

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2005**

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**HOUSE DRH70145-LK-100 (3/4)**

Short Title: Limit Transfers From Highway Trust Fund. (Public)

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Sponsors: Representatives McMahan and Dockham (Primary Sponsors).

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Referred to:

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A BILL TO BE ENTITLED

AN ACT TO PROHIBIT THE TRANSFER OF MORE THAN ONE HUNDRED SEVENTY MILLION DOLLARS PER YEAR FROM THE HIGHWAY TRUST FUND TO THE GENERAL FUND.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 105-187.9(b) reads as rewritten:

"(b) Transfer. – In each fiscal year the State Treasurer shall transfer the amounts provided below from the taxes deposited in the Trust Fund to the General Fund. The transfer of funds authorized by this section may be made by transferring one-fourth of the amount at the end of each quarter in the fiscal year or by transferring the full amount annually on July 1 of each fiscal year, subject to the availability of ~~revenue~~. revenue, the sum of one hundred seventy million dollars (\$170,000,000).

~~(1) The sum of one hundred seventy million dollars (\$170,000,000).~~

~~(2) In addition to the amount transferred under subdivision (1) of this subsection, the sum of one million seven hundred thousand dollars (\$1,700,000) shall be transferred in the 2001-2002 fiscal year. The amount distributed under this subdivision shall increase in the 2002-2003 fiscal year to the sum of two million four hundred thousand dollars (\$2,400,000). In each fiscal year thereafter, the sum transferred under this subdivision shall be the amount distributed in the previous fiscal year plus or minus a percentage of this sum equal to the percentage by which tax collections under this Article increased or decreased for the most recent 12 month period for which data are available."~~

**SECTION 2.** This act becomes effective July 1, 2005.