

75-5660. Driving under the influence fund; disposition of moneys. (a) There is hereby established in the state treasury the driving under the influence fund.

(b) Moneys in the driving under the influence fund shall be used by the department of health and environment only for the purposes of: (1) Purchasing breath alcohol concentration testing equipment, including, but not limited to, laboratory enhancement; (2) for purposes relating to presentation of evidence in prosecution in cases involving driving under the influence; and (3) establishing and maintaining drivers' safety and breath alcohol programs.

(c) On or before the 10th day of each month, the director of accounts and reports shall transfer from the state general fund to the driving under the influence fund interest earnings based on:

(1) The average daily balance of moneys in the driving under the influence fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(d) All expenditures from the driving under the influence fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(e) On the effective date of this act:

(1) The director of accounts and reports shall transfer all moneys in the driving under the influence equipment fund to the driving under the influence fund;

(2) all liabilities of the driving under the influence equipment fund existing prior to that date are hereby imposed on the driving under the influence fund; and

(3) the driving under the influence equipment fund is hereby abolished.

History: L. 1995, ch. 208, § 4; L. 2002, ch. 33, § 1; L. 2014, ch. 1, § 5; July 1.