any owner entitled to the special assessment level set forth in this~~
24 ~~Paragraph who is unable to occupy the homestead on or before December thirty-first~~
25 ~~of a future calendar year due to damage or destruction of the homestead caused by~~
26 ~~a disaster or emergency declared by the governor shall be entitled to keep the special~~
27 ~~assessment level of the homestead prior to its damage or destruction on the repaired~~
28 ~~or rebuilt homestead provided the repaired or rebuilt homestead is reoccupied by the~~
29 ~~owner within five years from December thirty-first of the year following the disaster.~~

1 ~~The assessed value of the land and buildings on which the homestead was located~~
2 ~~prior to its damage shall not be increased above its assessed value immediately prior~~
3 ~~to the damage or destruction described in this Subsubparagraph. If the property~~
4 ~~owner receives a homestead exemption on another homestead during the same five-~~
5 ~~year period, the damaged or destroyed property shall not be entitled to keep the~~
6 ~~special assessment level, and the land and buildings shall be assessed in that year at~~
7 ~~the percentage of fair market value set forth in this constitution. In addition, the~~
8 ~~owner shall also maintain the homestead exemption set forth in Article VII, Section~~
9 ~~20(A)(10) to qualify for the special assessment level in this Subsubparagraph.~~

10 ~~(b) Any owner entitled to the special assessment level set forth in~~
11 ~~Subsubparagraph (a) of this Subparagraph who is unable to reoccupy his homestead~~
12 ~~within five years from December thirty-first of the year following the disaster shall~~
13 ~~be eligible for an extension of the special assessment level on the homestead for a~~
14 ~~period not to exceed two years. A homeowner shall be eligible for this extension~~
15 ~~only if the homeowner's damage claim is filed and pending in a formal appeal~~
16 ~~process with any federal, state, or local government agency or program offering~~
17 ~~grants or assistance for repairing or rebuilding damaged or destroyed homes as a~~
18 ~~result of the disaster, or if a homeowner has a damage claim filed and pending~~
19 ~~against the insurer of the property. The homeowner shall apply for this extension of~~
20 ~~the special assessment level with the assessor of the parish in which the homestead~~
21 ~~is located. The assessor shall require the homeowner to provide official~~
22 ~~documentation from the government agency or program evidencing the homeowner's~~
23 ~~participation in the formal appeal process or official documentation evidencing the~~
24 ~~homeowner has a damage claim filed and pending against the insurer of the damaged~~
25 ~~property, as provided by law.~~

26 ~~(c) After expiration of the extension authorized in Subsubparagraph (b) of~~
27 ~~this Subparagraph, an assessor shall have the authority to grant on a case-by-case~~
28 ~~basis up to three additional one-year extensions of the special assessment level as~~
29 ~~prescribed by law.~~

1 ~~(6)(a) A trust shall be eligible for the special assessment level as provided~~
2 ~~by law.~~

3 ~~(b) If a trust would have been eligible for the special assessment level~~
4 ~~pursuant to this Subparagraph prior to the most recent reappraisal, the total~~
5 ~~assessment of the property held in trust shall be the assessed value on the last~~
6 ~~appraisal before the reappraisal.~~

7 ~~§19. §31.~~ State Property Taxation; Rate Limitation

8 ~~Section 19. Section 31.~~ State taxation on property for all purposes shall not
9 exceed an annual rate of five and three-quarter mills on the dollar of assessed
10 valuation.

11 ~~§20. Section 32.~~ Homestead Exemption

12 ~~Section 20. §32.(A)~~ Homeowners.

13 (1) The bona fide homestead, consisting of a tract of land or two or more
14 tracts of land even if the land is classified and assessed at use value pursuant to
15 ~~Article VII, Section 18(C) of this constitution,~~ law, with a residence on one tract and
16 a field with or without timber on it, pasture, or garden on the other tract or tracts, not
17 exceeding one hundred sixty acres, buildings and appurtenances, whether rural or
18 urban, owned and occupied by any person or persons owning the property in
19 indivision, shall be exempt from state, parish, and special ad valorem taxes to the
20 extent of seven thousand five hundred dollars of the assessed valuation. The same
21 homestead exemption shall also fully apply to the primary residence, including a
22 mobile home, which serves as a bona fide home and which is owned and occupied
23 by any person or persons owning the property in indivision, regardless of whether
24 the homeowner owns the land upon which the home or mobile home is sited;
25 however, this homestead exemption shall not apply to the land upon which such
26 primary residence is sited if the homeowner does not own the land.

27 (2) The homestead exemption shall extend and apply fully to the surviving
28 spouse or a former spouse when the homestead is occupied by the surviving spouse
29 or a former spouse and title to it is in the name of (a) the surviving spouse as owner

1 of any interest or either or both of the former spouses, (b) the surviving spouse as
2 usufructuary, or (c) a testamentary trust established for the benefit of the surviving
3 spouse and the descendants of the deceased spouse or surviving spouse, but not to
4 more than one homestead owned by either ~~the husband or wife,~~ spouse, or both.

5 (3) The homestead exemption shall extend to property owned by a trust
6 when the principal beneficiary or beneficiaries of the trust are the settlor or settlors
7 of the trust and were the immediate prior owners of the homestead, and the
8 homestead is occupied as such by a principal beneficiary. The provisions of this
9 Subparagraph shall apply only to property which qualified for the homestead
10 exemption immediately prior to transfer, conveyance, or donation in trust or which
11 would have qualified for the homestead exemption if such property were not owned
12 in trust.

13 (4) The homestead exemption shall extend to property where the usufruct of
14 the property has been granted to no more than two usufructuaries who were the
15 immediate prior owners of the homestead and the homestead is occupied ~~as such~~ by
16 a usufructuary. The provisions of this Subparagraph shall apply only to property
17 which qualified for the homestead exemption immediately prior to the granting of
18 such usufruct, or which would have qualified for the homestead exemption if such
19 usufruct had not been granted.

20 (5) The homestead exemption shall extend only to a natural person or
21 persons and to a trust created by a natural person or persons, in which the
22 beneficiaries of the trust are a natural person or persons provided that the provisions
23 of this Paragraph are otherwise satisfied.

24 (6) Except as otherwise provided for in this Paragraph, the homestead
25 exemption shall apply to property owned in indivision, but shall be limited to the pro
26 rata ownership interest of ~~that~~ each person or persons occupying the homestead.

27 (7) No homestead exemption shall be granted on bond for deed property.
28 However, any homestead exemption granted prior to June 20, 2003 on any property
29 occupied ~~upon the effective date of this Paragraph~~ on November 2, 2004, by a buyer

1 under a bond for deed contract shall remain valid as long as the circumstances giving
2 rise to the exemption at the time the exemption was granted remain applicable.

3 (8) Notwithstanding any provision of this Paragraph to the contrary, in no
4 event shall more than one homestead exemption extend or apply to any person in this
5 state.

6 (9) This exemption shall not extend to municipal taxes. However, the
7 exemptions authorized pursuant to the provisions of this Section shall apply (a) in
8 Orleans Parish, to state, general city, school, levee, and levee district taxes and (b)
9 to any municipal taxes levied for school purposes.

10 (10)(a) Any homestead receiving the homestead exemption that is damaged
11 or destroyed during a disaster or emergency declared by the governor whose owner
12 is unable to occupy the homestead on or before December thirty-first of a calendar
13 year due to such damage or destruction shall be entitled to claim and keep the
14 exemption by filing an annual affidavit of intent to return and reoccupy the
15 homestead within five years from December thirty-first of the year following the
16 disaster with the assessor within the parish or district where such homestead is
17 situated prior to December thirty-first of the year in which the exemption is claimed.
18 In no event shall more than one homestead exemption extend or apply to any person
19 in this state.

20 (b) For homesteads qualifying for the homestead exemption under the
21 provisions of Subsubparagraph (a) of this Subparagraph, after expiration of the five-
22 year period, the owner of a homestead shall be entitled to claim and keep the
23 exemption for a period not to exceed two additional years by filing an annual
24 affidavit of intent to return and reoccupy the homestead with the assessor within the
25 parish where the homestead is located prior to December thirty-first of the year in
26 which the exemption is claimed. A homeowner shall be eligible for this extension
27 only if the homeowner's damage claim to repair or rebuild the damaged or destroyed
28 homestead is filed and pending in a formal appeal process with any federal, state, or
29 local government agency or program offering grants or assistance for repairing or

1 rebuilding damaged or destroyed homes as a result of the disaster, or if a homeowner
2 has a damage claim filed and pending against the insurer of the property. The
3 assessor shall require the homeowner to provide official documentation from the
4 government agency or program evidencing the homeowner's participation in the
5 formal appeal process or official documentation evidencing the ~~homeowners~~
6 homeowner has a damage claim filed and pending against the insurer of the property
7 as provided by law.

8 (c) After expiration of the extension authorized in Subsubparagraph (b) of
9 this Subparagraph, an assessor shall have the authority to grant on a case-by-case
10 basis up to three additional one-year extensions of the homestead exemption as
11 prescribed by law.

12 (B) Residential Lessees. Notwithstanding any contrary provision in this
13 constitution, the legislature may provide for tax relief to residential lessees in the
14 form of credits or rebates in order to provide equitable tax relief similar to that
15 granted to homeowners through homestead exemptions.

16 ~~§21. §33.~~ Other Property Exemptions

17 ~~Section 21. Section 33.~~ In addition to the homestead exemption provided for
18 in Section 20 Section 32 of this Article, the following property and no other shall be
19 exempt from ad valorem taxation: the legislature may provide by law enacted by
20 two-thirds of the elected members of each house for property exempt from ad
21 valorem taxation. Once enacted, any change to an ad valorem tax exemption shall
22 also be enacted by two-thirds of the elected members of each house of the
23 legislature.

24 ~~(A) Public lands and other public property used for public purposes. Land~~
25 ~~or property owned by another state or owned by a political subdivision of another~~
26 ~~state shall not be exempt under this Paragraph.~~

27 ~~(B)(1)(a)(i) Property owned by a nonprofit corporation or association~~
28 ~~organized and operated exclusively for religious, dedicated places of burial,~~
29 ~~charitable, health, welfare, fraternal, or educational purposes, no part of the net~~

1 earnings of which inure to the benefit of any private shareholder or member thereof
2 and that is declared to be exempt from federal or state income tax; and

3 (ii) ~~Medical equipment leased for a term exceeding five years to such a~~
4 ~~nonprofit corporation or association that owns or operates a small, rural hospital and~~
5 ~~that uses the equipment solely for health care purposes at the hospital, provided that~~
6 ~~the property shall be exempt only during the term of the lease to such corporation or~~
7 ~~association, and further provided that "small, rural hospital" shall mean a hospital~~
8 ~~that meets all of the following criteria:~~

9 (aa) ~~It has less than fifty Medicare-licensed acute care beds.~~

10 (bb) ~~It is located in a municipality with a population of less than ten~~
11 ~~thousand that has been classified as an area with a shortage of health manpower by~~
12 ~~the United States Health Service; and~~

13 (b) ~~Property leased to such a nonprofit corporation or association for use~~
14 ~~solely as housing for homeless persons, as defined by regulation adopted by the tax~~
15 ~~commission or its successor provided that the term of such lease shall be for at least~~
16 ~~five years, that as a condition of entering into the lease the property be in compliance~~
17 ~~with all applicable health and sanitation codes for use as housing for homeless~~
18 ~~persons, that the lease shall provide that compensation to be paid the lessor shall not~~
19 ~~exceed one dollar per year, and that such contract of lease shall recite that the~~
20 ~~property shall be used exclusively for the purpose of housing the homeless, and~~
21 ~~further provided that at such time as the property is no longer used solely as housing~~
22 ~~for homeless persons, the property shall no longer be exempt from taxation;~~

23 (2) ~~Property of a bona fide labor organization representing its members or~~
24 ~~affiliates in collective bargaining efforts; and~~

25 (3) ~~Property of an organization such as a lodge or club organized for~~
26 ~~charitable and fraternal purposes and practicing the same, and property of a nonprofit~~
27 ~~corporation devoted to promoting trade, travel, and commerce, and also property of~~
28 ~~a trade, business, industry or professional society or association, if that property is~~

1 ~~owned by a nonprofit corporation or association organized under the laws of this~~
2 ~~state for such purposes:~~

3 ~~(4)(a) None of the property listed in this Paragraph shall be exempt if owned,~~
4 ~~operated, leased, or used for commercial purposes unrelated to the exempt purposes~~
5 ~~of the corporation or association.~~

6 ~~(b)(i) None of the property listed in this Paragraph shall be exempt if the~~
7 ~~property is owned by a nonprofit corporation or association and the governing~~
8 ~~authority of the municipality or parish in which the property is located determines~~
9 ~~all of the following:~~

10 ~~(aa) The property is leased as housing, is in a state of disrepair, and~~
11 ~~manifests conditions which endanger the health or safety of the public.~~

12 ~~(bb) The owner of the property habitually neglects maintenance of the~~
13 ~~property as evidenced by three or more sustained code enforcement violations issued~~
14 ~~for the property in the prior twelve months for matters that endanger the health or~~
15 ~~safety of residents of the property or of persons in the area surrounding the property.~~
16 ~~For purposes of this Item, matters deemed to endanger health or safety include~~
17 ~~structural instability due to deterioration; injurious or toxic ventilation; contaminated~~
18 ~~or inoperable water supply; holes, breaks, rotting materials, or mold in walls; roof~~
19 ~~defects that admit rain; unsecured overhang extensions in danger of collapse; a~~
20 ~~hazardous electrical system; improper connection of fuel-burning appliances or~~
21 ~~equipment; an inactive or inoperable fire detection system; an unsecured or~~
22 ~~contaminated swimming pool; or any combination of these.~~

23 ~~(ii) An ad valorem tax exemption denied or revoked pursuant to the~~
24 ~~provisions of Item (i) of this Subsubparagraph may be issued or reinstated if the~~
25 ~~governing authority of the municipality or parish in which the property is located~~
26 ~~determines that the conditions enumerated in Item (i) of this Subsubparagraph no~~
27 ~~longer exist.~~

28 ~~(C)(1) Cash on hand or deposit;~~

- 1 ~~(2) stocks and bonds, except bank stocks, the tax on which shall be paid by~~
2 ~~the banking institution;~~
- 3 ~~(3) obligations secured by mortgage on property located in Louisiana and the~~
4 ~~notes or other evidence thereof;~~
- 5 ~~(4) loans by life insurance companies to policyholders, if secured solely by~~
6 ~~their policies;~~
- 7 ~~(5) the legal reserve of domestic life insurance companies;~~
- 8 ~~(6) loans by a homestead or building and loan association to its members, if~~
9 ~~secured solely by stock of the association;~~
- 10 ~~(7) debts due for merchandise or other articles of commerce or for services~~
11 ~~rendered;~~
- 12 ~~(8) obligations of the state or its political subdivisions;~~
- 13 ~~(9) personal property used in the home or on loan in a public place;~~
- 14 ~~(10) irrevocably dedicated places of burial held by individuals for purposes~~
15 ~~of burial of themselves or members of their families;~~
- 16 ~~(11) agricultural products while owned by the producer, agricultural~~
17 ~~machinery and other implements used exclusively for agricultural purposes, animals~~
18 ~~on the farm, and property belonging to an agricultural fair association;~~
- 19 ~~(12) property used for cultural, Mardi Gras carnival, or civic activities and~~
20 ~~not operated for profit to the owners;~~
- 21 ~~(13) rights-of-way granted to the State Department of Highways;~~
- 22 ~~(14) boats using gasoline as motor fuel;~~
- 23 ~~(15) commercial vessels used for gathering seafood for human consumption;~~
- 24 and
- 25 ~~(16) ships and oceangoing tugs, towboats, and barges engaged in~~
26 ~~international trade and domiciled in Louisiana ports. However, this exemption shall~~
27 ~~not apply to harbor, wharf, shed, and other port dues or to any vessel operated in the~~
28 ~~coastal trade of the states of the United States.~~

1 ~~(17) Materials, boiler fuels, and energy sources used by public utilities to~~
2 ~~fuel the generation of electricity.~~

3 ~~(18) All incorporeal movables of any kind or nature whatsoever, except~~
4 ~~public service properties, bank stocks, and credit assessments on premiums written~~
5 ~~in Louisiana by insurance companies and loan and finance companies. For purposes~~
6 ~~of this Section, incorporeal movables shall have the meaning set forth in the~~
7 ~~Louisiana Civil Code of 1870, as amended.~~

8 ~~(19) All artwork including sculptures, glass works, paintings, drawings,~~
9 ~~signed and numbered posters, photographs, mixed media, collages, or any other item~~
10 ~~which would be considered as the material result of a creative endeavor which is~~
11 ~~listed as a consignment article by an art dealer.~~

12 ~~(D)(1) Raw materials, goods, commodities, and articles imported into this~~
13 ~~state from outside the states of the United States:~~

14 ~~(a) so long as the imports remain on the public property of the port authority~~
15 ~~or docks of the common carrier where they first entered this state;~~

16 ~~(b) so long as the imports (other than minerals and ores of the same kind as~~
17 ~~any mined or produced in this state and manufactured articles) are held in this state~~
18 ~~in the original form in bales, sacks, barrels, boxes, cartons, containers, or other~~
19 ~~original packages, and raw materials held in bulk as all or a part of the new material~~
20 ~~inventory of manufacturers or processors, solely for manufacturing or processing;~~
21 ~~or~~

22 ~~(c) so long as the imports are held by an importer in any public or private~~
23 ~~storage in the original form in bales, sacks, barrels, boxes, cartons, containers, or~~
24 ~~other original packages and agricultural products in bulk. This exemption shall not~~
25 ~~apply to these imports when held by a retail merchant as part of his stock-in-trade for~~
26 ~~sale at retail.~~

27 ~~(2) Raw materials, goods, commodities, and other articles being held on the~~
28 ~~public property of a port authority, on docks of any common carrier, or in a~~

1 ~~warehouse, grain elevator, dock, wharf, or public storage facility in this state for~~
2 ~~export to a point outside the states of the United States.~~

3 ~~(3) Goods, commodities, and personal property in public or private storage~~
4 ~~while in transit through this state which are moving in interstate commerce through~~
5 ~~or over the territory of the state or which are in public or private storage within~~
6 ~~Louisiana, having been shipped from outside Louisiana for storage in transit to a~~
7 ~~final destination outside Louisiana, whether such destination was specified when~~
8 ~~transportation began or afterward.~~

9 ~~Property described in Paragraph (D), whether or not entitled to exemption,~~
10 ~~shall be reported to the proper taxing authority on the forms required by law.~~

11 ~~(E) Motor vehicles used on the public highways of this state, from state,~~
12 ~~parish, municipal, and special ad valorem taxes.~~

13 ~~(F) Notwithstanding any contrary provision of this Section, the State Board~~
14 ~~of Commerce and Industry or its successor, with the approval of the governor, may~~
15 ~~enter into contracts for the exemption from ad valorem taxes of a new manufacturing~~
16 ~~establishment or an addition to an existing manufacturing establishment, on such~~
17 ~~terms and conditions as the board, with the approval of the governor, deems in the~~
18 ~~best interest of the state.~~

19 ~~The exemption shall be for an initial term of no more than five calendar~~
20 ~~years, and may be renewed for an additional five years. All property exempted shall~~
21 ~~be listed on the assessment rolls and submitted to the Louisiana Tax Commission or~~
22 ~~its successor, but no taxes shall be collected thereon during the period of exemption.~~

23 ~~The terms "manufacturing establishment" and "addition" as used herein mean~~
24 ~~a new plant or establishment or an addition or additions to any existing plant or~~
25 ~~establishment which engages in the business of working raw materials into wares~~
26 ~~suitable for use or which gives new shapes, qualities or combinations to matter which~~
27 ~~already has gone through some artificial process.~~

1 ~~(G) Coal or lignite stockpiled in Louisiana for use in Louisiana for industrial~~
2 ~~or manufacturing purposes or for boiler fuel, gasification, feedstock, or process~~
3 ~~purposes.~~

4 ~~(H) Notwithstanding any contrary provision of this constitution, the State~~
5 ~~Board of Commerce and Industry or its successor, with the approval of the governor~~
6 ~~and the local governing authority and in accordance with procedures and conditions~~
7 ~~provided by law, may enter into contracts granting to a property owner, who~~
8 ~~proposes the expansion, restoration, improvement, or development of an existing~~
9 ~~structure or structures in a downtown, historic, or economic development district~~
10 ~~established by a local governing authority or in accordance with law, the right for an~~
11 ~~initial term of five years after completion of the work to pay ad valorem taxes based~~
12 ~~upon the assessed valuation of the property for the year prior to the commencement~~
13 ~~of the expansion, restoration, improvement, or development. Contracts may be~~
14 ~~renewed, subject to the same conditions, for an additional five years extending such~~
15 ~~right for a total of ten years from completion of the work.~~

16 ~~(I)(1) Notwithstanding any contrary provision of this Section, the authority~~
17 ~~or district charged with economic development of each parish is hereby authorized~~
18 ~~to enter into contracts for the exemption from parish, municipal, and special ad~~
19 ~~valorem taxes of goods held in inventory by distribution centers. In the absence of~~
20 ~~the existence of an economic development authority or district, the parish governing~~
21 ~~authority is authorized to grant contracts of exemption as are provided for in this~~
22 ~~Paragraph.~~

23 ~~(2) The contract for exemption shall be on such terms and to the extent, up~~
24 ~~to and including the full assessed valuation of the goods held in inventory, as the~~
25 ~~economic development authority or district deems in the best interest of the parish.~~
26 ~~However, prior to entering into each individual contract, the economic development~~
27 ~~authority or district must request and receive written approval of the contract,~~
28 ~~including its terms and an estimated fiscal impact, from each affected tax recipient~~
29 ~~body in the parish, as evidenced by a favorable vote of a majority of the members of~~

1 ~~the governing authority of the tax recipient body. Failure to receive all required~~
2 ~~approvals from the tax recipient bodies before entering into a contract shall render~~
3 ~~the contract null and void and of no effect.~~

4 ~~(3) The term "distribution center" as used herein means an establishment~~
5 ~~engaged in the sale of products for resale or further processing for resale. The term~~
6 ~~"goods held in inventory" as used herein means goods or products which have been~~
7 ~~given new shapes, qualities, or combinations through some artificial process and~~
8 ~~does not include raw materials such as natural gas, crude oil, sulphur, or timber or~~
9 ~~goods or products held for sale to consumers.~~

10 ~~(J)(1) Drilling rigs used exclusively for the exploration and development of~~
11 ~~minerals outside the territorial limits of the state in Outer Continental Shelf waters~~
12 ~~which are within the state for the purpose of being stored or stacked for use outside~~
13 ~~the territorial limits of the state, or for the purpose of being converted, renovated, or~~
14 ~~repaired, and any property in the state for the purpose of being incorporated in, or to~~
15 ~~be used in the operation of said drilling rigs.~~

16 ~~(2) The exemption provided in this Paragraph shall be applicable in any~~
17 ~~parish in which the exemption has been approved by a majority of the electors of the~~
18 ~~parish voting thereon at an election called for that purpose.~~

19 ~~(K)(1)(a) In addition to the homestead exemption authorized pursuant to the~~
20 ~~provisions of Section 20 of this Article, which applies to the first seven thousand five~~
21 ~~hundred dollars of the assessed valuation of property, the next two thousand five~~
22 ~~hundred dollars of the assessed valuation of property receiving the homestead~~
23 ~~exemption that is owned and occupied by a veteran with a service-connected~~
24 ~~disability rating of fifty percent or more but less than seventy percent by the United~~
25 ~~States Department of Veterans Affairs shall be exempt from ad valorem taxation.~~
26 ~~The surviving spouse of a deceased veteran with a service-connected disability rating~~
27 ~~of fifty percent or more but less than seventy percent by the United States~~
28 ~~Department of Veterans Affairs shall be eligible for this exemption if the surviving~~
29 ~~spouse occupies and remains the owner of the property, whether or not the~~

1 exemption was in effect on the property prior to the death of the veteran. If property
2 eligible for the exemption provided for in this Subsubparagraph has an assessed
3 value in excess of ten thousand dollars, ad valorem property taxes shall apply to the
4 assessment in excess of ten thousand dollars.

5 (b) ~~In addition to the homestead exemption authorized pursuant to the~~
6 ~~provisions of Section 20 of this Article, which applies to the first seven thousand five~~
7 ~~hundred dollars of the assessed valuation of property, the next four thousand five~~
8 ~~hundred dollars of the assessed valuation of property owned and occupied by a~~
9 ~~veteran with a service-connected disability rating of seventy percent or more but less~~
10 ~~than one hundred percent by the United States Department of Veterans Affairs shall~~
11 ~~be exempt from ad valorem taxation. The surviving spouse of a deceased veteran~~
12 ~~with a service-connected disability rating of seventy percent or more but less than~~
13 ~~one hundred percent by the United States Department of Veterans Affairs shall be~~
14 ~~eligible for this exemption if the surviving spouse occupies and remains the owner~~
15 ~~of the property, whether or not the exemption was in effect on the property prior to~~
16 ~~the death of the veteran. If property eligible for the exemption provided for in this~~
17 ~~Subsubparagraph has an assessed value in excess of twelve thousand dollars, ad~~
18 ~~valorem property taxes shall apply to the assessment in excess of twelve thousand~~
19 ~~dollars.~~

20 (c) ~~In addition to the homestead exemption authorized pursuant to the~~
21 ~~provisions of Section 20 of this Article, which applies to the first seven thousand five~~
22 ~~hundred dollars of the assessed valuation of property, the remaining assessed~~
23 ~~valuation of property receiving the homestead exemption that is owned and occupied~~
24 ~~by a veteran with a service-connected disability rating of one hundred percent~~
25 ~~unemployability or totally disabled by the United States Department of Veterans~~
26 ~~Affairs shall be exempt from ad valorem taxation. The surviving spouse of a~~
27 ~~deceased veteran with a service-connected disability rating of one hundred percent~~
28 ~~unemployability or totally disabled by the United States Department of Veterans~~
29 ~~Affairs shall be eligible for this exemption if the surviving spouse occupies and~~

1 remains the owner of the property, whether or not the exemption was in effect on the
2 property prior to the death of the veteran.

3 (2) ~~Notwithstanding any provision of this Constitution to the contrary, the~~
4 ~~property assessment of a property for which an exemption established pursuant to~~
5 ~~this Paragraph has been claimed, to the extent of the applicable exemption, shall not~~
6 ~~be treated as taxable property for purposes of any subsequent reappraisals and~~
7 ~~valuation for millage adjustment purposes pursuant to Section 23(B) of this Article.~~
8 ~~The decrease in the total amount of ad valorem tax collected by a taxing authority~~
9 ~~as a result of the exemption shall be absorbed by the taxing authority and shall not~~
10 ~~create any additional tax liability for other taxpayers in the taxing district as a result~~
11 ~~of any subsequent reappraisal and valuation or millage adjustment. Implementation~~
12 ~~of the exemption authorized in this Paragraph shall neither trigger nor be cause for~~
13 ~~a reappraisal of property or an adjustment of millages pursuant to the provisions of~~
14 ~~Section 23(B) of this Article.~~

15 (3) ~~A trust shall be eligible for the exemption provided for in this Paragraph~~
16 ~~as provided by law.~~

17 (L)(1) ~~Except as otherwise provided herein, property owned or leased by,~~
18 ~~and used by, a targeted non-manufacturing business in the operation of its facility,~~
19 ~~including buildings, improvements, equipment, and other property necessary or~~
20 ~~beneficial to such operation, according to a program and pursuant to contracts of~~
21 ~~exemption which contain such terms and conditions which shall be provided by law.~~
22 ~~Land underlying the facility and other property pertaining to the facility on which ad~~
23 ~~valorem taxes have previously been paid, inventories, consumables, and property~~
24 ~~eligible for the manufacturing exemption provided by Paragraph (F) of this Section,~~
25 ~~shall not be exempt under this Paragraph.~~

26 (2) ~~Ad valorem taxes shall apply to the assessed valuation of the first ten~~
27 ~~million dollars or ten percent of fair market value, whichever is greater, and this~~
28 ~~amount of property shall not be exempt under this Paragraph.~~

1 ~~(3) A targeted non-manufacturing business means at least fifty percent of~~
2 ~~such business' total annual sales from a site or sites in the state is to out-of-state~~
3 ~~customers or buyers, or to in-state customers or buyers but the product or service is~~
4 ~~resold by the purchaser to an out-of-state customer or buyer for ultimate use, or to~~
5 ~~the federal government, or any combination thereof. The legislature may provide by~~
6 ~~law for the inclusion of sales by affiliates when appropriate in making this fifty~~
7 ~~percent determination.~~

8 ~~(4) A contract for the exemption shall be available only in parishes which~~
9 ~~have agreed to participate, in the manner provided by the legislature by law.~~

10 ~~(M) There is hereby established an exemption from ad valorem tax for the~~
11 ~~total assessed value of the homestead of the unmarried surviving spouse of a person~~
12 ~~who died under the conditions enumerated in Subsubparagraph (1)(a) or (b) of this~~
13 ~~Paragraph, and if the conditions established in Subsubparagraph (1)(c) of this~~
14 ~~Paragraph are met.~~

15 ~~(1)(a) For ad valorem taxes due in 2017 and thereafter, the exemption shall~~
16 ~~apply beginning in the tax year in which any of the following persons died or 2017,~~
17 ~~whichever is later:~~

18 ~~(i) A member of the armed forces of the United States or the Louisiana~~
19 ~~National Guard who died while on active duty.~~

20 ~~(ii) A state police officer who died while on duty.~~

21 ~~(iii) A law enforcement or fire protection officer who qualified for the salary~~
22 ~~supplement authorized in Section 10(D)(3) of this Article who died while on duty.~~

23 ~~(b) For ad valorem taxes due in 2018 and thereafter, the exemption shall~~
24 ~~apply beginning in the tax year in which any of the following persons died or 2018,~~
25 ~~whichever is later:~~

26 ~~(i) An emergency medical responder, technician, or paramedic, as such terms~~
27 ~~may be defined by law, who died while performing the duties of their employment.~~

28 ~~(ii) A volunteer firefighter, verified by the Office of the State Fire Marshal~~
29 ~~to have died while performing firefighting duties.~~

1 ~~(iii) A law enforcement or fire protection officer who died while on duty and~~
2 ~~who would have qualified for the salary supplement authorized in Section 10(D)(3)~~
3 ~~of this Article if he had completed the first year of his employment before his death.~~

4 ~~(c)(i) The property is eligible for the homestead exemption and the property~~
5 ~~was the residence of a person listed within Subsubparagraph (a) or (b) of this~~
6 ~~Subparagraph at the time of that person's death.~~

7 ~~(ii) The surviving spouse has not remarried.~~

8 ~~(iii) The surviving spouse annually provides evidence of their eligibility for~~
9 ~~the exemption in accordance with the requirements of Subparagraph (2) of this~~
10 ~~Paragraph.~~

11 ~~(2) Each assessor shall establish a procedure whereby a person may annually~~
12 ~~apply for the exemption. Eligibility for the exemption shall be established by the~~
13 ~~production of documents and certification of information by the surviving spouse to~~
14 ~~the assessor as follows:~~

15 ~~(a) In an initial application for the exemption, the surviving spouse shall~~
16 ~~produce documentation issued by their deceased spouse's employer evidencing the~~
17 ~~death.~~

18 ~~(b) For purposes of the continuation of an existing exemption, the surviving~~
19 ~~spouse shall annually provide a sworn statement to the assessor attesting to the fact~~
20 ~~that the surviving spouse has not remarried.~~

21 ~~(3) Once an unmarried surviving spouse has qualified for and taken the~~
22 ~~exemption, if the surviving spouse then acquires a different property which qualifies~~
23 ~~for the homestead exemption, the surviving spouse shall be entitled to an exemption~~
24 ~~on that subsequent homestead, the exemption being limited in value to the amount~~
25 ~~of the exemption claimed on the prior homestead in the last year for which the~~
26 ~~exemption was claimed. The assessor may require the submission of certain~~
27 ~~information concerning the amount of the exemption on the prior homestead for~~
28 ~~purposes of determining the extent of the exemption available for the subsequent~~
29 ~~homestead.~~

1 ~~(4) A trust shall be eligible for the exemption provided for in this Paragraph~~
2 ~~as provided by law.~~

3 ~~(N)(1) All property delivered to a construction project site for the purpose of~~
4 ~~incorporating the property into any tract of land, building, or other construction as~~
5 ~~a component part, including the type of property that may be deemed to be a~~
6 ~~component part once placed on an immovable for its service and improvement~~
7 ~~pursuant to the provisions of the Louisiana Civil Code of 1870, as amended. The~~
8 ~~exemption provided for in this Paragraph shall be applicable until the construction~~
9 ~~project for which the property has been delivered is complete. A construction project~~
10 ~~shall be deemed complete when construction is finished to the extent that the project~~
11 ~~can be used or occupied for its intended purpose. A construction project shall not be~~
12 ~~deemed complete during its inspection, testing, or commissioning stages, as defined~~
13 ~~by reasonable industry standards.~~

14 ~~(2) Notwithstanding the provisions of Subparagraph (1) of this Paragraph,~~
15 ~~this exemption shall not apply to any of the following:~~

16 ~~(a) Any portion of a construction project that is complete, available for its~~
17 ~~intended use, or operational on the date that property is assessed.~~

18 ~~(b) For projects constructed in two or more distinct phases, any phase of the~~
19 ~~construction project that is complete, available for its intended use, or operational on~~
20 ~~the date the property is assessed.~~

21 ~~(c) Any public service property, unless the public service property is~~
22 ~~otherwise eligible for an exemption provided by any other provision of this~~
23 ~~constitution.~~

24 ~~(O)(1) In addition to the homestead exemption authorized pursuant to the~~
25 ~~provisions of Section 20 of this Article, which applies to the first seven thousand five~~
26 ~~hundred dollars of the assessed valuation of property, a parish governing authority~~
27 ~~may approve an ad valorem tax exemption of up to two thousand five hundred~~
28 ~~dollars of the assessed valuation of property receiving the homestead exemption that~~
29 ~~is owned and occupied by a qualified first responder.~~

1 ~~(2) For the purposes of this Paragraph, "first responder" shall mean a~~
2 ~~volunteer firefighter who has completed within the tax year no fewer than twenty-~~
3 ~~four hours of firefighter continuing education and is an active member of the~~
4 ~~Louisiana State Firemen's Association or is on the departmental personnel roster of~~
5 ~~the Volunteer Firefighter Insurance Program of the office of state fire marshal. For~~
6 ~~the purposes of this Paragraph, "first responder" shall also mean a full-time public~~
7 ~~employee whose duties include responding rapidly to an emergency and who resides~~
8 ~~in the same parish in which their employer is located. The term includes the~~
9 ~~following:~~

10 ~~(a) Peace officer, which means any sheriff, police officer, or other person~~
11 ~~deputized by proper authority to serve as a peace officer.~~

12 ~~(b) Fire protection personnel.~~

13 ~~(c) An individual certified as emergency medical services personnel.~~

14 ~~(d) An emergency response operator or emergency services dispatcher who~~
15 ~~provides communication support services for an agency by responding to requests~~
16 ~~for assistance in emergencies.~~

17 ~~(3) The exemption provided for in this Paragraph shall only apply in a parish~~
18 ~~if it is approved by the parish governing authority.~~

19 ~~(4) Each tax assessor shall establish a procedure whereby a person may~~
20 ~~annually apply for the exemption which shall include the production of documents~~
21 ~~by the first responder. In the application for the exemption, the first responder shall~~
22 ~~produce documentation issued by his employer evidencing employment for the~~
23 ~~taxable period for which the exemption is being requested.~~

24 ~~(5) Notwithstanding any provision of this Constitution to the contrary, any~~
25 ~~decrease in the total amount of ad valorem tax collected by the taxing authority as~~
26 ~~a result of an ad valorem tax exemption granted pursuant to this Paragraph shall be~~
27 ~~absorbed by the taxing authority and shall not create any additional tax liability for~~
28 ~~other taxpayers in the taxing district as a result of any subsequent reappraisal and~~
29 ~~valuation or millage adjustment. Implementation of the exemption authorized in this~~

1 Paragraph shall neither trigger nor be cause for a reappraisal of property or an
2 adjustment of millages.

3 §34. Ad Valorem Tax Exemption Appropriation

4 Section 34. There shall be a one-time payment from the Revenue
5 Stabilization Trust Fund to each parish that elects to exempt, in accordance with law,
6 business inventory from ad valorem tax. Any payment made pursuant to this Section
7 shall be disbursed to the tax collector of the parish. The tax collector shall distribute
8 the monies pro rata to each taxing authority that levies an ad valorem tax within the
9 parish. The amount of the payment shall be calculated as provided by law, certified
10 by the Department of Revenue, and disbursed by the treasurer to the collector within
11 thirty days of receipt of a certification from the secretary of the Department of
12 Revenue that the parish has irrevocably elected to exempt business inventory from
13 ad valorem tax.

14 ~~§22.~~ §35. No Impairment of Existing Taxes or Obligations

15 ~~Section 22.~~ Section 35. ~~This Part~~ Nothing in this constitution or in law shall
16 not be applied in a manner which will (a) invalidate taxes authorized and imposed
17 prior to the effective date of this constitution or (b) impair the obligations, validity,
18 or security of any bonds or other debt obligations authorized prior to the effective
19 date of this constitution or any amendment to this Article.

20 ~~§23. Adjustment of Ad Valorem Tax Millages~~

21 ~~Section 23.(A) First Adjustment. Prior to the end of the third year after the~~
22 ~~effective date of this constitution, the assessors and the Louisiana Tax Commission~~
23 ~~or its successor shall complete determination of the fair market value or the use value~~
24 ~~of all property subject to taxation within each parish for use in implementing this~~
25 ~~Article. Except as provided in this Section, the total amount of ad valorem taxes~~
26 ~~collected by any taxing authority in the year in which Sections 18 and 20 of this~~
27 ~~Article are implemented shall not be increased or decreased, because of their~~
28 ~~provisions, above or below ad valorem taxes collected by that taxing authority in the~~
29 ~~year preceding implementation. To accomplish this result, it shall be mandatory for~~

1 each affected taxing authority, in the year in which Sections 18 and 20 of this Article
2 are implemented, to adjust millages upwards or downwards without regard to millage
3 limitations contained in this constitution, and the maximum authorized millages shall
4 be increased or decreased, without further voter approval, in proportion to the
5 amount of the adjustment upward or downward. Thereafter, such millages shall
6 remain in effect unless changed as permitted by this constitution.

7 (B) Subsequent Adjustments. Except as otherwise permitted in this Section,
8 the total amount of ad valorem taxes collected by any taxing authority in the year in
9 which the reappraisal and valuation provisions of Section 18, Paragraph (F) of this
10 Article are implemented shall not be increased or decreased because of a reappraisal
11 or valuation or increases or decreases in the homestead exemption above or below
12 the total amount of ad valorem taxes collected by that taxing authority in the year
13 preceding implementation of the reappraisal and valuation. To accomplish this
14 result, the provisions of millage adjustments relative to implementation of Section
15 18 and Section 20 of this Article, as set forth in Paragraph (A) of this Section shall
16 be mandatory. Thereafter, following implementation of each subsequent reappraisal
17 and valuation required by Paragraph (F) of Section 18 of this Article, the millages
18 as fixed in each such implementation shall remain in effect unless changed as
19 permitted by Paragraph (C) of this Section.

20 (C) Increases Permitted. Nothing herein shall prohibit a taxing authority
21 from collecting, in the year in which Sections 18 and 20 of this Article are
22 implemented or in any subsequent year, a larger dollar amount of ad valorem taxes
23 by (1) levying additional or increased millages as provided by law or (2) placing
24 additional property on the tax rolls. Increases in the millage rate in excess of the
25 rates established as provided by Paragraph (B) above but not in excess of the prior
26 year's maximum authorized millage rate may be levied by two-thirds vote of the total
27 membership of a taxing authority without further voter approval but only after a
28 public hearing held in accordance with the open meetings law, however, in addition
29 to any other requirements of the open meetings law, public notice of the time, place,

1 and subject matter of such hearing shall be published on two separate days no less
2 than thirty days before the public hearing. Such public notice shall be published in
3 the official journal of the taxing authority, and another newspaper with a larger
4 circulation within the taxing authority than the official journal of the taxing
5 authority, if there is one.

6 ~~(D) Application. This Section shall not apply to millages required to be~~
7 ~~levied for the payment of general obligation bonds.~~

8 ~~§24. §36. Tax Assessors~~

9 ~~Section 24. Section 36.(A) Election; Term. A tax assessor shall be elected~~
10 ~~by the electors of each parish. His The term of office shall be four years. His A tax~~
11 ~~assessor's election, duties, and compensation shall be as provided by law.~~

12 (B) Orleans Parish. The assessor shall be elected at the same time as the
13 municipal officers of New Orleans.

14 (C) Vacancy. When a vacancy occurs in the office of tax assessor, the duties
15 of the office, until filled by election as provided by law, shall be assumed by the
16 chief deputy assessor.

17 ~~§25. §37. Tax Sales Administration~~

18 ~~Section 25. Section 37.(A) Tax Sales Immovables. (1) There shall be no~~
19 ~~forfeiture of property for nonpayment of taxes. However, the assessment of ad~~
20 ~~valorem taxes and other impositions on immovable property shall constitute a lien~~
21 ~~and privilege on the property assessed in favor of the political subdivision to which~~
22 ~~taxes and other impositions are owed. The legislature shall provide, by law, for the~~
23 ~~efficient administration of tax sales, which shall include at a minimum:~~

24 ~~(a) Imposition of interest on the delinquent taxes and other impositions not~~
25 ~~to exceed one percent per month on a noncompounding basis.~~

26 ~~(b) Imposition of penalty not to exceed five percent of the delinquent taxes~~
27 ~~and other impositions.~~

28 ~~(c) A period of time during which the lien cannot be enforced.~~

1 (d) A procedure for claiming the excess proceeds from the sale of the
2 property, as a result of the enforcement of the lien.

3 (2) The legislature may, by law, provide authority to the tax collector to
4 waive penalties for good cause.

5 ~~at the expiration of the year in which the taxes are due, the collector, without~~
6 ~~suit, and after giving notice to the delinquent in the manner provided by law, shall~~
7 ~~advertise for sale the property on which the taxes are due. The advertisement shall~~
8 ~~be published in the official journal of the parish or municipality, or, if there is no~~
9 ~~official journal, as provided by law for sheriffs' sales, in the manner provided for~~
10 ~~judicial sales. On the day of sale, the collector shall sell the portion of the property~~
11 ~~which the debtor points out. If the debtor does not point out sufficient property, the~~
12 ~~collector shall sell immediately the least quantity of property which any bidder will~~
13 ~~buy for the amount of the taxes, interest, and costs. The sale shall be without~~
14 ~~appraisement. A tax deed by a tax collector shall be prima facie evidence that a valid~~
15 ~~sale was made.~~

16 ~~(2) If property located in a municipality with a population of more than four~~
17 ~~hundred fifty thousand persons as of the most recent federal decennial census fails~~
18 ~~to sell for the minimum required bid in the tax sale, the collector may offer the~~
19 ~~property for sale at a subsequent sale with no minimum required bid. The proceeds~~
20 ~~of the sale shall be applied to the taxes, interest, and costs due on the property, and~~
21 ~~any remaining deficiency shall be eliminated from the tax rolls.~~

22 ~~(B) Redemption. (1) The property sold shall be redeemable for three years~~
23 ~~after the date of recordation of the tax sale, by paying the price given, including~~
24 ~~costs, five percent penalty thereon, and interest at the rate of one percent per month~~
25 ~~until redemption.~~

26 ~~(2) In the city of New Orleans, when such property sold is residential or~~
27 ~~commercial property which is abandoned property as defined by R.S. 33:4720.12(1)~~
28 ~~or blighted property as defined by Act 155 of the 1984 Regular Session, it shall be~~

1 ~~redeemable for eighteen months after the date of recordation of the tax sale by~~
2 ~~payment in accordance with Subparagraph (1) of this Paragraph.~~

3 ~~(3) In any parish other than Orleans, when such property sold is vacant~~
4 ~~residential or commercial property which has been declared blighted, as defined by~~
5 ~~R.S. 33:1374(B)(1) on January 1, 2013, or abandoned, as defined by R.S.~~
6 ~~33:4720.59(D)(2) on January 1, 2013, it shall be redeemable for eighteen months~~
7 ~~after the date of recordation of the tax sale by payment in accordance with~~
8 ~~Subparagraph (1) of this Paragraph.~~

9 ~~(C) Annulment. No sale of property for taxes shall be set aside for any cause,~~
10 ~~except on proof of payment of the taxes prior to the date of the sale, unless the~~
11 ~~proceeding to annul is instituted within six months after service of notice of sale. A~~
12 ~~notice of sale shall not be served until the final day for redemption has ended. It must~~
13 ~~be served within five years after the date of the recordation of the tax deed if no~~
14 ~~notice is given. The fact that taxes were paid on a part of the property sold prior to~~
15 ~~the sale thereof, or that a part of the property was not subject to taxation, shall not~~
16 ~~be cause for annulling the sale of any part thereof on which the taxes for which it~~
17 ~~was sold were due and unpaid. No judgment annulling a tax sale shall have effect~~
18 ~~until the price and all taxes and costs are paid, and until ten percent per annum~~
19 ~~interest on the amount of the price and taxes paid from date of respective payments~~
20 ~~are paid to the purchaser; however, this shall not apply to sales annulled because the~~
21 ~~taxes were paid prior to the date of sale.~~

22 ~~(D) Quieting Tax Title. The manner of notice and form of proceeding to quiet~~
23 ~~tax titles shall be provided by law.~~

24 ~~(E)~~(B) ~~Movables; Tax Sales. When taxes on movables are delinquent, the tax~~
25 ~~collector shall seize and sell sufficient movable property of the delinquent taxpayer~~
26 ~~to pay the tax, whether or not the property seized is the property which was assessed.~~
27 ~~Sale of the property shall be at public auction, without appraisalment, after ten days~~
28 ~~advertisement, published within ten days after date of seizure. It shall be absolute~~
29 ~~and without redemption.~~

1 last federal decennial census shall be utilized for this purpose. After deductions in
2 each parish for retirement systems and commissions as authorized by law, the
3 remaining funds, to the extent available, shall be distributed by first priority to the
4 tax recipient bodies within the parish, as defined by law, to offset current losses
5 because of the homestead exemptions granted exemption permitted in this Article.
6 Any balance remaining in a parish distribution shall be allocated to the
7 municipalities and tax recipient bodies within each parish as provided by law.

8 (D) Distributing Officer. The funds distributed to each parish as provided
9 in Paragraph (C) shall be distributed in Orleans Parish by the city treasurer of New
10 Orleans and in all other parishes by the parish tax collector. The funds allocated to
11 the Monroe City School Board or its successor shall be distributed to and by the city
12 treasurer of Monroe.

13 (E) Bonded Debt. A political subdivision, as defined by Article VI of this
14 constitution, may incur debt by issuing negotiable bonds and may pledge for the
15 payment of all or part of the principal and interest of such bonds the proceeds
16 derived or to be derived from that portion of the funds received by it from the
17 revenue sharing fund, to offset current losses caused by the homestead exemptions
18 granted exemption permitted by this Article. Unless otherwise provided by law, no
19 ~~moneys~~ monies allocated within any parish from the balance remaining in its
20 distribution may be pledged to the payment of the principal or interest of any bonds.
21 Bonds issued under this Paragraph shall be issued and sold as provided by law, and
22 shall require approval of the State Bond Commission or its successor prior to
23 issuance and sale.

24 ~~PART IV. TRANSPORTATION~~

25 ~~§27. Transportation Trust Fund~~

26 ~~Section 27.(A) Creation of fund. Effective January 1, 1990, there shall be~~
27 ~~established in the state treasury as a special permanent trust fund the Transportation~~
28 ~~Trust Fund ("the trust fund") in which shall be deposited the "excess revenues" as~~
29 ~~defined herein which are a portion of the avails received in each year from all taxes~~

1 levied on gasoline and motor fuels and on special fuels (said avails being referred to
2 as the "revenues") as provided herein. ~~After satisfying pledges respecting that~~
3 ~~portion of the revenues attributable to the tax rates in effect at the time of such~~
4 ~~pledges for the payment of obligations for bonds or other evidences of indebtedness~~
5 ~~on the effective date of this Section, the treasurer shall allocate such portion of the~~
6 ~~revenues received in each year as necessary to pay all principal, interest, premium,~~
7 ~~if any, and other obligations incident to the issuance, security, and payment in~~
8 ~~respect of bonds as authorized in Paragraph (C) hereof. Thereafter, the portion of the~~
9 ~~revenues remaining shall be deposited in the Bond Security and Redemption Fund~~
10 ~~in the state treasury. After (1) the payment of any obligations for bonds or other~~
11 ~~evidences of indebtedness in existence on the effective date of this Section which are~~
12 ~~secured by revenues; (2) payments in respect of bonds authorized in Paragraph (C)~~
13 ~~hereof; and (3) credit to the Bond Security and Redemption Fund, the treasurer shall~~
14 ~~deposit in and credit to the trust fund all of the revenues remaining (the "excess~~
15 ~~revenues") from the avails of all taxes levied on gasoline and motor fuels and on~~
16 ~~special fuels, as follows: for the fiscal year beginning July 1, 1989, the avails of~~
17 ~~twelve cents per gallon of said taxes received on and after January 1, 1990; for the~~
18 ~~fiscal year beginning on July 1, 1990, the avails of fourteen cents per gallon of said~~
19 ~~taxes; for the fiscal year beginning on July 1, 1991, and thereafter, the avails of all~~
20 ~~taxes levied on gasoline and motor fuels and on special fuels. Purchases of gasoline,~~
21 ~~diesel fuel, or special fuels which are subject to excise tax under Chapter 7 of~~
22 ~~Subtitle H of Title 47 of the Louisiana Revised Statutes of 1950 shall be exempt from~~
23 ~~the state sales tax and any sales tax levied by a political subdivision as defined by~~
24 ~~Article VI, Section 44(2). All monies appropriated by the Federal Highway~~
25 ~~Administration and the Federal Aviation Administration, or their successors, either~~
26 ~~reimbursed or paid directly, shall be paid directly or deposited in and credited to the~~
27 ~~trust fund.~~

28 (B)(1) ~~Except as provided for in Subparagraph (2) of this Paragraph, the~~
29 ~~monies in the trust fund shall be appropriated or dedicated solely and exclusively for~~

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

1 year on the investment of monies in the trust fund shall be deposited in and credited
2 to the trust fund.

3 (2) ~~There is hereby established in the Transportation Trust Fund a special~~
4 ~~subfund to be known as the "Construction Subfund", hereinafter referred to as "the~~
5 ~~subfund", in which shall be deposited the avails of any new taxes that become~~
6 ~~effective and are levied on gasoline, motor fuels, or special fuels on or after July 1,~~
7 ~~2017. The monies in the subfund shall be appropriated and dedicated solely for the~~
8 ~~direct costs associated with actual project delivery, construction, and maintenance~~
9 ~~of transportation and capital transit infrastructure projects of the state and local~~
10 ~~government. The monies in the subfund that are appropriated by the legislature to~~
11 ~~the Department of Transportation and Development, or its successor, shall not be~~
12 ~~utilized by the department for the payment of employee wages and related benefits~~
13 ~~or employee retirement benefits.~~

14 (C) ~~The State Bond Commission or its successor, may issue and sell bonds,~~
15 ~~notes, or other obligations ("Bonds") secured by a pledge of a portion of the revenues~~
16 ~~not to exceed the avails of four cents per gallon of the taxes on gasoline and motor~~
17 ~~fuels and on special fuels received by the state treasurer. Bonds so issued may also~~
18 ~~be secured by a pledge of all or a portion of excess revenues as additional security~~
19 ~~therefor, and if so pledged any portion thereof needed to pay principal, interest, or~~
20 ~~premium, if any, and other obligations incident to the issuance, security, and~~
21 ~~payment in respect to Bonds may be expended by the treasurer without the need for~~
22 ~~legislative appropriation. The Bonds may be issued in the manner set forth in this~~
23 ~~Section to provide for the costs for and associated with construction and maintenance~~
24 ~~of the roads and bridges of the state and federal highway systems, Statewide~~
25 ~~Flood-Control Program, ports, airports, and for any other purpose for which monies~~
26 ~~in the trust fund may be expended as provided by law. Such Bonds shall not be~~
27 ~~considered to be debt under Article VII, Section 6, unless the provisions of Article~~
28 ~~VII, Section 6, relative to incurring debt by the state are met, in which case the full~~

1 faith and credit of the state may also be pledged in addition to the revenues received
2 by the treasurer.

3 ~~(D) The State Bond Commission or its successor may also issue and sell~~
4 ~~bonds, notes, or other obligations secured by a pledge of the excess revenues~~
5 ~~deposited in the trust fund, which shall otherwise be issued in the manner and for the~~
6 ~~purposes provided for in this Section, and if so pledged any portion thereof needed~~
7 ~~to pay principal, interest, or premium, if any, and other obligations incident to the~~
8 ~~issuance, security, and payment in respect thereof may be expended by the treasurer~~
9 ~~without the need for legislative appropriation.~~

10 ~~(E) Bonds, notes, or other obligations issued pursuant to the provisions of~~
11 ~~Paragraphs (C) or (D) above may be issued in the manner provided by resolution of~~
12 ~~the State Bond Commission or its successor under the authority of said Paragraphs~~
13 ~~without compliance with any other requirement of this constitution or law. To that~~
14 ~~end, said Paragraphs (C) and (D) hereof shall be deemed self-operative.~~

15 **PART V. UNCLAIMED PROPERTY**

16 ~~§28. Louisiana Unclaimed Property Permanent Trust Fund~~

17 ~~Section 28.(A) Creation of Fund. (1) Effective July 1, 2021, there shall be~~
18 ~~established in the state treasury as a special permanent trust fund, the Louisiana~~
19 ~~Unclaimed Property Permanent Trust Fund, referred to as the "UCP Permanent Trust~~
20 ~~Fund". No appropriation shall be made from the UCP Permanent Trust Fund.~~

21 ~~(2) The purpose of the UCP Permanent Trust Fund is to ensure a source of~~
22 ~~payment for claims made by owners of unclaimed property. After allocation of~~
23 ~~money to the Bond Security and Redemption Fund as provided in Article VII,~~
24 ~~Section 9(B) of this Constitution, after the payment of all administrative fees, costs,~~
25 ~~and expenses as provided by law, and after the deposit of monies into the Unclaimed~~
26 ~~Property Leverage Fund, the treasurer shall annually deposit in and credit to the UCP~~
27 ~~Permanent Trust Fund the net amount of all monies received as a result of the~~
28 ~~Uniform Unclaimed Property Act of 1997 or its successor.~~

1 ~~(3) Realized capital gains, dividend income, and interest income, earned on~~
2 ~~the investments in the UCP Permanent Trust Fund, net of trust fund investment and~~
3 ~~administrative expenses, shall be deposited into the state general fund.~~

4 ~~(4) All monies shall be credited to the fund as provided in Subparagraph (2)~~
5 ~~of this Paragraph until the balance in the UCP Permanent Trust Fund equals the~~
6 ~~amount of the state's potential liability to unclaimed property claimants as reported~~
7 ~~in the previous fiscal year pursuant to Paragraph (C) of this Section. All money~~
8 ~~received above the state's potential liability to unclaimed property claimants as~~
9 ~~reported by the state treasurer shall be deposited into the state general fund.~~

10 ~~(B) Investment and Administration. The money credited to the UCP~~
11 ~~Permanent Trust Fund pursuant to Paragraph (A) of this Section shall be permanently~~
12 ~~credited to the UCP Permanent Trust Fund and shall be invested by the treasurer.~~
13 ~~Notwithstanding any provision of this constitution to the contrary, a portion of~~
14 ~~money in the UCP Permanent Trust Fund, not to exceed fifty percent of the money~~
15 ~~in the UCP Permanent Trust Fund, may be invested in equities. The legislature shall~~
16 ~~establish by law procedures for the investment of such monies. The treasurer may~~
17 ~~contract, subject to the approval of the State Bond Commission, for the management~~
18 ~~of such investments. Investment earnings shall be available for appropriation to pay~~
19 ~~expenses incurred in the investment and management of the UCP Permanent Trust~~
20 ~~Fund.~~

21 ~~(C) Reports; Allocation. (1) Not less than sixty days prior to the beginning~~
22 ~~of each regular session of the legislature, the state treasurer shall submit to the~~
23 ~~legislature and the governor a report of the following:~~

24 ~~(a) The balance of the UCP Permanent Trust Fund as of the close of the prior~~
25 ~~fiscal year.~~

26 ~~(b) The state's potential liability to unclaimed property claimants as of the~~
27 ~~close of the prior fiscal year.~~

28 ~~(2) Notwithstanding the provisions of Subparagraph (1) of this Paragraph, not~~
29 ~~less than sixty days prior to the beginning of the 2022 Regular Session of the~~

1 legislature, the state treasurer shall submit to the legislature and the governor a report
2 of the following:

3 (a) The balance of the UCP Permanent Trust Fund as of January 1, 2022.

4 (b) The state's potential liability to unclaimed property claimants as of the
5 close of the prior fiscal year.

6 (3) If unclaimed property claims exceed receipts, the state treasurer shall
7 certify the amount needed to pay received claims and shall allocate sufficient funds
8 from the UCP Permanent Trust Fund to pay that amount. The state treasurer shall
9 also immediately notify the legislature and governor of the amount transferred from
10 the UCP Permanent Trust Fund and amount remaining in the UCP Permanent Trust
11 Fund.

12 (D) Private Property. Property received by the state pursuant to the Uniform
13 Unclaimed Property Act of 1997 or its successor and deposited into the UCP
14 Permanent Trust Fund is private property held in trust until a claim is made for it by
15 the owner.

16 Section 2. Article VII, Section 10.2(E)(1) of the Constitution of Louisiana is hereby
17 repealed in its entirety.

18 Section 3. Be it further resolved that this proposed amendment shall be submitted
19 to the electors of the state of Louisiana at the statewide election to be held on **March 29,**
20 2025.

21 Section 4.(A) Be it further resolved that, if the electors of the state **adopt** an
22 amendment on December 7, 2024 amending Article VII, Section 25 of the Constitution of
23 Louisiana, then on the official ballot to be used at the **March 29,** 2025 election, there shall
24 be printed a proposition, upon which the electors of the state shall be permitted to vote YES
25 or NO, to amend the Constitution of Louisiana, which proposition shall read as follows:

26 Do you support an amendment to [IN PROCESS] (Revises Article VII)

27 (B) Be it further resolved that, if the electors of the state **reject** an amendment on
28 December 7, 2024 amending Article VII, Section 25 of the Constitution of Louisiana, then
29 on the official ballot to be used at the **March 29,** 2025 election, there shall be printed a

1 proposition, upon which the electors of the state shall be permitted to vote YES or NO, to
2 amend the Constitution of Louisiana, which proposition shall read as follows:

3 Do you support an amendment to [IN PROCESS] (Revises Article VII)