

PRIOR PROVISIONS

A prior section 3 of Pub. L. 106-393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

AMENDMENTS

2012—Par. (11). Pub. L. 112-141 substituted “each of fiscal years 2009 through 2011” for “fiscal year 2009 and each fiscal year thereafter” in subpar. (B) and added subpar. (C).

SUBCHAPTER I—SECURE PAYMENTS FOR STATES AND COUNTIES CONTAINING FEDERAL LAND

§ 7111. Secure payments for States containing Federal land**(a) State payment**

For each of fiscal years 2008 through 2012, the Secretary of Agriculture shall calculate for each eligible State an amount equal to the sum of the products obtained by multiplying—

- (1) the adjusted share for each eligible county within the eligible State; by
- (2) the full funding amount for the fiscal year.

(b) County payment

For each of fiscal years 2008 through 2012, the Secretary of the Interior shall calculate for each eligible county that received a 50-percent payment during the eligibility period an amount equal to the product obtained by multiplying—

- (1) the 50-percent adjusted share for the eligible county; by
- (2) the full funding amount for the fiscal year.

(Pub. L. 106-393, title I, §101, as added Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3896; amended Pub. L. 112-141, div. F, title I, §100101(a)(2), July 6, 2012, 126 Stat. 905.)

PRIOR PROVISIONS

A prior section 101 of Pub. L. 106-393 was set out in a note under section 500 of this title prior to repeal by Pub. L. 110-343, div. C, title VI, §601(a), Oct. 3, 2008, 122 Stat. 3893.

AMENDMENTS

2012—Subsecs. (a), (b). Pub. L. 112-141 substituted “2012” for “2011” in introductory provisions.

§ 7112. Payments to States and counties**(a) Payment amounts**

Except as provided in section 7113 of this title, the Secretary of the Treasury shall pay to—

- (1) a State or territory of the United States an amount equal to the sum of the amounts elected under subsection (b) by each county within the State or territory for—
 - (A) if the county is eligible for the 25-percent payment, the share of the 25-percent payment; or
 - (B) the share of the State payment of the eligible county; and
- (2) a county an amount equal to the amount elected under subsection (b) by each county for—
 - (A) if the county is eligible for the 50-percent payment, the 50-percent payment; or

(B) the county payment for the eligible county.

(b) Election to receive payment amount**(1) Election; submission of results****(A) In general**

The election to receive a share of the State payment, the county payment, a share of the State payment and the county payment, a share of the 25-percent payment, the 50-percent payment, or a share of the 25-percent payment and the 50-percent payment, as applicable, shall be made at the discretion of each affected county by August 1, 2012 (or as soon thereafter as the Secretary concerned determines is practicable), and August 1 of each second fiscal year thereafter, in accordance with paragraph (2), and transmitted to the Secretary concerned by the Governor of each eligible State.

(B) Failure to transmit

If an election for an affected county is not transmitted to the Secretary concerned by the date specified under subparagraph (A), the affected county shall be considered to have elected to receive a share of the State payment, the county payment, or a share of the State payment and the county payment, as applicable.

(2) Duration of election**(A) In general**

A county election to receive a share of the 25-percent payment or 50-percent payment, as applicable, shall be effective for 2 fiscal years.

(B) Full funding amount

If a county elects to receive a share of the State payment or the county payment in 2012, the election shall be effective for all subsequent fiscal years through fiscal year 2012.

(3) Source of payment amounts

The payment to an eligible State or eligible county under this section for a fiscal year shall be derived from—

- (A) any amounts that are appropriated to carry out this chapter;
- (B) any revenues, fees, penalties, or miscellaneous receipts, exclusive of deposits to any relevant trust fund, special account, or permanent operating funds, received by the Federal Government from activities by the Bureau of Land Management or the Forest Service on the applicable Federal land; and
- (C) to the extent of any shortfall, out of any amounts in the Treasury of the United States not otherwise appropriated.

(c) Distribution and expenditure of payments**(1) Distribution method**

A State that receives a payment under subsection (a) for Federal land described in section 7102(7)(A) of this title shall distribute the appropriate payment amount among the appropriate counties in the State in accordance with—

- (A) the Act of May 23, 1908 (16 U.S.C. 500); and