

**TRANSPORTATION FUNDING AMENDMENTS**

2009 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen H. Urquhart**

House Sponsor: John Dougall

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**LONG TITLE**

**General Description:**

This bill enacts provisions relating to state and local spending on certain transportation projects.

**Highlighted Provisions:**

This bill:

- ▶ prohibits the state, counties, and municipalities from spending project-specific funds allocated through a congressional authorization act for a transportation project that is eligible for funds apportioned to the state in support of the statewide transportation improvement program.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**72-2-112**, as renumbered and amended by Laws of Utah 1998, Chapter 270

ENACTS:

**10-8-2.5**, Utah Code Annotated 1953

**17-50-327**, Utah Code Annotated 1953

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

29 Section 1. Section **10-8-2.5** is enacted to read:

30 **10-8-2.5. Prohibition against spending certain transportation funds.**

31 (1) As used in this section:

32 (a) "Apportioned" means divided or assigned among the states based on a prescribed  
33 formula established in 23 U.S.C.

34 (b) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
35 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C. Sec.  
36 9503.

37 (2) A municipality may not spend project-specific funds that are allocated through an  
38 authorization act for a transportation-related project that is eligible for funds apportioned to the  
39 state in support of the statewide transportation improvement program.

40 Section 2. Section **17-50-327** is enacted to read:

41 **17-50-327. Prohibition against spending certain transportation funds.**

42 (1) As used in this section:

43 (a) "Apportioned" means divided or assigned among the states based on a prescribed  
44 formula established in 23 U.S.C.

45 (b) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
46 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C. Sec.  
47 9503.

48 (2) A county may not spend project-specific funds that are allocated through an  
49 authorization act for a transportation-related project that is eligible for funds apportioned to the  
50 state in support of the statewide transportation improvement program.

51 Section 3. Section **72-2-112** is amended to read:

52 **72-2-112. Transportation department authorized to participate in federal**  
53 **program.**

54 (1) Notwithstanding any law to the contrary, the department is empowered to  
55 participate in the deferred payment program authorized by Congress in Public Law 94-30.

56 (2) Any indebtedness incurred by the department under this section shall be paid from  
57 state transportation funds as appropriated.

58 (3) (a) As used in this Subsection (3):

59            (i) "Apportioned" means divided or assigned among the states based on a prescribed  
60 formula established in 23 U.S.C.

61            (ii) "Authorization act" means an act of Congress enacted after July 1, 2009 that  
62 authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C. Sec.  
63 9503.

64            (b) The state, including any agency, department, or division of the state, may not spend  
65 project-specific funds that are allocated through an authorization act for a transportation-related  
66 project that is eligible for funds apportioned to the state in support of the statewide  
67 transportation improvement program.

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**Legislative Review Note**  
as of 1-28-09 11:56 AM

**Office of Legislative Research and General Counsel**

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**S.B. 134 - Transportation Funding Amendments**

**Fiscal Note**

2009 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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