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(Original Signature of Member)

118TH CONGRESS
2D SESSION

H. R. _____

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. ROY introduced the following bill; which was referred to the Committee on _____

A BILL

To modify a provision relating to adjustments of certain State apportionments for Federal highway programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Highway Formula
5 Fairness Act”.

1 **SEC. 2. ADJUSTMENTS TO CERTAIN STATE APPORTION-**
2 **MENT AMOUNTS.**

3 Section 104 of title 23, United States Code, is
4 amended by striking subsection (c) and inserting the fol-
5 lowing:

6 “(c) **CALCULATION OF AMOUNTS.**—

7 “(1) **STATE SHARE.**—For fiscal year 2024 and
8 each fiscal year thereafter, the amount for each
9 State of combined apportionments for sections 119,
10 133, 148, 149, 167, 175, 176(c), and to carry out
11 section 134 shall be determined as follows:

12 “(A) **INITIAL AMOUNT.**—The initial
13 amount for each State shall be determined by
14 multiplying the total amount available for ap-
15 portionment by the share for each State, which
16 shall be equal to the proportion that—

17 “(i) the amount of apportionments
18 that the State received for fiscal year
19 2012; bears to

20 “(ii) the amount of those apporportion-
21 ments received by all States for that fiscal
22 year.

23 “(B) **ADJUSTMENTS TO AMOUNTS.**—

24 “(i) **IN GENERAL.**—The initial
25 amounts resulting from the calculation
26 under subparagraph (A) shall be adjusted

1 to ensure that, for each State, the amount
2 of combined apportionments for the pro-
3 grams shall not be less than an amount
4 equal to—

5 “(I) 95 percent of the applicable
6 percentage; multiplied by

7 “(II) the total amount of funds
8 available for apportionment.

9 “(ii) APPLICABLE PERCENTAGE.—For
10 purposes of this subparagraph, the applica-
11 ble percentage shall be an amount, ex-
12 pressed as a percentage, equal to the
13 quotient of—

14 “(I) the estimated tax payments
15 attributable to highway users in the
16 State that were paid into the Highway
17 Trust Fund (other than the Mass
18 Transit Account) for the most recent
19 fiscal year for which data are avail-
20 able; divided by

21 “(II) the estimated total tax pay-
22 ments attributable to users in all
23 States that were paid into the High-
24 way Trust Fund (other than the Mass
25 Transit Account) for that fiscal year.

1 “(2) STATE APPORTIONMENT.—On October 1
2 of each fiscal year described in paragraph (1), the
3 Secretary shall apportion the sum authorized to be
4 appropriated for expenditure on the programs under
5 sections 119, 133, 148, 149, 167, 175, 176(c), and
6 to carry out section 134 in accordance with para-
7 graph (1).”.