**South Carolina General Assembly**

118th Session, 2009-2010

**S. 100**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Grooms, Campsen, Rose and Bryant

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Introduced in the Senate on January 13, 2009

Currently residing in the Senate Committee on **Finance**

Summary: Transportation Maintenance Fund

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

12/10/2008 Senate Prefiled

12/10/2008 Senate Referred to Committee on **Finance**

1/13/2009 Senate Introduced and read first time [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑117

1/13/2009 Senate Referred to Committee on **Finance** [SJ](file:///h:\SJ%20Archive\2009\01-13-09.docx)‑117

1/14/2009 Senate Referred to Subcommittee: O'Dell (ch), Peeler, Reese, Fair, Elliott

**VERSIONS OF THIS BILL**

[12/10/2008](file:///p:\pprever\2009-10\100_20081210.docx)

**A** **BILL**

TO AMEND ARTICLE 3, CHAPTER 11 OF TITLE 11 OF THE 1976 CODE, RELATING TO THE GENERAL FUND AND THE CAPITAL RESERVE FUND, BY ADDING SECTION 11‑11‑315, TO ESTABLISH THE TRANSPORTATION MAINTENANCE FUND, TO PROVIDE THAT TWO PERCENT OF THE GENERAL FUND REVENUE OF THE LATEST COMPLETED FISCAL YEAR BE DEPOSITED INTO THE TRANSPORTATION MAINTENANCE FUND, TO PROVIDE THAT MONIES IN THE FUND MUST BE USED TO OFFSET REVENUE SHORTFALLS, AND TO PROVIDE THAT ANY MONIES IN THE FUND AT THE END OF THE FISCAL YEAR MUST BE DEPOSITED IN THE NON‑FEDERAL AID HIGHWAY FUND.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. This act may be referred to and cited as the “Transportation Infrastructure Investment Act”.

SECTION 2. Article 3, Chapter 11 of Title 11 of the 1976 Code is amended by adding:

“Section 11‑11‑315. (A) The General Assembly, in the annual general appropriations act, shall appropriate, out of the estimated revenue of the general fund for the fiscal year for which the appropriations are made, into a Transportation Maintenance Reserve Fund, which is separate and distinct from the General Reserve Fund, an amount equal to two percent of the general fund revenue of the latest completed fiscal year.

(B) This appropriation must be contained in the Ways and Means Committee report on the general appropriations bill, the general appropriations bill at the time of third reading in the House of Representatives, the Senate Finance Committee report on the general appropriations bill, the general appropriations bill at the time of a third reading in the Senate, and in any conference report on the general appropriations bill.

(C) If, before March first, the Board of Economic Advisors’ revenue forecast to the State Budget and Control Board for the current fiscal year projects that revenues at the end of the fiscal year will be less than expenditures authorized by appropriations for that year and funds in the Capital Reserve Fund have been exhausted pursuant to Section 11‑11‑320, then the current year’s appropriation to the Transportation Maintenance Reserve Fund first must be reduced by the Board to the extent necessary before mandating any reductions in operating appropriations.

(D)(1) If it is determined that the fiscal year has ended with an operating deficit and funds in the Capital Reserve Fund have been exhausted pursuant to Section 11‑11‑320, then the monies appropriated from the Transportation Maintenance Reserve Fund must be reduced by the State Budget and Control Board to the extent necessary and applied by the board to the year‑end operating deficit before withdrawing monies from the General Reserve Fund.

(2) At the end of the fiscal year, any monies in the Transportation Maintenance Reserve Fund must be deposited in the State Non‑Federal Aid Highway Fund. Monies deposited in the State Non‑Federal Aid Highway Fund pursuant to this section must only be used for the maintenance of roads not eligible for federal funds or for the replacement, maintenance, and repair of bridges, or to obtain matching federal funds for the replacement, maintenance, and repair of bridges.”

SECTION 2. This act takes effect upon approval by the Governor.

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