

59 59-12-2218.

60 (d) (i) The department shall annually allocate the interest earned on fund money to each
61 county based on the proportionate amount of interest earned on each county's allocation of
62 funds under Subsection (4)(c) on an average monthly balance basis.

63 (ii) The initial annual allocation of fund interest shall include all interest earned on
64 fund money since the creation of the fund.

65 (e) The money allocated under Subsection (4)(c):

66 (i) shall be used for the purposes provided in this section for each county, city, or town;

67 (ii) is allocated to each county, city, or town as provided in this section with the
68 condition that the state will not be charged for any asset purchased with the money allocated

69 under Subsections (4)(c) and (d), unless there is a written agreement in place with the
70 department prior to the purchase of the asset stipulating a reimbursement by the state to the

71 county, city, or town ~~H~~→ **of no more than the original purchase price paid by the county, city,**
71a **or town** ←~~H~~ ; and

72 (iii) is considered a local matching contribution for the purposes described under
73 Section 72-2-123 if used on a state highway.

74 (f) Administrative costs of the department to implement this section shall be paid from
75 the fund.

76 (5) (a) The department shall authorize the expenditure of fund money to allow a
77 highway authority to acquire real property or any interests in real property for state, county, and
78 municipal highway corridors subject to:

79 (i) money available in the fund to each county under Subsections (4)(c) and (d); and

80 (ii) the provisions of this section.

81 (b) Fund money may be used to pay interest on debts incurred in accordance with this
82 section.

83 (c) (i) (A) Fund money may be used to pay maintenance costs of properties acquired
84 under this section but limited to a total of 5% of the purchase price of the property.

85 (B) Any additional maintenance cost shall be paid from funds other than under this
86 section.

87 (C) Revenue generated by any property acquired under this section is excluded from
88 the limitations under this Subsection (5)(c)(i).

89 (ii) Fund money may be used to pay direct costs of acquisition of properties acquired