



SPONSOR: Sen. Townsend & Rep. Mulrooney

DELAWARE STATE SENATE
149th GENERAL ASSEMBLY

SENATE BILL NO. 140

AN ACT PROPOSING AN AMENDMENT TO THE DELAWARE CONSTITUTION RELATING TO RESTRICTIONS ON THE EXPENDITURE OF MONEYS IN CERTAIN SPECIAL FUNDS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE (Two-thirds of all members elected to each house thereof concurring therein):

1 Section 1. Amend Article VIII of the Delaware Constitution by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 13. Restrictions on the expenditure of moneys in certain special funds.

4 Moneys in a special fund created to fund capital projects with a dedicated revenue source that is authorized by the
5 General Assembly after January 1, 2018, and that contains a limitation on the amount or percentage of the revenue source
6 that may be used for non-capital operating or administrative expenses may not be expended in excess of those limits except
7 by an act of the General Assembly adopted with the concurrence of three-fourths of all members elected to each House and
8 separate from an annual budget act, bond and capital improvement act, or grants-in-aid act.

SYNOPSIS

This Act is the first leg of a constitutional amendment that limits the ability of the State to appropriate moneys in a special fund created, after January 1, 2018, to fund capital projects with a dedicated revenue source and with a limitation on the amount or percentage of the revenue source that may be used for non-capital operating or administrative expenses.

This Act essentially creates a lock box on these special funds that can only be opened by the agreement of three-fourths of all the members elected to each House through legislation separate from an annual budget act, bond and capital improvement act, or grants-in-aid act.

Author: Senator Townsend