

SENATE BILL 1309

By Tracy

AN ACT to amend Tennessee Code Annotated, Section 4-3-1016 and Title 54, Chapter 2, Part 1, relative to budgetary policies involving the highway fund.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 4-3-1016, is amended by deleting subsection (c) in its entirety and by substituting instead the following language:

(c) Notwithstanding any provision of this section to the contrary, no transfers are authorized from department of transportation funds, reserve accounts and programs in the highway fund or other funds created or referenced in titles 54, 55, 57, 65 and 67.

SECTION 2. Tennessee Code Annotated, Section 54-2-102, is amended by deleting the language "shall be placed in the custody of the state treasurer." and by substituting instead the following language:

shall be placed in the custody of the state treasurer in an account, to be known as the "department of transportation state highway fund" or "highway fund."

SECTION 3. Tennessee Code Annotated, Section 54-2-103, is amended by deleting the section in its entirety and by substituting instead the following:

Notwithstanding any law to the contrary, the department of transportation state highway fund shall be kept separate and apart from all other funds; and no part shall be transferred or otherwise diverted to any other department or agency of state government, and shall only be drawn out of the state treasury as provided in §§ 54-2-104 and 54-2-105.

SECTION 4. This act shall take effect July 1, 2009, the public welfare requiring it.