

# Hall of the House of Representatives

## 89th General Assembly - Regular Session, 2013

### Amendment Form

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#### Subtitle of House Bill No. 1418

TO DEDICATE SALES AND USE TAX REVENUE FROM THE SALES OF NEW AND USED VEHICLES AND ROAD-USER ITEMS AND SERVICES FOR ROADWAY MAINTENANCE, CONSTRUCTION, AND RECONSTRUCTION; AND TO DECLARE AN EMERGENCY.

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#### Amendment No. 2 to House Bill No. 1418

Amend House Bill No. 1418 as engrossed, H3/4/13 (version: 03/04/2013 09:43:51 AM):

Delete SECTION 1 in its entirety

AND

Page 2, delete lines 22 through 36, and substitute the following:

"(b)(1) Beginning the first day of September following the issuance of an annual report certified to the Chief Fiscal Officer of the State by the Treasurer of State in which the gross collection of general revenue for sales and use tax exceeds two billion two hundred million dollars (\$2,200,000,000), the Chief Fiscal Officer of the State shall determine as a monthly allocation an amount equivalent to the percentages stated in subsection (c) of this section of the total net general revenues enumerated in 19-6-201(1) and (2) that were collected as sales and use tax under §§ 26-52-301, 26-52-302(a), 26-52-302(b)(1), 26-52-303, 26-52-317(c)(1)(A), 26-52-319(a)(5)(A), 26-52-319(c)(2) as distributed under § 26-52-319(a)(5)(A), 26-52-607, 26-53-106, 26-53-107(a), 26-53-107(b)(1), 26-53-145(c)(1)(A), 26-53-148(a)(5)(A), and 26-53-148(c)(2) as distributed under § 26-53-148(a)(5)(A).

(2) After making the deductions required under 19-5-202(b)(2)(B)(i), on the last day of each month, the Chief Fiscal Officer of the State shall certify the allocation determined under subdivision (b)(1) of this section to the Treasurer of State, who shall transfer the certified allocation as follows:

(A) Seventy percent (70%) credited to the State Highway and Transportation Department Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the state;

(B) Fifteen percent (15%) credited to the County Aid Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the county; and

(C) Fifteen percent (15%) credited to the Municipal Aid



Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the municipality.

(c) In making a determination under subsection (b) of this section, the Chief Fiscal Officer of the State shall use the following percentages:

(1) Beginning September 1 of the first year, six-tenths of one percent (0.6%);

(2) Beginning July 1 of the second year, one and two-tenths percent (1.2%);

(3) Beginning July 1 of the third year, one and eight-tenths percent (1.8%);

(4) Beginning July 1 of the fourth year, two and four-tenths percent (2.4%);

(5) Beginning July 1 of the fifth year, three percent (3%);

(6) Beginning July 1 of the sixth year, three and six-tenths percent (3.6%);

(7) Beginning July 1 of the seventh year, four and two-tenths percent (4.2%);

(8) Beginning July 1 of the eighth year, four and eight-tenths percent (4.8%);

(9) Beginning July 1 of the ninth year, five and four-tenths percent (5.4%); and

(10) Beginning July 1 of the tenth year and thereafter, six percent (6%)."

AND

Page 3, delete lines 1 through 28

AND

Page 3, delete lines 32 through 36, and substitute the following:

"(h)(1) Beginning the first day of September following the issuance of an annual report certified to the Chief Fiscal Officer of the State by the Treasurer of State in which the gross collection of general revenue for sales and use tax exceeds two billion two hundred million dollars (\$2,200,000,000), the Chief Fiscal Officer of the State shall determine as a monthly allocation an amount equivalent to the percentages stated in subsection (i) of this section of the total net general revenues enumerated in 19-6-201(1) and (2) that were collected as sales and use tax under §§ 26-52-301, 26-52-302(a), 26-52-302(b)(1), 26-52-303, 26-52-607, 26-53-106, 26-53-107(a), and 26-53-107(b)(1) on the sale of new or used motor vehicles, trailers, or semitrailers required to be licensed in this state.

(2) After making the deductions required under § 19-5-202(b)(2)(B)(i), on the last day of each month, the Chief Fiscal Officer of the State shall certify the allocation determined under subdivision (h)(1) of this section to the Treasurer of State, who shall transfer the certified allocation as follows:

(A) Seventy percent (70%) credited to the State Highway and Transportation Department Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the state;

(B) Fifteen percent (15%) credited to the County Aid Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the county; and

(C) Fifteen percent (15%) credited to the Municipal Aid Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the municipality.

(i) In making a determination under subsection (h) of this section, the Chief Fiscal Officer of the State shall use the following percentages:

- (1) Beginning September 1 of the first year, ten percent (10%);
- (2) Beginning July 1 of the second year, twenty percent (20%);
- (3) Beginning July 1 of the third year, thirty percent (30%);
- (4) Beginning July 1 of the fourth year, forty percent (40%);
- (5) Beginning July 1 of the fifth year, fifty percent (50%);
- (6) Beginning July 1 of the sixth year, sixty percent (60%);
- (7) Beginning July 1 of the seventh year, seventy percent (70%);
- (8) Beginning July 1 of the eighth year, eighty percent (80%);
- (9) Beginning July 1 of the ninth year, ninety percent (90%);

and

(10) Beginning July 1 of the tenth year and thereafter, one hundred percent (100%)."

AND

Page 4, delete lines 1 through 31

AND

Page 4, delete lines 35 and 36, and substitute the following;

"(g)(1) Beginning the first day of September following the issuance of an annual report certified to the Chief Fiscal Officer of the State by the Treasurer of State in which the gross collection of general revenue for sales and use tax exceeds two billion two hundred million dollars (\$2,200,000,000), the Chief Fiscal Officer of the State shall determine as a monthly allocation an amount equivalent to the percentages stated in subsection (h) of this section of the total net general revenues enumerated in 19-6-201(1) and (2) that were collected as sales and use tax under §§ 26-52-301, 26-52-302(a), 26-52-302(b)(1), 26-52-303, 26-52-607, 26-53-106, 26-53-107(a), and 26-53-107(b)(1) on the sale of new or used motor vehicles, trailers, or semitrailers required to be licensed in this state.

(2) After making the deductions required under § 19-5-202(b)(2)(B)(i), on the last day of each month, the Chief Fiscal Officer of the State shall certify the allocation determined under subdivision (g)(1) of this section to the Treasurer of State, who shall transfer the certified allocation as follows:

(A) Seventy percent (70%) credited to the State Highway and Transportation Department Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the state;

(B) Fifteen percent (15%) credited to the County Aid Fund, which shall be used for the construction, reconstruction, and maintenance of

highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the county; and

(C) Fifteen percent (15%) credited to the Municipal Aid Fund, which shall be used for the construction, reconstruction, and maintenance of highways, roads, streets, bridges, and extensions of highways, roads, streets, and bridges located within the municipality.

(h) In making a determination under subsection (g) of this section, the Chief Fiscal Officer of the State shall use the following percentages:

- (1) Beginning September 1 of the first year, ten percent (10%);
- (2) Beginning July 1 of the second year, twenty percent (20%);
- (3) Beginning July 1 of the third year, thirty percent (30%);
- (4) Beginning July 1 of the fourth year, forty percent (40%);
- (5) Beginning July 1 of the fifth year, fifty percent (50%);
- (6) Beginning July 1 of the sixth year, sixty percent (60%);
- (7) Beginning July 1 of the seventh year, seventy percent (70%);
- (8) Beginning July 1 of the eighth year, eighty percent (80%);
- (9) Beginning July 1 of the ninth year, ninety percent (90%);

and

(10) Beginning July 1 of the tenth year and thereafter, one hundred percent (100%)."

AND

Page 5, delete lines 1 through 34

AND

Appropriately renumber the sections of the bill

The Amendment was read \_\_\_\_\_

By: Representative Barnett

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Chief Clerk