

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 95

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE DISTRIBUTIONS FROM THE HIGHWAY DISTRIBUTION ACCOUNT AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 40-701, Idaho Code, be, and the same is hereby amended to read as follows:

40-701. HIGHWAY DISTRIBUTION ACCOUNT – APPORTIONMENT. (1) There is established in the state treasury an account known as the "Highway Distribution Account," to which shall be credited:

- (a) Moneys as provided by sections 63-2412(1)(e)4, and 63-2418(3), Idaho Code;
- (b) All moneys collected by the department, ~~their~~ its agents and vendors, and county assessors and sheriffs, under the provisions of title 49, Idaho Code, except as otherwise specifically provided for; and
- (c) All other moneys as may be provided by law.

(2) The highway distribution account shall be apportioned as follows:

- (a) Thirty-eight percent (38%) to local units of government as provided in section 40-709, Idaho Code;
- (b) Fifty-seven percent (57%) to the state highway account established in section 40-702, Idaho Code; and
- (c) Five percent (5%) to the law enforcement ~~account,~~ fund established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement ~~account~~ fund as the moneys become available to the highway distribution account.
- (d) Fifty-eight percent (58%) to the state highway account established in section 40-702, Idaho Code; and
- (e) Four percent (4%) to the law enforcement fund established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of each year, and to the state highway account and the law enforcement fund as the moneys become available to the highway distribution account.
- (f) Fifty-nine percent (59%) to the state highway account established in section 40-702, Idaho Code; and
- (g) Three percent (3%) to the law enforcement fund established in section 67-2914, Idaho Code. The state controller shall cause the remittance of the moneys apportioned to local units of government not later than January 25, April 25, July 25 and October 25 of

1 each year, and to the state highway account and the law enforcement fund as the moneys  
2 become available to the highway distribution account.

3 (h) Sixty percent (60%) to the state highway account established in section 40-702, Idaho  
4 Code; and

5 (i) Two percent (2%) to the law enforcement fund established in section 67-2914, Idaho  
6 Code. The state controller shall cause the remittance of the moneys apportioned to local  
7 units of government not later than January 25, April 25, July 25 and October 25 of each  
8 year, and to the state highway account and the law enforcement fund as the moneys  
9 become available to the highway distribution account.

10 (j) Sixty-one percent (61%) to the state highway account established in section 40-702,  
11 Idaho Code; and

12 (k) One percent (1%) to the law enforcement fund established in section 67-2914, Idaho  
13 Code. The state controller shall cause the remittance of the moneys apportioned to local  
14 units of government not later than January 25, April 25, July 25 and October 25 of each  
15 year, and to the state highway account and the law enforcement fund as the moneys  
16 become available to the highway distribution account.

17 (l) Sixty-two percent (62%) to the state highway account established in section 40-702,  
18 Idaho Code. The state controller shall cause the remittance of the moneys apportioned  
19 to local units of government not later than January 25, April 25, July 25 and October 25  
20 of each year, and to the state highway account as the moneys become available to the  
21 highway distribution account.

22 (m) The provisions of subsection (2)(b) and (c) of this section shall remain in effect  
23 through June 30, 2009.

24 (n) Subsection (2)(d) and (e) of this section shall be in full force and effect on July 1,  
25 2009, through June 30, 2010.

26 (o) Subsection (2)(f) and (g) of this section shall be in full force and effect on July 1,  
27 2010, through June 30, 2011.

28 (p) Subsection (2)(h) and (i) of this section shall be in full force and effect on July 1,  
29 2011, through June 30, 2012.

30 (q) Subsection (2)(j) and (k) of this section shall be in full force and effect on July 1,  
31 2012, through June 30, 2013.

32 (r) Subsection (2)(l) of this section shall be in full force and effect on July 1, 2013.

33 (3) Interest earned on the investment of idle moneys in the highway distribution account  
34 shall be paid to the highway distribution account.

35 (4) All idle moneys in the dedicated highway trust or asset accounts or subaccounts  
36 established from highway user revenues, reimbursements, fees or permits shall be invested by  
37 the state treasurer in the same manner as provided under section 67-1210, Idaho Code, with  
38 respect to other surplus or idle moneys in the state treasury. Interest earned on the investments  
39 shall be returned to the various highway trust or asset accounts and subaccounts.