



General Assembly

January Session, 2009

Raised Bill No. 999

LCO No. 3928

03928 _____ FIN

Referred to Committee on Finance, Revenue and Bonding

Introduced by:
(FIN)

AN ACT CONCERNING THE MOTOR VEHICLE FUELS TAX AND FUNDING FOR RAIL PROJECTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subdivision (2) of subsection (a) of section 12-458 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective April 1, 2009, and applicable to fuels sold or used in this*
4 *state on or after said date*):

5 (2) On said date and coincident with the filing of such return each
6 distributor shall pay to the commissioner for the account of the
7 purchaser or consumer a tax (A) on each gallon of such fuels sold or
8 used in this state during the preceding calendar month of twenty-six
9 cents on and after January 1, 1992, twenty-eight cents on and after
10 January 1, 1993, twenty-nine cents on and after July 1, 1993, thirty cents
11 on and after January 1, 1994, thirty-one cents on and after July 1, 1994,
12 thirty-two cents on and after January 1, 1995, thirty-three cents on and
13 after July 1, 1995, thirty-four cents on and after October 1, 1995, thirty-
14 five cents on and after January 1, 1996, thirty-six cents on and after
15 April 1, 1996, thirty-seven cents on and after July 1, 1996, thirty-eight
16 cents on and after October 1, 1996, thirty-nine cents on and after

17 January 1, 1997, thirty-six cents on and after July 1, 1997, thirty-two
 18 cents on and after July 1, 1998, [and] twenty-five cents on and after July
 19 1, 2000, and thirty cents on and after April 1, 2009; and (B) in lieu of
 20 said taxes, each distributor shall pay a tax on each gallon of gasohol, as
 21 defined in section 14-1, sold or used in this state during such preceding
 22 calendar month, of twenty-five cents on and after January 1, 1992,
 23 twenty-seven cents on and after January 1, 1993, twenty-eight cents on
 24 and after July 1, 1993, twenty-nine cents on and after January 1, 1994,
 25 thirty cents on and after July 1, 1994, thirty-one cents on and after
 26 January 1, 1995, thirty-two cents on and after July 1, 1995, thirty-three
 27 cents on and after October 1, 1995, thirty-four cents on and after
 28 January 1, 1996, thirty-five cents on and after April 1, 1996, thirty-six
 29 cents on and after July 1, 1996, thirty-seven cents on and after October
 30 1, 1996, thirty-eight cents on and after January 1, 1997, thirty-five cents
 31 on and after July 1, 1997, thirty-one cents on and after July 1, 1998, and
 32 twenty-four cents on and after July 1, 2000, [and] twenty-five cents on
 33 and after July 1, 2004, and thirty cents on and after April 1, 2009; (C) in
 34 lieu of said taxes, each distributor shall pay a tax on each gallon of
 35 diesel fuel, propane or natural gas sold or used in this state during
 36 such preceding calendar month, of eighteen cents on and after
 37 September 1, 1991, [and] twenty-six cents on and after August 1, 2002,
 38 and thirty cents on and after April 1, 2009; (D) in lieu of said taxes,
 39 each distributor shall pay a tax on each gallon of propane or natural
 40 gas sold or used in this state during such preceding calendar month, of
 41 twenty-six cents on and after July 1, 2007, and thirty cents on and after
 42 April 1, 2009; and (E) in lieu of said taxes, each distributor shall pay a
 43 tax on each gallon of diesel fuel sold or used in this state during such
 44 preceding calendar month, of thirty-seven cents on and after July 1,
 45 2007, and at the applicable tax rate, as determined by the commissioner
 46 pursuant to section 12-458h, on and after July 1, 2008.

47 Sec. 2. Section 13b-69 of the general statutes is repealed and the
 48 following is substituted in lieu thereof (*Effective April 1, 2009*):

49 (a) The Treasurer shall apply the resources in the Special

50 Transportation Fund, upon their receipt, first, to pay or provide for the
51 payment of debt service requirements, as defined in section 13b-75, at
52 such time or times, in such amount or amounts and in such manner, as
53 provided by the proceedings authorizing the issuance of special tax
54 obligation bonds pursuant to sections 13b-74 to 13b-77, inclusive, and
55 then to pay from the Transportation Strategy Board projects account of
56 the Special Transportation Fund, established under section 13b-57r, the
57 incremental revenues identified in approved annual financing plans
58 for cash funding in accordance with the provisions of section 13b-57q.

59 (b) The remaining resources of the Special Transportation Fund
60 shall, pursuant to appropriation thereof in accordance with chapter 50
61 and subject to approval by the Governor of allotment thereof, be
62 applied and expended for (1) payment of the principal of and interest
63 on "general obligation bonds of the state issued for transportation
64 purposes", as defined in subsection (c) of this section, or any
65 obligations refunding the same, (2) payment of state budget
66 appropriations made to or for the Department of Transportation and
67 the Department of Motor Vehicles, and (3) payment of state budget
68 appropriations made to or for the Department of Public Safety for
69 members of the Division of State Police designated by the
70 Commissioner of Public Safety for motor patrol work pursuant to
71 section 29-4, except that (A) for the fiscal years commencing on or after
72 July 1, 1998, excluding the highway motor patrol budgeted expenses
73 and (B) for the fiscal years commencing on or after July 1, 1999,
74 excluding the highway motor patrol fringe benefits.

75 (c) Notwithstanding the provisions of subsections (a) and (b) of this
76 section, sixteen per cent of the moneys received or collected by the
77 state or any officer thereof on account of, or derived from, motor fuel
78 taxes pursuant to section 13b-61, shall be segregated by the Treasurer
79 and may be expended only for projects directly supporting railroad
80 infrastructure.

81 [(c)] (d) As used in this section, "general obligation bonds of the

82 state issued for transportation purposes" means the aggregate
 83 principal amount, as determined by the Secretary of the Office of
 84 Policy and Management, of state general obligation bonds authorized
 85 for transportation purposes pursuant to the following authorizations
 86 issued and outstanding at any time: Special acts 406 of the 1959
 87 session; 328 of the 1961 session, as amended; 362 of the 1963 session, as
 88 amended; 245 of the February 1965 special session, as amended; 276
 89 and 315 of the 1967 session, as amended; 255 and 281 of the 1969
 90 session; 31 of the 1972 session, as amended; 73-74, as amended; 74-43;
 91 74-102, as amended; 75-101; 76-84, as amended; 77-47; 78-70; 78-71, as
 92 amended; 78-81, as amended; 79-95; 80-41; 81-71; 82-46, as amended;
 93 83-17 of the June special session; and 83-2 and 83-3 of the October
 94 special session; sections 4-66c; 13a-20; 13a-29; 13a-32 to 13a-35,
 95 inclusive; 13a-157; 13a-165; 13a-166; 13a-176 to 13a-192, inclusive; 13a-
 96 197; 13a-198a to 13a-198j, inclusive; 13a-239 to 13a-246, inclusive; 16-
 97 338; 16a-40j and 16a-40k; and section 28 of public act 132 of 1959*,
 98 sections 8 and 13 of public act 325 of the February 1965 special
 99 session*, as amended; sections 4 and 5 of public act 755 of 1969*, as
 100 amended; and section 1 of public act 80-392*.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>April 1, 2009, and applicable to fuels sold or used in this state on or after said date</i>	12-458(a)(2)
Sec. 2	<i>April 1, 2009</i>	13b-69

Statement of Purpose:

To raise the tax on motor vehicle fuels by five cents and to require that any resulting revenues be dedicated to railroad projects.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]