

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 228

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE LOTTERY; AMENDING SECTION 67-7434, IDAHO CODE, TO  
 2 PROVIDE FOR SPECIFIED TRANSFERS OF NET INCOME FROM THE LOTTERY,  
 3 TO REQUIRE THE LOTTERY TO ENSURE SPECIFIED CONDITIONS, TO  
 4 PROVIDE FOR ADJUSTMENTS TO CERTAIN TRANSFERS AND TO PROVIDE A  
 5 SUNSET DATE; AND AMENDING SECTION 63-2520, IDAHO CODE, TO PROVIDE  
 6 FOR THE CONSIDERATION OF CERTAIN LOTTERY MONEYS DISTRIBUTED IN  
 7 CALCULATING AMOUNTS TO BE DISTRIBUTED BY THE TAX COMMISSION  
 8 AND TO MAKE TECHNICAL CORRECTIONS.  
 9

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

11 SECTION 1. That Section 67-7434, Idaho Code, be, and the same is hereby amended to  
 12 read as follows:

13 67-7434. LOTTERY DIVIDENDS. (1) Annually, on July 1, the lottery shall transfer  
 14 one-half (1/2) of its net income to the permanent building account and one-half (1/2) of its net  
 15 income to the school district building account, after reserving sufficient moneys to ensure the  
 16 continuation of the lottery, as determined by the director and commission.

17 ~~A one (1) time allotment of two hundred thousand dollars (\$200,000) of the lottery's first  
 18 year dividends shall be allocated and used by the permanent building fund advisory council for  
 19 the construction of a Vietnam veterans memorial in the state.~~

20 (2) Beginning on July 1, 2010, the distribution of net income provided for in subsection  
 21 (1) of this section, shall be superseded by the provisions of this subsection (2).

22 Annually, on July 1, the lottery shall transfer three-eighths (3/8) of its net income to the  
 23 permanent building account; three-eighths (3/8) of its net income to the school district building  
 24 account; and one-fourth (1/4) of its net income to the bond levy equalization fund after  
 25 reserving sufficient moneys to ensure the continuation of the lottery, as determined by the  
 26 director and commission.

27 The lottery shall ensure that the distributions made to the permanent building account and  
 28 the school district building account, pursuant to the provisions of this subsection, shall not be  
 29 less than the amount those accounts received for fiscal year 2008, pursuant to the provisions  
 30 of subsection (1) of this section. In the event the lottery determines that an adjustment to  
 31 an annual transfer as provided in this subsection must be made to ensure that the permanent  
 32 building account and the school district building account receive an amount at least equal to  
 33 that amount received for fiscal year 2008, the difference shall be deducted from the one-fourth  
 34 (1/4) net income transfer that was to be made to the bond levy equalization fund, and the bond  
 35 levy equalization fund shall receive the remainder.

36 The provisions of this subsection (2) shall be null, void and of no force and effect on and after  
 37 September 30, 2014.

1 SECTION 2. That Section 63-2520, Idaho Code, be, and the same is hereby amended to  
2 read as follows:

3 63-2520. DISTRIBUTION OF MONEYS COLLECTED. Revenues received from the  
4 taxes imposed by this chapter, and any revenues received from licenses, permits, penalties,  
5 interest, or deficiency additions, shall be distributed by the tax commission as follows:

6 (a) An amount of money shall be distributed to the state refund account sufficient to pay  
7 current refund claims. All refunds authorized under this chapter by the commission shall be  
8 paid through the state refund account, and those moneys are continuously appropriated.

9 (b) On and after July 1, 2005, the balance remaining with the state treasurer after  
10 deducting the amount described in subsection (a) of this section shall be distributed as follows:

11 (1) 17.3% of such balance shall be distributed to the permanent building fund created by  
12 section 57-1108, Idaho Code.

13 (2) 0.4% of such balance shall be distributed to the central ~~tumor~~ cancer registry ~~account~~  
14 fund. The amount of money so distributed to the central ~~tumor~~ cancer registry ~~account~~  
15 fund shall not exceed the fiscal year's appropriation, and at such time as the appropriation  
16 has been distributed to the central ~~tumor~~ cancer registry ~~account~~ fund during any fiscal  
17 year, all such distributions in excess of the appropriation shall be made instead to the  
18 general fund of the state of Idaho.

19 (3) 1% of such balance shall be distributed to the cancer control account created by  
20 section 57-1702, Idaho Code. Revenues received in the cancer control account shall be  
21 paid over to the state treasurer by the state tax commission to be distributed as follows:

22 (i) Such amounts as are appropriated for purposes specified in section 57-1702,  
23 Idaho Code, shall be expended as appropriated;

24 (ii) Any balance remaining in the cancer control account on June 30 of any fiscal  
25 year after the amounts withdrawn by appropriation have been deducted, shall be  
26 reserved for transfer to the general fund on July 1 and the state controller shall  
27 order such transfer.

28 (4) An amount equal to the annual general fund appropriation for bond levy equalization,  
29 less the amount distributed under section 67-7434(2), Idaho Code, if applicable, pursuant  
30 to section 33-906, Idaho Code, shall be annually distributed to the general fund.

31 (5) All remaining moneys shall be distributed as follows: For the fiscal year  
32 commencing July 1, 2005, and ending June 30, 2006, all moneys shall be distributed to  
33 the economic recovery reserve fund created by section 67-3520, Idaho Code. For fiscal  
34 years on and after July 1, 2006, all moneys shall be distributed to the permanent building  
35 fund with the moneys to be used for the repair, remodel and restoration of the state  
36 capitol building and state facilities pertaining to the capitol restoration until such time as  
37 the capitol restoration is adequately funded as certified by the director of the department  
38 of administration. Thereafter all moneys shall be distributed to the economic recovery  
39 reserve fund created by section 67-3520, Idaho Code.