

ASSEMBLY BILL

No. 1134

Introduced by Assembly Member Bonilla

February 18, 2011

An act to amend Section 8879.61 of the Government Code, relating to transportation funding, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1134, as introduced, Bonilla. Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006: allocation of funds.

Existing law, implementing the Highway Safety, Traffic Reduction, Air Quality, and Port Security Bond Act of 2006, requires specified entities receiving an allocation of the proceeds of bonds issued under the act to expend those funds within 3 fiscal years of the fiscal year in which the funds were allocated.

This bill would specify that for an allocation of the funds made prior to June 30, 2011, the entity receiving the allocation would be required to expend them within 4 fiscal years of the fiscal year in which the funds were allocated.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

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

1 SECTION 1. Section 8879.61 of the Government Code is
2 amended to read:

1 8879.61. (a) ~~Entities~~(1) *Except as provided in paragraph (2),*
 2 *entities* described in subdivisions (a), (b), and (c) of Section
 3 8879.57 receiving an allocation of funds pursuant to this article
 4 shall expend those funds within three fiscal years of the fiscal year
 5 in which the funds were allocated. Funds remaining unexpended
 6 thereafter shall revert to the California Emergency Management
 7 Agency, as applicable, for reallocation *under this article* in
 8 subsequent fiscal years.

9 (2) *Notwithstanding paragraph (1), for an allocation of funds*
 10 *made prior to June 30, 2011, to an entity described in subdivisions*
 11 *(a), (b), and (c) of Section 8879.57, that entity shall expend those*
 12 *funds within four fiscal years of the fiscal year in which the funds*
 13 *were allocated. Funds remaining unexpended thereafter shall*
 14 *revert as provided in paragraph (1).*

15 (b) Entities that receive grant awards from funds allocated
 16 pursuant to subdivisions (b) or (c) of Section 8879.57 are not
 17 eligible to receive awards from the funds allocated pursuant to
 18 subdivision (a) of Section 8879.57.

19 (c) Funds appropriated for the program established by this article
 20 in the Budget Act of 2007 shall be allocated consistent with the
 21 allocation schedule established in Section 8879.57.

22 SEC. 2. This act is an urgency statute necessary for the
 23 immediate preservation of the public peace, health, or safety within
 24 the meaning of Article IV of the Constitution and shall go into
 25 immediate effect. The facts constituting the necessity are:

26 In order to ensure that public transit agencies have sufficient
 27 time to complete critical projects using certain transportation bond
 28 funds, it is necessary that this act take effect immediately.