

## CHAPTER 87

**AN ACT** concerning the appropriation and transfer of available surplus funds from local authorities to municipalities and counties and supplementing chapter 5A of Title 40A of the New Jersey Statutes.

**BE IT ENACTED** *by the Senate and General Assembly of the State of New Jersey:*

C.40A:5A-12.1 Local authorities, certain, appropriation, transfer of surplus funds to local units.

1. To the extent there is available an undesignated fund balance or unreserved retained earnings held by an authority that is subject to the provisions of the "Local Authorities Fiscal Control Law," P.L.1983, c.313 (C.40A:5A-1 et seq.), excluding a fire district, a regional authority or a housing authority, an amount in that undesignated fund balance or unreserved retained earnings, not to exceed 5% of the annual costs of operation of the authority may be appropriated for use in the local budget of the municipality or county that created the authority unless otherwise restricted by bond covenants.

2. This act shall take effect immediately.

Approved July 9, 2004.