

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2007**

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**HOUSE BILL 1004**

Short Title: Highway Trust Fund Transfers Eliminated. (Public)

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Sponsors: Representatives Cole, Clary (Primary Sponsors); Allen, Avila, Blackwood, Blust, Boylan, Brown, Brubaker, Church, Cleveland, Coates, Crawford, Current, Dockham, Dollar, Faison, Folwell, Frye, Gibson, Gillespie, Goodwin, Grady, Gulley, T. Harrell, J. Harrell, Hilton, Holloway, Howard, Hurley, Justice, Justus, Killian, McComas, McElraft, Moore, Neumann, Pate, Samuelson, Saunders, Spear, Tarleton, Tillis, E. Warren, R. Warren, Wiley, Wray, and Yongue.

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Referred to: Transportation, if favorable, Appropriations.

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March 26, 2007

A BILL TO BE ENTITLED

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2 AN ACT TO REPEAL THE TRANSFER OF FUNDS FROM THE HIGHWAY  
3 TRUST FUND TO THE GENERAL FUND AND TO REQUIRE THE GENERAL  
4 FUND TO REPAY THE HIGHWAY TRUST FUND FOR ANY MONIES  
5 TRANSFERRED IN EXCESS OF THE AMOUNT AUTHORIZED BY STATUTE  
6 SINCE FISCAL YEAR 2001-2002 OVER A FIVE-YEAR PERIOD OF TIME.

7 The General Assembly of North Carolina enacts:

8       **SECTION 1.** G.S. 105-187.9(b) is repealed.

9       **SECTION 2.** There shall be a minimum amount equal to twenty percent  
10 (20%) of the total amount of monies transferred in excess of the amount authorized by  
11 G.S. 105-187.9(b), minus any funds already repaid from the General Fund, from the  
12 Highway Trust Fund to the General Fund from fiscal year 2001-2002 forward, paid  
13 from the General Fund to the Highway Trust Fund on July 1 of each year, for five  
14 consecutive years after the passage of this act to make the Highway Trust Fund whole.  
15 The amount designated to be repaid annually in this section is a minimum and shall not  
16 be construed to mean that the entire amount cannot be paid back at an accelerated rate.

17       **SECTION 3.** This act is effective when it becomes law.