

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 310

BY WAYS AND MEANS COMMITTEE

AN ACT

1 RELATING TO TRANSPORTATION; AMENDING SECTION 40-701, IDAHO CODE, TO REVISE  
2 APPORTIONMENT PROVISIONS RELATING TO THE HIGHWAY DISTRIBUTION ACCOUNT;  
3 AMENDING SECTION 57-814, IDAHO CODE, TO PROVIDE FOR THE TRANSFER OF CER-  
4 TAIN GENERAL FUND COLLECTIONS TO THE STATE HIGHWAY ACCOUNT; AND PROVID-  
5 ING AN EFFECTIVE DATE.  
6

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

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

10 40-701. HIGHWAY DISTRIBUTION ACCOUNT -- APPORTIONMENT. (1) There is  
11 established in the state treasury an account known as the "Highway Distribu-  
12 tion Account," to which shall be credited:

13 (a) Moneys as provided by sections 63-2412(1)(f)4. and 63-2418(4),  
14 Idaho Code;

15 (b) All moneys collected by the department, their agents and vendors,  
16 and county assessors and sheriffs, under the provisions of title 49,  
17 Idaho Code, except as otherwise specifically provided for; and

18 (c) All other moneys as may be provided by law.

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

20 (a) ~~Thirty-eight~~ Forty percent (~~38~~40%) to local units of government as  
21 provided in section 40-709, Idaho Code; and

22 (b) ~~Fifty-seven~~ Sixty percent (~~57~~60%) to the state highway account es-  
23 tablished in section 40-702, Idaho Code; and

24 ~~(c) Five percent (5%) to the law enforcement account, established in~~  
25 ~~section 67-2914, Idaho Code.~~

26 The state controller shall cause the remittance of the moneys apportioned to  
27 local units of government not later than January 25, April 25, July 25 and Oc-  
28 tober 25 of each year, and to the state highway account ~~and the law enforce-~~  
29 ~~ment account~~ as the moneys become available to the highway distribution ac-  
30 count.

31 (3) Interest earned on the investment of idle moneys in the highway dis-  
32 tribution account shall be paid to the highway distribution account.

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

39 SECTION 2. That Section 57-814, Idaho Code, be, and the same is hereby  
40 amended to read as follows:

1           57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the  
2 state treasury the budget stabilization fund for the purpose of meeting gen-  
3 eral fund revenue shortfalls and to meet expenses incurred as the result of  
4 a major disaster declared by the governor. All moneys in the budget reserve  
5 account at the date of approval of this act shall be transferred to the budget  
6 stabilization fund. Interest earnings from the investment of moneys in this  
7 fund by the state treasurer shall be credited to the permanent building ac-  
8 count subject to the provisions of section 67-1210, Idaho Code.

9           (2) Subject to the requirements of section 63-3203, Idaho Code, the  
10 state controller shall annually transfer moneys from the general fund to the  
11 budget stabilization fund subject to the following criteria:

12           (a) If the state controller certifies that the receipts to the general  
13 fund for the fiscal year just ending have exceeded the receipts of the  
14 previous fiscal year by more than four percent (4%), then the state con-  
15 troller shall transfer all general fund collections in excess of said  
16 four percent (4%) increase to the budget stabilization fund, up to a  
17 maximum of one percent (1%) of the actual general fund collections of  
18 the fiscal year just ending. In addition thereto, the state controller  
19 shall transfer from general fund collections to the state highway ac-  
20 count established in section 40-702, Idaho Code, an amount equal to  
21 one-third (1/3) of the amount transferred into the budget stabilization  
22 fund. The state controller shall make the transfers in four (4) equal  
23 amounts during September, December, March and June of the next fiscal  
24 year.

25           (b) The amount of moneys in the budget stabilization fund shall not ex-  
26 ceed ten percent (10%) of the total general fund receipts for the fiscal  
27 year just ending.

28           (c) The state controller shall transfer moneys in the budget stabiliza-  
29 tion fund in excess of the limit imposed in subsection (2) (b) of this  
30 section to the general fund.

31           (3) If a majority of the membership of each house of the legislature  
32 adopt a concurrent resolution requesting the amount of the transfer speci-  
33 fied in subsection (2) of this section be reduced, the state controller shall  
34 reduce the amount of the transfer.

35           (4) Appropriations of moneys from the budget stabilization fund in  
36 any year shall be limited to fifty percent (50%) after the fund balance has  
37 reached ten percent (10%).

38           SECTION 3. This act shall be in full force and effect on and after July  
39 1, 2016.