2022 Regular Session

HOUSE BILL NO. 46

BY REPRESENTATIVE STEFANSKI

SUNSET LAW: Re-creates the Department of State Civil Service and the statutory entities made a part of the department by law

AN ACT

To amend and reenact R.S. 49:191(1) and to repeal R.S. 49:191(10)(j), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Pursuant to R.S. 49:193, the Department of State Civil Service and the statutory entities made a part of the department by law shall be re-created effective June 30, 2022, and all statutory authority therefor is continued in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 2. All statutory authority for the existence of the Department of State Civil Service and the statutory entities made a part of the department as re-created by Section 1 of this Act shall cease as of July 1, 2027, pursuant to R.S. 49:191. However, the Department of State Civil Service may be re-created prior to such date in accordance with the provisions of Part XII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950.

Section 3. The provisions of R.S. 49:193 are hereby superseded to the extent that those provisions are in conflict with the provisions of this Act.

Section 4. R.S. 49:191(1) is hereby amended and reenacted to read as follows:

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§191. Termination of legislative authority for existence of statutory entities; phase-out period for statutory entities; table of dates

Notwithstanding any termination dates set by any previous Act of the legislature, the statutory entities set forth in this Section shall begin to terminate their operations on July first of each of the following years, and all legislative authority for the existence of any statutory entity, as defined in R.S. 49:190, shall cease as of July first of the following year, which shall be the termination date:

* * *

(1) July 1, ~~2006~~ 2026:

(a) The Department of State Civil Service and all statutory entities made a part of the department by law.

Section 5. R.S. 49:191(10)(j) is hereby repealed in its entirety.

Section 6. This Act shall become effective on June 30, 2022; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on June 30, 2022, or on the day following such approval by the legislature, whichever is later.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 46 Original 2022 Regular Session Stefanski

Abstract: Re-creates the Dept. of State Civil Service for four years. Changes termination date from July 1, 2023, to July 1, 2027.

Present law (sunset law) provides that the Dept. of State Civil Service and all the statutory entities made a part of that department by law shall begin to terminate operations on July 1, 2022, and that all legislative authority for such entities shall cease as of July 1, 2023, unless the legislature enacts a bill authorizing the re-creation of the department and its statutory entities prior thereto.

Proposed law provides for the general re-creation of the Dept. of State Civil Service and its statutory entities, effective June 30, 2022, in accordance with the sunset law. Supersedes the provisions of the sunset law which set out the procedure for review and re-creation and which require a separate bill to re-create each statutory entity within the department along with additional provisions. July 1, 2027, is the new termination date, and termination would begin July 1, 2026, unless the department is again re-created.

Effective June 30, 2022.

(Amends R.S. 49:191(1); Repeals R.S. 49:191(10)(j))

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