

**COUNTY FUND BALANCES**

2003 GENERAL SESSION

STATE OF UTAH

**Sponsor: Bradley T. Johnson**

**This act modifies provisions relating to Counties to modify the maximum amount of accumulated unappropriated surplus that a county may retain. The act also makes technical changes.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**17-36-16**, as last amended by Chapter 52, Laws of Utah 2001

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **17-36-16** is amended to read:

**17-36-16. Retained earnings -- Accumulation -- Restrictions -- Disbursements.**

(1) A county may accumulate retained earnings in any enterprise or internal service fund or a fund balance in any other fund; but with respect to the General Fund, its use shall be restricted to the following purposes:

(a) to provide cash to finance expenditures from the beginning of the budget period until general property taxes, sales taxes, or other revenues are collected;

(b) to provide a fund or reserve to meet emergency expenditures; and

(c) to cover unanticipated deficits for future years.

(2) (a) The maximum accumulated unappropriated surplus in the General Fund, as determined prior to adoption of the tentative budget, may not exceed an amount equal to ~~[50% of the total revenues of the General Fund for the current fiscal period, except that in counties]~~ the greater of:

(i) (A) for a county with a taxable value of \$750,000,000 or more and a population of 100,000 or more, [the accumulated surplus shall be limited to] 20% of the total revenues of the General Fund for the current fiscal period[.]; or



28           (B) for any other county, 50% of the total revenues of the General Fund for the current  
29 fiscal period; and

30           (ii) the estimated total revenues from property taxes for the current fiscal period.

31           **(b)** Any surplus balance in excess of the above computed maximum shall be included  
32 in the estimated revenues of the General Fund budget for the next fiscal period.

33           (3) Any fund balance exceeding 5% of the total General Fund revenues may be used  
34 for budgetary purposes.

35           (4) (a) A county may appropriate funds from estimated revenue in any budget period to  
36 a reserve for capital improvements within any capital improvements fund which has been duly  
37 established by ordinance or resolution.

38           (b) Money in the reserves shall be allowed to accumulate from fiscal period to fiscal  
39 period until the accumulated total is sufficient to permit economical expenditure for the  
40 specified purposes.

41           (c) Disbursements from the reserves shall be made only by transfer to a revenue  
42 account within a capital improvements fund pursuant to an appropriation for the fund.

43           (d) Expenditures from the capital improvement budget accounts shall conform to all  
44 requirements of this act as it relates to the execution and control of budgets.

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**Legislative Review Note**  
**as of 2-13-03 2:08 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

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**Fiscal Note**  
**Bill Number HB0358**

**County Fund Balances**

*19-Feb-03*

*4:20 PM*

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**State Impact**

No significant fiscal impact.

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**Individual and Business Impact**

No significant fiscal impact.

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**Office of the Legislative Fiscal Analyst**