

## Statutory Authority Regarding Appropriation Administration

1. Potential restrictions of using specific "pots" of cash – ie use of cash as opposed to use of appropriation authority
  - a. General fund has no restrictions on its use
  - b. Federal funds usually have some restrictions, with use of some grant funds being more narrowly defined
  - c. State special revenue is usually targeted to specific uses – eg constitutional designation of gas tax, I-149 specifies use of new tobacco tax
    - i. Can't use cash in ways that are contrary to statute, can transfer excess appropriation authority
  
2. Agencies may transfer appropriation authority among programs
  - a. Unless the appropriation is restricted in the appropriations act
  - b. Restriction is indicated with the word (restricted) following the line item appropriation in HB 2
  - c. LFD staff recommends that language be added to clarify the restriction if there is any doubt as to how the restriction may be interpreted after the legislature has adjourned
  
3. "After the end of a fiscal year, 30% of the money appropriated to an agency for that year by the general appropriations act for personal services, operating expenses, and equipment, by fund type, and remaining unexpended and unencumbered at the end of the year may be reappropriated to be spent during the following 2 years for any purpose that is consistent with the goals and objectives of the agency. The dollar amount of the 30% amount that may be carried forward and spent must be determined by the office of budget and program planning."
  
4. The Office of Budget and Program Planning may authorize transfer of appropriation authority between state agencies as long as the original purpose of the appropriation is maintained