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An act to amend Section 16351.5 of, and to repeal Sections 16408 and 16409 of, the Government Code, relating to state funds.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 16351.5 of the Government Code is amended to read:

16351.5. The unexpended balance in any appropriation for capital outlay heretofore or hereafter made payable from each special fund which the Director of Finance, with the approval of the State Public Works Board, determines not to be required for expenditure pursuant to the appropriation, may be transferred on order of the Director of Finance to the unappropriated surplus of the special fund from which the appropriation was originally made.

SEC. 2. Section 16408 of the Government Code is repealed.

~~16408. The unexpended balance in any appropriation heretofore made payable from the Capital Outlay and Savings Fund, or hereafter made from the General Fund for capital outlay purposes, which the Director of Finance, with the approval of the State Public Works Board, determines not to be required for expenditure pursuant to the appropriation, may be transferred on order of the Director of Finance to and in augmentation of the appropriation made by Section 16409.~~

SEC. 3. Section 16409 of the Government Code is repealed.

~~16409. There is hereby appropriated from the General Fund, without regard to fiscal years, any amounts transferred to this appropriation in accordance with the provisions of Section 16408, and such amounts may be expended for acquisition of real property or for construction and equipment of state public works projects for which an appropriation has been made from the Capital Outlay and Savings Fund or the General Fund. Expenditures shall be made pursuant to allocations made by the Director of Finance upon approval of the State Public Works Board.~~

~~Allocations may be made for expenditure upon any state public works project in augmentation of appropriations made from the Capital Outlay and Savings Fund or the General Fund, where such project cannot be undertaken because the estimate exceeds the amount available for such construction or bids received are in excess of the estimate, and upon such augmentation, contracts may be awarded therefor, notwithstanding the provisions of Section 14275 or of Section 25235 of the Education Code.~~

~~Allocations may be made for acquisition of real property in augmentation of appropriations made from the Capital Outlay and Savings Fund or the General Fund for acquisition of real property and which cannot be acquired because acquisition costs are in excess of the amounts provided in the appropriation.~~

~~Allocations may be made for purchase of equipment in augmentation of appropriations made from the Capital Outlay and Savings Fund or the General Fund from which purchase of equipment is authorized.~~



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____
General Subject: State funds: capital outlay.

Existing law abolishes the Capital Outlay and Savings Fund in the State Treasury and transferred the funds in the Capital Outlay and Savings Fund to the General Fund. Existing law authorizes the Director of Finance, with the approval of the State Public Works Board, to transfer the unexpended balance in the Capital Outlay and Savings Fund, or any later appropriation from the General Fund made for capital outlay purposes, that is no longer required for expenditure pursuant to that appropriation, and continuously appropriates from the General Fund, those amounts transferred, to be used for specified purposes.

This bill would repeal these provisions authorizing the Director of Finance to transfer the unexpended balance in the Capital Outlay and Savings Fund, or any later appropriation from the General Fund made for capital outlay purposes, as described above.

Existing law authorizes the Director of Finance, with the approval of the State Public Works Board, to transfer the unexpended balance in any appropriation for capital outlay that was payable from a special fund to the unappropriated surplus of the special fund from which the appropriation was originally made if that balance is no longer required for expenditure pursuant to the original appropriation.

This bill would instead authorize the Director of Finance, with the approval of the State Public Works Board, to transfer the unexpended balance in any appropriation for capital outlay that was payable from any fund to the unappropriated surplus of that fund from which the appropriation was originally made if that balance is no longer required for expenditure pursuant to the original appropriation.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

