§1585. Transfer of unexpended appropriations

1. Transfer procedures. Any balance of any appropriation or subdivision of an appropriation made by the Legislature for any state department or agency, which at any time may not be required for the purpose named in such appropriations or subdivision, may be transferred at any time prior to the closing of the books to any other appropriation or subdivision of an appropriation made by the Legislature for the use of the same department or agency for the same fiscal year subject to review by the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs. Financial orders describing such transfers must be submitted by the Bureau of the Budget to the Office of Fiscal and Program Review 30 days before the transfer is to be implemented. In case of extraordinary emergency transfers, the 30-day prior submission requirement may be waived by vote of the committee. Positions, or funding for those positions, that are currently funded with federal or other funds may not be transferred by financial order to the General Fund. Financial orders proposing to transfer 4th or 3rd quarter allotments to the 3rd, 2nd or 1st quarters that result from trends that will cause financial commitments to exceed current appropriations or allocations are subject to the provisions of this section. The Department of Health and Human Services is authorized to transfer funds within the TANF program account to the ASPIRE-TANF program account as often as necessary in order to support and assist participants in obtaining or retaining employment during the fiscal year. In making a transfer of TANF program funds to the ASPIRE-TANF program account, the department does not need to submit a financial order to the committee in advance of the transfer. For purposes of this subsection, "TANF" and "ASPIRE-TANF program" have the same meaning as in Title 22, section 3762, subsection 1, paragraph E and Title 22, section 3781-A, subsection 1, respectively.
[PL 2009, c. 291, §1 (AMD).]

2. Governor.

[PL 1981, c. 702, Pt. T (RP).]

3. Governor and Legislature.
[PL 1981, c. 702, Pt. T (RP).]

4. Reorganization of departments. A state department or agency may not transfer Positions or Personal Services, All Other or Capital Expenditures funding between accounts when the expenditures will allow an action to take place that will cause an increased appropriation or allocation request in the baseline budget for any program.
[PL 2017, c. 288, Pt. A, §3 (AMD).]

SECTION HISTORY

PL 1975, c. 771, §72 (AMD). PL 1977, c. 8 (AMD). PL 1977, c. 576, §1 (RPR). PL 1977, c. 696, §43 (RPR). PL 1981, c. 294 (AMD). PL 1981, c. 702, §T (RPR). PL 1983, c. 477, Pt. E, Subpt. 11 (AMD). PL 1985, c. 737, §B7 (AMD). PL 1991, c. 9, §E6 (AMD). PL 1999, c. 731, §BB1 (AMD). PL 2005, c. 12, §T4 (AMD). PL 2009, c. 291, §1 (AMD). PL 2017, c. 288, Pt. A, §3 (AMD).

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