Legal Title
Orphan Share Reimbursement Trust Fund

Legal Citation/Authority
Chapter 23, Statutes of 1999
Health and Safety Code section 25390.3

Fund Classification
GAAP Basis
Governmental/Special Revenue Funds

Fund Classification
Legal Basis
Nongovernmental/Trust and Agency Funds – Non-Federal

Purpose
1. Pay claims for reimbursement of all, or any part of, the orphan share at a site paid by the responsible party.
2. Costs of implementing this article.
3. Pay the reasonable costs of the department and the regional board for performance or its duties.
4. Pay the portion of costs attributable to the orphan share incurred by the department and the regional boards to oversee actions of potentially responsible parties.

Administering Agency/Organization Code
Department of Toxic Substances Control/ Org 3960

Major Revenue Source
Either appropriation of funds to the fund to implement this article, or establishment of a revenue source for the fund, or both.

Disposition of Fund (upon abolishment)
Pursuant to Government Code section 16346, absent language that identifies a successor fund, any balance remaining in this fund upon abolishment shall be transferred to the General Fund.

Appropriation Authority
Upon appropriation by the legislature.

State Appropriations Limit
Always Excluded – Revenues in this fund are either 1) not proceeds of taxes and even after transfer, will never become proceeds of taxes because the major revenue source is derived from a Trust and Agency Fund (Non-Federal) or 2) transfer from the General Fund.

Comments/Historical Information
Pursuant to Section 25390.9(b) of the Health and Safety Code, the operation of this article shall be suspended during any fiscal year in which both no funds are appropriated to the fund to implement this article, and no revenue source for the fund is operative.