

TRANSPORTATION FUNDING AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Dougall

Senate Sponsor: _____

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 Chapter 270, Laws of Utah 1998

ENACTS:

10-8-2.5, Utah Code Annotated 1953

17-50-321, Utah Code Annotated 1953



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

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

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

(1) As used in this section:

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

(b) "Authorization act" means an act of Congress enacted after July 1, 2006 that authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C. Sec. 9503.

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

Section 2. Section **17-50-321** is enacted to read:

17-50-321. Prohibition against spending certain transportation funds.

(1) As used in this section:

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

(b) "Authorization act" means an act of Congress enacted after July 1, 2006 that authorizes transportation programs from the Highway Trust Fund established in 26 U.S.C. Sec. 9503.

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

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

72-2-112. Transportation department authorized to participate in federal program -- Prohibition against spending certain transportation funds.

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

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

(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, 2006 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.

Legislative Review Note

as of 1-20-06 10:03 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0162

Transportation Funding Amendments

30-Jan-06

8:12 AM

State Impact

Provisions of this bill can be enacted within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst