

**Senate Bill No. 1507**

**CHAPTER 793**

An act to amend Sections 14552.2, 14553.4, and 14554.8 of the Government Code, relating to transportation.

[Approved by Governor September 24, 2004. Filed with Secretary of State September 25, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1507, Burton. Transportation: financing.

Existing law requires that all money in the State Highway Account in the State Transportation Fund derived from federal sources or from appropriations to other state agencies, or deposited in the account by local agencies or by others, be continuously appropriated to, and be available for expenditure by, the Department of Transportation for the purposes for which the money was made available. Unless otherwise expressly provided for by law, none of the balance of the money in the account may be expended until it has been specifically appropriated by the Legislature.

Existing law continuously appropriates the amounts specified in the annual Budget Act as having been deposited in the State Highway Account in the State Transportation Fund from federal transportation funds, and pledged by the California Transportation Commission, to the Treasurer for the purposes of issuing federal highway grant anticipation notes, as specified, to fund transportation projects selected by the commission.

Existing law defines "eligible project" for these purposes as a highway or other transportation project that has been designated for accelerated construction by the commission, as specified.

Existing law prohibits the Treasurer from authorizing the issuance of the notes if the annual repayment obligations of all outstanding notes in any fiscal year would exceed 30% of the total amount of federal transportation funds deposited in the account for any consecutive 12-month period within the preceding 24 months.

This bill would define "eligible project" for these purposes as a highway or other transportation project that has been designated for accelerated construction by the commission, and increases the capacity, reduces the travel time, or provides long-life rehabilitation of the key bridges and roadways of a corridor or gateway for interregional travel and movement of goods.

The bill would prohibit the Treasurer from authorizing the issuance of the notes if the annual repayment obligations of all outstanding notes in any fiscal year would exceed 15% of the total amount of federal transportation funds deposited in the account for any consecutive 12-month period within the preceding 24 months.

The bill would delete the requirement that the amount for these purposes be specified in the annual Budget Act as having been deposited in the account.

*The people of the State of California do enact as follows:*

SECTION 1. Section 14552.2 of the Government Code is amended to read:

14552.2. (a) "Eligible project" means the federally funded portion of any highway or other transportation project that has been designated for accelerated construction by the commission, and increases the capacity, reduces the travel time, or provides long-life rehabilitation of the key bridges and roadways of a corridor or gateway for interregional travel and movement of goods.

(b) An eligible project that meets the conditions of subdivision (a) may include, but is not limited to, any of the following projects:

- (1) Toll bridge seismic retrofit projects.
- (2) Projects approved for funding under the Traffic Congestion Relief Act of 2000 (Chapter 4.5 (commencing with Section 14556)).
- (3) Projects programmed under the current adopted State Transportation Improvement Program or the current State Highway Operation and Protection Program.

SEC. 2. Section 14553.4 of the Government Code is amended to read:

14553.4. The Treasurer may not authorize the issuance of notes if the annual repayment obligations of all outstanding notes in any fiscal year would exceed 15 percent of the total amount of federal transportation funds deposited in the State Highway Account in the State Transportation Fund for any consecutive 12-month period within the preceding 24 months.

SEC. 3. Section 14554.8 of the Government Code is amended to read:

14554.8. (a) Notwithstanding Section 13340 of the Government Code or any other provision of law, the amounts deposited in the State Highway Account in the State Transportation Fund from federal transportation funds, and pledged by the commission under this chapter, are hereby continuously appropriated, without regard to fiscal years, to the Treasurer for the purposes of, and in accordance with, this chapter.

(b) Funds that are subject to Section 1 or 2 of Article XIX of the California Constitution may be used as the state or local principal match for any project that is eligible for federal matching funds and is funded pursuant to this chapter.

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