

1 SB468
2 150363-7
3 By Senator McGill (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 25-APR-13

1 SB468

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Jackson County; to amend and reenact
8 Section 1 of Act 79-473, 1979 Regular Session, as amended by
9 Act 99-550, and Act 2012-421, so as to provide for the
10 appropriation of funds received by the county from payments
11 made in lieu of taxes by the Tennessee Valley Authority.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Act 79-473, 1979 Regular Session (Acts
14 1979, p. 873), as amended by Act 99-550, and as further
15 amended by Act 2012-421, is amended and reenacted to read as
16 follows:

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

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

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

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

20 "(D) After the above appropriation, all Jackson
21 County volunteer fire departments in good standing with the
22 Jackson County Association of Volunteer Fire Departments shall
23 be authorized to receive five thousand dollars (\$5,000) each
24 annually to help furnish adequate fire protection in the
25 communities that they serve. The amount paid to each volunteer

1 fire department shall be paid at the direction of the County
2 Fire Marshal and disbursed to each fire chief upon approval of
3 the County Fire Marshal. In addition to the above, thirty
4 thousand dollars (\$30,000) shall be distributed to the Jackson
5 County Association of Volunteer Fire Departments for use by
6 the association.

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

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

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

24 "(1) Two percent (2%) of such payments, as shall be
25 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.

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

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

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

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

24 Section 5. This act shall be effective October 1,
25 2013.

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President and Presiding Officer of
the Senate

Speaker of the House of Representa-
tives

SB468

Senate 07-MAY-13

I hereby certify that the within Act originated in
and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 20-MAY-13

By: Senator McGill