

**313.5 Biennial appropriation — budget.**

1. The department shall submit to the department of management, as provided by [chapter 8](#), a detailed estimate of the amount required by the department during each succeeding biennium for the support of the department and for engineering and administration of highway work and maintenance of the primary road system. Such estimate shall be in the same general form and detail as is required by [chapter 8](#) and said chapter shall apply to the budgeting, appropriation, and expenditure of funds in the primary road fund in the same manner as such chapter applies to other departments. However, the amount of contracts for bituminous resurfacing, bridge painting and repair, pavement and shoulder repair, agreements with cities for maintenance on primary road extensions and agreements with counties, cities, and institutions for maintenance on state park, state institution, and other state land roads need not be included in the amount appropriated for maintenance.

2. The provisions of [chapter 8](#) shall apply except that the provisions of [section 8.39](#) shall not apply to funds appropriated to the department under [section 313.4](#); however, [section 8.39, subsection 1](#), shall apply to appropriations for support of the department and for engineering and administration of highway work and maintenance of the primary road system.

3. Any contingent fund appropriated to the department from the primary road fund shall be subject to the following conditions:

a. A written statement from the department of management shall be obtained, recommending expenditures from the fund for the purposes requested by the department.

b. The department of management and the governor shall determine that the expenditures contemplated are in the best interest of the state, and that the purpose or project for which funds are requested was not presented to the general assembly by way of a bill and which failed to become enacted into law.

[C39, §4755.05; C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §313.5]

[2010 Acts, ch 1061, §180](#); [2017 Acts, ch 29, §87](#)

Subsection 2 amended