



SPONSOR: Rep. Lynn & Rep. Schwartzkopf & Rep. Longhurst &  
Rep. Viola

HOUSE OF REPRESENTATIVES  
149th GENERAL ASSEMBLY

HOUSE BILL NO. 290

AN ACT RELATING TO THE CONTINUANCE AND MAKING OF APPROPRIATIONS FOR THE EXPENSE OF THE STATE GOVERNMENT AFTER JUNE 30, 2017, ON A TEMPORARY BASIS AND CONTINUING IN EFFECT THE PROVISIONS OF THE APPROPRIATION ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 298, VOLUME 80 OF THE LAWS OF DELAWARE, AND FOR GRANTING AUTHORITY TO CONTINUE APPROPRIATION LINES IN THE APPROPRIATION ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, THE BOND AND CAPITAL IMPROVEMENTS ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 299, VOLUME 80 OF THE LAWS OF DELAWARE, AND THE GRANTS-IN-AID ACT FOR THE FISCAL YEAR ENDING JUNE 30, 2017, CHAPTER 300, VOLUME 80 OF THE LAWS OF DELAWARE.

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

1           Section 1. Until such time as the Appropriation Act for the fiscal year ending June 30, 2018, is enacted into law,  
2 the departments and divisions of State government and other spending agencies specified in Chapter 298, Volume 80 of the  
3 Laws of Delaware (Senate Bill No. 285, 148<sup>th</sup> General Assembly) (“Fiscal Year 2017 Budget”) are to continue to receive  
4 funding from the Treasury of the State on a per diem basis as appropriated under the Fiscal Year 2017 Budget during the  
5 fiscal year ending June 30, 2017.

6           Section 2. The departments and divisions of State government and other spending agencies specified in the Fiscal  
7 Year 2017 Budget are authorized to continue expenditures at the same per diem level and in the same manner as under the  
8 Fiscal Year 2017 Budget.

9           Section 3. The State Treasurer is authorized to continue to issue checks, electronic funds transfers, and otherwise  
10 disburse monies from the General Fund for all expenditures made in the normal course of State business in the same  
11 manner as authorized under the provisions of the Fiscal Year 2017 Budget.

12           Section 4. The Director of the Office of Management and Budget, with the concurrence of the Controller General,  
13 may continue all appropriation lines contained within the following:

14           (1) The Fiscal Year 2017 Budget.

15           (2) Chapter 299, Volume 80 of the Laws of Delaware (House Bill No. 450, 148<sup>th</sup> General Assembly) (“Fiscal Year  
16 2017 Bond and Capital Improvements Act”).

17           (3) Chapter 300, Volume 80 of the Laws of Delaware (Senate Bill No. 295, 148<sup>th</sup> General Assembly) (“Fiscal Year  
18 2017 Grants-in-Aid Act”).

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20 Section 5. All authority conferred by this Act ceases upon the earlier of either of the following:

21 (1) When the Annual Appropriation Act for the fiscal year ending June 30, 2018, becomes effective, and all

22 subsequent expenditures during the fiscal year ending June 30, 2018, must then be made in accordance with the provisions

23 of that act.

24 (2) When appropriations under this Act cause the aggregate State General Fund appropriations for the fiscal year

25 ending June 30, 2018, to exceed 98 percent of the estimated State General Fund revenue for the fiscal year ending June 30,

26 2018, from all sources, as prohibited under Article VIII, § 6 of the Delaware Constitution.

27 Section 6. All provisions of the Fiscal Year 2017 Budget remain in full force and effect during the time the

28 provisions of this Act are in effect, notwithstanding any provisions in Fiscal Year 2017 Budget that would have terminated

29 the effect of that Act on June 30, 2017.

30 Section 7. If any of the provisions of this Act are inconsistent with the provisions of any other law, the provisions

31 of this Act are controlling. Any provision in any other act, resolution, or law that is inconsistent with the provisions of this

32 Act is repealed as to such inconsistency.

33 Section 8. If any provision of this Act or amendments to this Act, or the application of this Act to any person,

34 thing, or circumstance is held invalid, such invalidity does not affect the provisions or application of this Act or such

35 amendments that can be given effect without the invalid provisions or application, and to this end the provisions of this Act,

36 and such amendments are severable.

#### SYNOPSIS

This Act provides for the expense of State government after June 30, 2017, on a temporary basis as appropriated under the Fiscal Year 2017 Budget and for granting authority to continue appropriation lines in the Fiscal Year 2017 Budget, the Fiscal Year 2017 Bond and Capital Improvements Act, and the Fiscal Year 2017 Grants-in-Aid Act.