

HOUSE BILL 383

R2
HB 140/09 – APP

0lr0863

By: **Delegates Krebs, Barkley, Bates, Boteler, Dwyer, Eckardt, Elliott, Elmore, Frank, George, Jenkins, Kipke, McComas, Miller, Norman, Reznik, Robinson, Shewell, Smigiel, Sossi, Stocksdale, and Wood**

Introduced and read first time: January 28, 2010

Assigned to: Appropriations

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 and 2009 Supplement)

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:**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

7 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
8 July 1, 2010.