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GOVERNMENT CODE - GOV

TITLE 2. GOVERNMENT OF THE STATE OF CALIFORNIA [8000 - 22980] (Title 2 enacted by Stats. 1943, Ch. 134.)

DIVISION 3. EXECUTIVE DEPARTMENT [11000 - 15990.3] (Division 3 added by Stats. 1945, Ch. 111.)

PART 3. DEPARTMENT OF FINANCE [13000 - 13881] (Part 3 added by Stats. 1945, Ch. 112.)

CHAPTER 2. Powers and Duties, Generally [13070 - 13144] (Chapter 2 added by Stats. 1945, Ch. 112.)

ARTICLE 2.1. Infrastructure Funding [13105 - 13109] (Article 2.1 added by Stats. 2018, Ch. 43, Sec. 3.)

13105. (a) The amount estimated to be available for infrastructure pursuant to subdivision (e) of Section 20 of Article XVI of the California Constitution shall be appropriated by the Legislature in the annual budget process. Upon the order of the department, the Controller shall transfer the amount from the General Fund to the Infrastructure Stabilization Fund created in Section 13106.

(b) In the event the initial estimated amount for a fiscal year as described in subdivision (a) is greater than the final updated amount as determined by subdivisions (b) and (e) of Section 20 of Article XVI of the California Constitution, the excess shall be credited towards the infrastructure amounts in one or more subsequent fiscal years.

(c) In the event the initial estimated amount for a fiscal year as described in subdivision (a) is less than the final updated amount as determined by subdivisions (b) and (e) of Section 20 of Article XVI of the California Constitution, upon appropriation by the Legislature and upon the order of the department, the Controller shall transfer the remaining amount from the General Fund to the Infrastructure Stabilization Fund.

(d) This section applies to the infrastructure amounts attributable to the 2019–20 to the 2021–22 fiscal year, inclusive, pursuant to subdivision (e) of Section 20 of Article XVI of the California Constitution. Pursuant to subdivision (b) of Section 20 of Article XVI of the California Constitution, the updates of the amount for each relevant fiscal year will be made in the two subsequent fiscal years.

(e) Consistent with Section 20 of Article XVI of the California Constitution, the department shall perform the estimates and calculations in this section.

(Added by Stats. 2018, Ch. 43, Sec. 3. (AB 1831) Effective June 27, 2018.)

13106. (a) The Infrastructure Stabilization Fund is hereby created in the State Treasury for the infrastructure purposes described in subdivision (e) of Section 20 of Article XVI of the California Constitution.

(b) This fund shall receive transfers pursuant to Section 13105 or from any other funds upon appropriation by the Legislature. Moneys in this fund shall be continuously appropriated and shall be distributed, upon order of the department, as follows:

(1) If the transfer received is less than four hundred fifteen million dollars (\$415,000,000), the entire amount shall be transferred to the State Infrastructure and Maintenance Fund established in Section 13107.

(2) If the transfer received is equal to or greater than four hundred fifteen million dollars (\$415,000,000), four hundred fifteen million dollars (\$415,000,000) shall be transferred to the State Infrastructure and Maintenance Fund established in Section 13107. Any amount over four hundred fifteen million dollars (\$415,000,000) shall be distributed 50 percent to the Rail Infrastructure Account established in Section 13108 and 50 percent to the Housing Rehabilitation Loan Fund established in Section 50661 of the Health and Safety Code.

(Added by Stats. 2018, Ch. 43, Sec. 3. (AB 1831) Effective June 27, 2018.)

13107. (a) The State Infrastructure and Maintenance Fund is hereby created in the State Treasury for the purposes of funding state capital outlay, lease payments related to state capital outlay, and deferred maintenance, upon appropriation by the Legislature.

(b) This fund shall receive transfers from the Infrastructure Stabilization Fund, pursuant to Section 13106, or from any other funds upon appropriation by the Legislature.

(Added by Stats. 2018, Ch. 43, Sec. 3. (AB 1831) Effective June 27, 2018.)

13108. (a) The Rail Infrastructure Account is hereby created in the State Transportation Fund for the purposes of funding projects in the Rail Modernization Improvement Program. Moneys in this fund shall be continuously appropriated to the Transportation Agency for the purposes described in subdivision (b).

(1) Transfers from the Infrastructure Stabilization Fund pursuant to Section 13106, or other appropriations by the Legislature, shall be deposited into the account created in subdivision (a).

(2) The Transportation Agency shall be the account administrator.

(3) Revenue in the account is available for allocation and expenditure by the Secretary of Transportation.

(b) The Rail Modernization Improvement Program is hereby created to fund rail infrastructure projects.

(1) Eligible projects shall benefit high-priority rail corridors as follows:

(A) Rail corridor investments that are shared use corridors.

(B) Rail corridor investments statewide to benefit freight if those investments also provide passenger rail benefits in the corridors specified in subparagraph (A).

(C) Rail station planning investments for shared use station areas to maximize connectivity between state-run or state-administered passenger rail services and locally or regionally operated services.

(2) Funds appropriated for the purposes of this program may be allocated by the Transportation Agency to a state department or a local agency acting as a project sponsor overseeing or administering an eligible project.

(3) Any project sponsor receiving funding pursuant to this program shall report to the Transportation Agency annually on or before September 1 of each year regarding the status and progress of the project, expenditures to date, anticipated benefit to the state, and upon completion, realized benefit to the state.

(4) The Transportation Agency shall report to the Legislature by November 1 of each year regarding the projects funded, and for each project the anticipated benefit to the state, the planned cashflow schedule, and a summary of the information reported by project sponsors. This report shall be submitted pursuant to Section 9795.

(Added by Stats. 2018, Ch. 43, Sec. 3. (AB 1831) Effective June 27, 2018.)

13109. Notwithstanding any other law, the Controller may use the funds in the Infrastructure Stabilization Fund, the State Infrastructure and Maintenance Fund, and the Rail Infrastructure Account for cashflow loans to the General Fund as provided in Sections 16310 and 16381.

(Amended by Stats. 2019, Ch. 497, Sec. 139. (AB 991) Effective January 1, 2020.)