

SENATE BILL 894

R2
HB 1128/08 – APP

9lr3141
CF HB 140

By: **Senator Mooney**
Introduced and read first time: February 6, 2009
Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Trust Fund Protection Act**

3 FOR the purpose of prohibiting the transfer or diversion of funds from the
4 Transportation Trust Fund except under certain circumstances; requiring the
5 Governor to make a certain declaration if funds are transferred or diverted from
6 the Transportation Trust Fund; requiring the enactment of legislation providing
7 for a certain repayment plan before funds are transferred or diverted from the
8 Transportation Trust Fund; and generally relating to limiting transfers or
9 diversions from the Transportation Trust Fund.

10 BY adding to
11 Article – Transportation
12 Section 3–217
13 Annotated Code of Maryland
14 (2008 Replacement Volume)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Transportation**

18 **3–217.**

19 **FUNDS IN THE TRANSPORTATION TRUST FUND MAY NOT BE**
20 **TRANSFERRED OR DIVERTED FROM THAT FUND TO THE GENERAL FUND OF THE**
21 **STATE UNLESS:**

22 **(1) THE GOVERNOR DECLARES THE TRANSFER NECESSARY DUE**
23 **TO EXTRAORDINARY FINANCIAL CIRCUMSTANCES; AND**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 **(2) LEGISLATION IS ENACTED PRIOR TO THE TRANSFER OR**
2 **DIVERSION THAT PROVIDES FOR REPAYMENT OF THE FUNDS WITHIN 5 YEARS**
3 **AFTER THE TRANSFER OR DIVERSION, WITH REPAYMENT COMMENCING**
4 **IMMEDIATELY.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 July 1, 2009.