

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 449

BY APPROPRIATIONS COMMITTEE

AN ACT

1 RELATING TO THE BUDGET STABILIZATION FUND; AMENDING SECTION 57-814, IDAHO  
2 CODE, TO INCREASE THE ALLOWABLE AMOUNT IN THE BUDGET STABILIZATION  
3 FUND; REPEALING SECTION 67-3520, IDAHO CODE, RELATING TO THE ECONOMIC  
4 RECOVERY RESERVE FUND; PROVIDING FOR THE APPROPRIATION AND TRANSFER  
5 OF FUNDS FROM THE ECONOMIC RECOVERY RESERVE FUND TO THE BUDGET STABI-  
6 LIZATION FUND; PROVIDING FOR THE APPROPRIATION AND TRANSFER OF FUNDS  
7 FROM THE GENERAL FUND TO THE BUDGET STABILIZATION FUND; AND DECLARING AN  
8 EMERGENCY AND PROVIDING EFFECTIVE DATES.  
9

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

11 SECTION 1. That Section 57-814, Idaho Code, be, and the same is hereby  
12 amended to read as follows:

13 57-814. BUDGET STABILIZATION FUND. (1) There is hereby created in the  
14 state treasury the budget stabilization fund for the purpose of meeting gen-  
15 eral fund revenue shortfalls and to meet expenses incurred as the result of  
16 a major disaster declared by the governor. All moneys in the budget reserve  
17 account at the date of approval of this act shall be transferred to the budget  
18 stabilization fund. Interest earnings from the investment of moneys in this  
19 fund by the state treasurer shall be credited to the permanent building ac-  
20 count subject to the provisions of section 67-1210, Idaho Code.

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

24 (a) If the state controller certifies that the receipts to the general  
25 fund for the fiscal year just ending have exceeded the receipts of the  
26 previous fiscal year by more than four percent (4%), then the state con-  
27 troller shall transfer all general fund collections in excess of said  
28 four percent (4%) increase to the budget stabilization fund, up to a  
29 maximum of one percent (1%) of the actual general fund collections of  
30 the prior fiscal year just ending. ~~The state controller shall make the~~  
31 ~~transfers in four (4) equal amounts during September, December, March~~  
32 ~~and June of the next fiscal year.~~ The state controller shall make the  
33 transfer upon the financial close of the current fiscal year.

34 (b) The amount of moneys in the budget stabilization fund shall not ex-  
35 ceed ~~ten~~ fifteen percent (~~10~~5%) of the total general fund receipts for  
36 the fiscal year just ending.

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

40 (3) If a majority of the membership of each house of the legislature  
41 adopt a concurrent resolution requesting the amount of the transfer speci-

1 fied in subsection (2) of this section be reduced, the state controller shall  
2 reduce the amount of the transfer.

3 (4) Appropriations of moneys from the budget stabilization fund in any  
4 year shall be limited to fifty percent (50%) of the fund balance after the  
5 fund balance has reached ten percent (10%) of total general fund receipts for  
6 the fiscal year just ending.

7 SECTION 2. That Section [67-3520](#), Idaho Code, be, and the same is hereby  
8 repealed.

9 SECTION 3. TRANSFER OF FUNDS FROM THE ECONOMIC RECOVERY RESERVE FUND.  
10 Notwithstanding the provisions of Section 57-814 (2) (b), Idaho Code, which  
11 limits the allowable balance in the Budget Stabilization Fund to ten percent  
12 (10%) of total General Fund receipts for the fiscal year just ending, and  
13 Section 57-814 (2) (c), Idaho Code, which requires the State Controller to  
14 transfer excess moneys in the Budget Stabilization Fund back to the General  
15 Fund, and any other provision of law to the contrary, on June 1, 2020, or as  
16 soon thereafter as practicable, it is hereby appropriated and the State Con-  
17 troller shall transfer any and all remaining moneys in the Economic Recovery  
18 Reserve Fund established in Section 67-3520, Idaho Code, to the Budget Sta-  
19 bilization Fund established in Section 57-814, Idaho Code.

20 SECTION 4. TRANSFER OF FUNDS FROM THE GENERAL FUND. Notwithstanding  
21 the provisions of Section 57-814 (2) (b), Idaho Code, which limits the allow-  
22 able balance in the Budget Stabilization Fund to ten percent (10%) of total  
23 General Fund receipts for the fiscal year just ending, and Section 57-814  
24 (2) (c), Idaho Code, which requires the State Controller to transfer excess  
25 moneys in the Budget Stabilization Fund back to the General Fund, and any  
26 other provision of law to the contrary, on June 1, 2020, or as soon thereafter  
27 as practicable, it is hereby appropriated and the State Controller shall  
28 transfer \$20,000,000 from the General Fund to the Budget Stabilization Fund  
29 established in Section 57-814, Idaho Code.

30 SECTION 5. An emergency existing therefor, which emergency is hereby  
31 declared to exist, Sections 3 and 4 of this act shall be in full force and ef-  
32 fect on and after passage and approval. Section 2 of this act shall be in full  
33 force and effect on and after July 1, 2020. Section 1 of this act shall be in  
34 full force and effect on and after July 1, 2021.