

1 HB656  
2 150363-5  
3 By Representatives Johnson (W) and Robinson (J) (N & P)  
4 RFD: Local Legislation  
5 First Read: 23-APR-13

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Jackson County; to amend and reenact  
14 Section 1 of Act 79-473, 1979 Regular Session, as amended by  
15 Act 99-550, and Act 2012-421, so as to provide for the  
16 appropriation of funds received by the county from payments  
17 made in lieu of taxes by the Tennessee Valley Authority.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Act 79-473, 1979 Regular Session (Acts  
20 1979, p. 873), as amended by Act 99-550, and as further  
21 amended by Act 2012-421, is amended and reenacted to read as  
22 follows:

23 "Section 1. Any payments coming into the treasury of  
24 Jackson County that are derived, directly or indirectly, from  
25 payments by the Tennessee Valley Authority in lieu of payment  
26 of taxes shall be appropriated as follows:

1           "(A) The first one hundred forty-five thousand  
2 dollars (\$145,000) of each year's payments shall be paid to  
3 the Jackson County Hospital Board to provide all residents of  
4 Jackson County with adequate ambulance service.

5           "(B) After the above appropriation to the Jackson  
6 County Hospital Board, the next one hundred five thousand  
7 dollars (\$105,000) shall be paid to the Jackson County  
8 Economic Development Authority on an annual basis. Said  
9 appropriation shall be paid before all other appropriations  
10 other than the appropriation to the hospital board.

11           "(C) In addition to all other amounts hereinabove  
12 paid to the Jackson County Economic Development Authority, the  
13 next seventy-five thousand dollars (\$75,000), after the  
14 appropriations in subsections (A) and (B) above shall be  
15 annually paid to the Authority. All appropriations made in  
16 this subsection to the Jackson County Economic Development  
17 Authority shall be deposited in a special industrial  
18 development fund to be used only for the purposes of this  
19 subsection as follows: for recruiting industry; matching  
20 public or private grants the county may receive for industrial  
21 development; and special projects for site preparation,  
22 surveying, archaeological or geotechnical studies, or other  
23 direct expenses necessary to recruit industry to the county.

24           "(D) After the above appropriation, all Jackson  
25 County volunteer fire departments in good standing with the  
26 Jackson County Association of Volunteer Fire Departments shall  
27 be authorized to receive five thousand dollars (\$5,000) each

1 annually to help furnish adequate fire protection in the  
2 communities that they serve. The amount paid to each volunteer  
3 fire department shall be paid at the direction of the County  
4 Fire Marshal and disbursed to each fire chief upon approval of  
5 the County Fire Marshal. In addition to the above, thirty  
6 thousand dollars (\$30,000) shall be distributed to the Jackson  
7 County Association of Volunteer Fire Departments for use by  
8 the association.

9 "(E) After the above appropriation, the next  
10 twenty-five thousand dollars (\$25,000) of each year's payments  
11 shall be distributed to the Scottsboro-Jackson County Rescue  
12 Squad for the maintenance and operation of the rescue squad's  
13 equipment and facilities.

14 "(F) An annual accounting of the use of the funds  
15 appropriated in subsections (A), (B), (C), (D), and (E) shall  
16 be furnished to the Jackson County Discretionary Committee no  
17 later than September 30 of each year. In the event an annual  
18 accounting is not furnished, the committee may reduce or  
19 terminate funding for the next fiscal year for the entity  
20 failing to furnish the report by a majority vote of the  
21 committee.

22 "(G) Commencing October 1, 2013, the net payments  
23 remaining in the appropriation paid to Jackson County after  
24 the appropriations in subsections (A), (B), (C), (D), and (E)  
25 above shall be appropriated as follows:

26 "(1) Two percent (2%) of such payments, as shall be  
27 necessary, shall be used to establish, equip and maintain a

1 legislative office for the members of the state legislative  
2 delegation serving Jackson County, Alabama, and any unused  
3 portion shall be paid to the Jackson County Discretionary Fund  
4 to be disbursed by the Jackson County Discretionary Committee,  
5 as established hereinafter, in the same manner as all other  
6 funds from the Jackson County Discretionary Fund.

7 "(2) Two percent (2%) of such payments shall be  
8 appropriated to Jackson County EDA under this act.

9 "(3) Thirty-three and fifty hundredths percent  
10 (33.5%) of such payments shall be appropriated to the public  
11 school systems within Jackson County on a per pupil pro rata  
12 basis.

13 "(4) Twenty-five and fifty hundredths percent  
14 (25.5%) of such payments shall be appropriated to the  
15 incorporated municipalities within the county on a population  
16 basis.

17 "(5) Twenty-five and fifty hundredths percent  
18 (25.5%) of such payments shall be placed in the general fund  
19 of the county treasury and may be used for any lawful purpose  
20 by the county.

21 "(6) Eleven and fifty hundredths percent (11.50%) of  
22 such payments shall be placed in a Jackson County  
23 Discretionary Fund to be disbursed by the Jackson County  
24 Discretionary Committee, as established hereinafter.

25 "(H) There is created a Jackson County Discretionary  
26 Committee consisting of six members. The members of the  
27 committee shall be: the Chair of the Jackson County

1 Commission, a member of the Jackson County Commission selected  
2 by the commission on an annual basis, the Jackson County  
3 Revenue Commissioner, the state senator representing Jackson  
4 County, and the two state House of Representatives members  
5 representing all or part of Jackson County. The state senator  
6 representing Jackson County shall be the chair of the  
7 committee. The discretionary committee shall adopt rules of  
8 procedure consistent with this act and shall make, by majority  
9 vote, all decisions concerning disbursement from the Jackson  
10 County Discretionary Fund."

11 Section 2. All prior local acts of the Alabama  
12 Legislature related to the distribution of Tennessee Valley  
13 Authority in lieu of tax payments that are inconsistent  
14 herewith are repealed.

15 Section 3. The provisions of this act are severable.  
16 If any part of this act is declared invalid or  
17 unconstitutional, that declaration shall not affect the part  
18 which remains.

19 Section 4. This act shall not affect any payments  
20 for the fiscal year ending September 30, 2013.

21 Section 5. This act shall be effective October 1,  
22 2013.