

Regular Session, 2014

HOUSE BILL NO. 726

BY REPRESENTATIVE IVEY

1 AN ACT

2 To amend and reenact R.S. 11:545(D), R.S. 15:598, R.S. 22:831(B), R.S. 40:1379.3.1(D)
3 and 1379.7(B), and Code of Criminal Procedure Article 895.1(F)(3)(a), relative to
4 special treasury funds; to provide for the uses of the Department of Public Safety
5 Police Officers Fund, the Criminal Identification and Information Fund, the
6 Louisiana State Police Salary Fund, the Concealed Handgun Permit Fund, the Public
7 Safety DWI Testing, Maintenance, and Training Fund, and the Sex Offender
8 Registry Technology Fund; to authorize the use of certain monies in such funds for
9 special law enforcement initiatives; and to provide for related matters.

10 Be it enacted by the Legislature of Louisiana:

11 Section 1. R.S. 11:545(D) is hereby amended and reenacted to read as follows:

12 §545. Department of Public Safety Peace Officers Fund

13 * * *

14 D. The monies in the fund shall be used for funding retirement benefits for
15 peace officers, as defined in R.S. ~~40:2402(1)(a)~~ 40:2402(3)(a), employed by the
16 Department of Public Safety and Corrections, office of state police, other than state
17 troopers. Any monies in the fund not used for retirement benefits as provided in this
18 Section may be used for special law enforcement initiatives and to support the

1 operations of the Department of Public Safety and Corrections, Capitol Complex
2 Police Force.

3 * * *

4 Section 2. R.S. 15:598 is hereby amended and reenacted to read as follows:

5 §598. Criminal Identification and Information Fund

6 All fees imposed and collected pursuant to R.S. 15:587 or any other provision
7 of law in this Chapter shall be forwarded upon receipt to the state treasurer for
8 immediate deposit into the state treasury. After compliance with the requirements
9 of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond
10 Security and Redemption Fund, and prior to monies being placed in the state general
11 fund, an amount equal to that deposited as required in this Section shall be credited
12 to a special fund hereby created in the state treasury designated as the Criminal
13 Identification and Information Fund. All monies in this fund shall annually be
14 appropriated by the legislature to the state police, may be withdrawn only pursuant
15 to such appropriation, and shall be used solely and exclusively by the state police to
16 assist in carrying out the provisions of this Chapter and for special law enforcement
17 initiatives. Monies in the fund shall be invested by the state treasurer in the same
18 manner as monies in the state general fund. Interest earned on the investment of
19 monies shall be credited to this fund following compliance with the requirements of
20 Article VII, Section 9(B) relative to the Bond Security and Redemption Fund. All
21 unexpended and unencumbered monies in the fund at the end of each fiscal year shall
22 remain in the fund.

23 Section 3. R.S. 22:831(B) is hereby amended and reenacted to read as follows:

24 §831. Fire, marine, transportation, casualty, surety, or other insurance

25 * * *

26 B. There is hereby created in the state treasury the Louisiana State Police
27 Salary Fund. Monies in the Louisiana State Police Salary Fund shall be used in
28 amounts appropriated by the legislature to cover the cost of salary increases and
29 related benefits for members of the state police service and for special law
30 enforcement initiatives. Taxes collected under the provisions of this Section in

1 Fiscal Year 2002-2003 and ensuing fiscal years that are in excess of total collections
 2 under the provisions of this Section in Fiscal Year 2000-2001, after first having been
 3 credited to the Bond Security and Redemption Fund as required by Article VII,
 4 Section 9(B) of the ~~Louisiana Constitution~~ Constitution of Louisiana, shall be
 5 deposited into the Louisiana State Police Salary Fund until the amount deposited in
 6 each fiscal year is equal to fifteen million six hundred thousand dollars.

7 * * *

8 Section 4. R.S. 40:1379.3.1(D) and 1379.7(B) are hereby amended and reenacted
 9 to read as follows:

10 §1379.3.1. Concealed Handgun Permit Fund; assessment and disposition of fees

11 * * *

12 D. The monies in the Concealed Handgun Permit Fund shall be used solely
 13 for administration of the concealed handgun permit process and for special law
 14 enforcement initiatives.

15 * * *

16 §1379.7. Public Safety DWI Testing, Maintenance, and Training Fund; uses

17 * * *

18 B. After compliance with the requirements of Article VII, Section 9(B) of
 19 the Constitution of Louisiana relative to the Bond Security and Redemption Fund,
 20 and prior to monies being placed in the state general fund, the treasurer shall credit
 21 an amount equal to the total amount of such costs received to a special fund which
 22 is hereby created in the state treasury and designated as the Public Safety DWI
 23 Testing, Maintenance, and Training Fund. The monies in the described fund shall
 24 be used solely to fund activities of the office of state police in executing its
 25 responsibilities in the purchase and maintenance of equipment and supplies for use
 26 in breath, blood, or urine analysis as related to violations of R.S. 14:98 or 98.1;
 27 training in the maintenance and usage of testing equipment; ~~and~~ other such related
 28 expenses as may be necessary in the efficient and effective administration of those
 29 duties; and for special law enforcement initiatives. The monies in the fund shall be
 30 used only in the amounts appropriated by the legislature. All unexpended and

1 unencumbered monies in the fund at the end of the fiscal year shall remain in the
 2 fund. The monies in the fund shall be invested by the treasurer in the same manner
 3 as monies in the state general fund. All interest earned on monies in the fund
 4 invested by the treasurer shall be credited to the Public Safety DWI Testing,
 5 Maintenance, and Training Fund.

6 * * *

7 Section 5. Code of Criminal Procedure Article 895.1(F)(3)(a) is hereby amended and
 8 reenacted to read as follows:

9 Art. 895.1. Probation; restitution; judgment for restitution; fees

10 * * *

11 F. When the court places the defendant on supervised probation, it shall
 12 order as a condition of probation the payment of a monthly fee of eleven dollars.
 13 The monthly fee established in this Paragraph shall be in addition to the fee
 14 established in Paragraph C of this Article and shall be collected by the Department
 15 of Public Safety and Corrections and shall be transmitted, deposited, appropriated,
 16 and used in accordance with the following provisions:

17 * * *

18 (3) The monies in the Sex Offender Registry Technology Fund shall be
 19 appropriated as follows:

20 (a) For Fiscal Year 2006-2007, the amount of one hundred ninety thousand
 21 dollars to the Department of Public Safety and Corrections, office of state police, to
 22 be used in the administration of programs for the registration of sex offenders in
 23 compliance with federal and state laws, and support of community notification
 24 efforts by local law enforcement agencies. For Fiscal Years 2007-2008 through
 25 2009-2010, the amount to be appropriated under this Subparagraph shall be twenty-
 26 five thousand dollars. For Fiscal Years 2010-2011, and thereafter, the amount to be
 27 appropriated to the Department of Public Safety and Corrections, office of state

