

**309.10 Use of farm-to-market road fund.**

1. Notwithstanding [section 310.4](#), if the board of supervisors of a county does not plan to utilize its farm-to-market road fund allocation for the succeeding fiscal year for farm-to-market projects, the board may annually, by stipulation in the secondary road construction program and secondary road budget submitted to the department in accordance with [sections 309.22](#) and [309.93](#), determine an amount of the unobligated portion of its allocation, up to a maximum of fifty percent of its anticipated total annual allocation, for the construction and reconstruction of local secondary roads. However, moneys from the farm-to-market road fund shall not be so used if the moneys are needed to match federal funds available for farm-to-market road projects.

2. A county shall not use farm-to-market road funds as described in [this section](#) unless the total funds that the county transferred or provided during the prior fiscal year pursuant to [section 331.429, subsection 1](#), paragraphs “a”, “b”, “d”, and “e”, are at least seventy-five percent of the sum of the following:

a. From the general fund of the county, the dollar equivalent of a tax of sixteen and seven-eighths cents per thousand dollars of assessed value on all taxable property in the county.

b. From the rural services fund of the county, the dollar equivalent of a tax of three dollars and three-eighths of a cent per thousand dollars of assessed value on all taxable property not located within the corporate limits of a city in the county.

[C81, S81, §309.10; [81 Acts, ch 117, §1045](#)]

[83 Acts, ch 123, §108, 208, 209](#); [84 Acts, ch 1102, §3](#); [84 Acts, ch 1178, §4](#); [90 Acts, ch 1267, §29](#); [91 Acts, ch 258, §42](#); [2010 Acts, ch 1061, §180](#)

Referred to in [§331.401](#)