

1 HB15  
2 207782-3  
3 By Representatives Reynolds and Whitt  
4 RFD: Ways and Means General Fund  
5 First Read: 02-FEB-21  
6 PFD: 10/22/2020



1 be remitted by the judge of probate to the State Treasurer who  
2 shall distribute said amounts as follows:

3 "a. 64.75 percent of said amounts shall be  
4 distributed by the State Treasurer to the State of Alabama;

5 "b. 35.25 percent of said amounts shall be  
6 apportioned and distributed by the State Treasurer among the  
7 67 counties as follows:

8 "1. A portion of the counties' share of the net tax  
9 proceeds that is equal to 42.16 percent of the total net tax  
10 proceeds distributed to counties under paragraph (a)(1)b of  
11 this section, shall be allocated equally among the 67 counties  
12 of the state.

13 "2. The entire residue of the counties' share of the  
14 net tax proceeds, being an amount equal to 57.84 percent of  
15 the total net tax proceeds distributed to counties under  
16 paragraph (a)(1)b of this section, shall be allocated among  
17 the 67 counties of the state on the basis of the ratio of the  
18 population of each county to the total population of the state  
19 according to the then next preceding federal decennial census,  
20 or any special federal census heretofore held in any county  
21 subsequent to the effective date of the 1980 federal decennial  
22 census.

23 "(2) The entire residue of the net proceeds  
24 remaining after compliance with subdivision (1) of this  
25 subsection shall be distributed as follows:

26 "a. Seventy-two percent of the said residue,  
27 referred to in this subdivision, shall be distributed to the

1 State of Alabama and shall be remitted by the judge of probate  
2 to the State Treasurer;

3 "b. Twenty-one percent of the said residue, referred  
4 to in this subdivision, shall be remitted by the judge of  
5 probate to the municipality in which the owner of the motor  
6 vehicle resides or with respect to which it is registered as  
7 required by law, or, if the said owner does not reside in, or  
8 the motor vehicle is not required by law to be registered with  
9 respect to, an incorporated municipality, then to the county  
10 in which the license tax or registration fee with respect to  
11 the said motor vehicle is paid; and

12 "c. Seven percent of the said residue, referred to  
13 in this subdivision, shall be remitted by the judge of probate  
14 to the State Treasurer and shall be apportioned by the State  
15 Treasurer among the several counties of the state in an amount  
16 for each county that bears the same relation to, and  
17 constitutes the same proportion of, the total of the said  
18 seven percent that the total number of motor vehicles  
19 registered in such county bears to the total number of motor  
20 vehicles registered in the entire state. The amounts so  
21 apportioned to each county shall be distributed by the State  
22 Treasurer as follows:

23 "1. Ten percent of the amount so apportioned to each  
24 county shall be distributed among the municipalities in the  
25 county with respect to which the apportionment is made, each  
26 such distribution to be on the basis of the ratio of the  
27 population of each such municipality to the total population

1 of all municipalities in the applicable county according to  
2 the then next preceding federal decennial census; and

3 "2. The remaining portion of the amount so  
4 apportioned to each county shall be distributed to the county  
5 to which such apportionment is made.

6 "(b) Payment of the amounts herein provided to be  
7 distributed by the State Treasurer to counties and  
8 municipalities shall be made monthly by state warrant and  
9 shall be mailed, in the case of such distribution to a county,  
10 to the county treasurer (or other officer or entity having the  
11 functions of a county treasurer) of that county and, in the  
12 case of a distribution to a municipality, to the treasurer of  
13 that municipality.

14 "(c) Any municipality incorporated after September  
15 30, 1967, shall not participate in the distribution provided  
16 for in this section until the fiscal year next succeeding the  
17 fiscal year during which it is incorporated. The population of  
18 any municipality incorporated subsequent to the taking of the  
19 then next preceding federal decennial census shall, until the  
20 effective date of the then next succeeding federal decennial  
21 census, be deemed to be the population shown by the census for  
22 that municipality taken pursuant to the requirements of  
23 Section 11-41-4. For the purposes of this section, each  
24 federal decennial census shall be deemed to be effective on  
25 October 1 next following the publication of the results of  
26 such decennial census.

1           "(d) The amounts remitted to the State Treasurer  
2 pursuant to subdivision (2) of subsection (a) of Section  
3 40-12-269 and all moneys provided in this section to be  
4 distributed to the State of Alabama shall be covered into the  
5 Treasury to the credit of the Public Road and Bridge Fund and  
6 disbursed as follows:

7           "~~(1)~~ (1) Paid out of the portion of the motor  
8 vehicle license taxes and registration fees that is remitted  
9 to the State Treasurer pursuant to subdivision (2) of  
10 subsection (a) of Section 40-12-269:

11           "a. One million two hundred thousand (\$1,200,000)  
12 shall be distributed to the Alabama Law Enforcement Agency  
13 (ALEA) each fiscal year to the credit of the Public Safety  
14 Fund to be used for the enforcement of state traffic and motor  
15 vehicle laws; and

16           "b. The remaining amounts appropriated by the  
17 Legislature out of the motor vehicle license taxes and  
18 registration fees for the payment of expenses of the state  
19 Department of Revenue in the collection of the said taxes and  
20 fees, including salaries, cost of tags and other costs of  
21 collection, shall be paid out of the portion of said taxes and  
22 fees that is remitted to the State Treasurer pursuant to  
23 subdivision (2) of subsection (a) of Section 40-12-269;

24           "(2) So much of the net proceeds distributed to the  
25 State of Alabama pursuant to the provisions of this section as  
26 shall be necessary for such purpose shall be used for the  
27 following purposes in the following order:

1            "a. Payment at their respective maturities of the  
2 principal of and interest on bonds, other than refunding  
3 bonds, issued by Alabama Highway Authority under the  
4 provisions of Acts 1967, Ex. Sess., No. 225, p. 302;

5            "b. Payment at their respective maturities of the  
6 principal of and interest on bonds, other than refunding  
7 bonds, issued by the said Alabama Highway Authority under the  
8 provisions of Acts 1969, No. 781, p. 1398;

9            "c. Payment at their respective maturities of the  
10 principal of and interest on bonds, other than refunding  
11 bonds, issued by the said Alabama Highway Authority under the  
12 provisions of Acts 1971, No. 1416, p. 2414; and

13           "d. Payment at their respective maturities of the  
14 principal of and interest on any bonds or other obligations,  
15 including refunding obligations, issued after December 1,  
16 1977, by a public corporation existing at the time of issuance  
17 under the laws of Alabama pursuant to then existing statutory  
18 or constitutional authorization, or by the State of Alabama  
19 pursuant to authorization, effective at the time of issuance,  
20 under the Constitution and laws of the said state, and for  
21 which the said net proceeds referred to in this subdivision  
22 (2) shall have been appropriated and pledged in a then  
23 effective statute or constitutional provision (including any  
24 enabling act under a constitutional provision), all in the  
25 manner and to the extent and subject to such priorities in  
26 rank as may be provided in such statute or constitutional  
27 provision or in an authorizing resolution thereunder; and

1           "(3) The balance of the moneys referred to in  
2 subdivisions (1) and (2) of this subsection remaining after  
3 compliance with the said subdivisions shall be used by the  
4 state Department of Transportation for construction and  
5 maintenance of public roads and bridges in the state and for  
6 any other purpose for which moneys in the Public Road and  
7 Bridge Fund may be lawfully used.

8           "(e) (1) All moneys received by a municipality or  
9 county under this section, except that portion of the said  
10 moneys that constitute collections from additional amounts  
11 paid under the schedule of additional amounts set forth in  
12 subsection (b) of Section 40-12-248 and distributed under  
13 subdivision (a) (1) of this section, shall be used by such  
14 municipality or county exclusively for the construction,  
15 improvement, and maintenance of public highways or public  
16 streets, including administrative expenses in connection  
17 therewith and retirement of securities evidencing obligations  
18 incurred for payment of costs of such construction,  
19 improvement and maintenance.

20           "(2) All moneys received by a county under this  
21 section which constitute collections from additional amounts  
22 paid under the schedule of additional amounts set forth in  
23 subsection (b) of Section 40-12-248 and distributed under  
24 subdivision (a) (1) of this section shall be used by such  
25 county for the construction, including draining, grading,  
26 basing, paving, signing, and erosion items, of certain high  
27 density unpaved roads as herein provided and for the

1 construction or reconstruction of bridges on such high density  
2 roads. The use may also be for the reconstruction,  
3 resurfacing, restoration, and rehabilitation of the paved  
4 county roads and bridges or bridge replacement on the county  
5 road system. The use may also be for the construction,  
6 including draining, grading, basing, and paving of certain  
7 unpaved roads, and reconstruction of certain paved roads  
8 accessing certain public and private recreational facilities  
9 and areas.

10 "There is hereby created a committee to be referred  
11 to as the Secondary Road Committee comprised of the Chief of  
12 the Bureau of Secondary Roads of the state Department of  
13 Transportation, two county engineers appointed by the state  
14 Director of Transportation and two county commission members  
15 appointed by the Governor. The committee members shall serve  
16 at the pleasure of the appointing authority. The committee  
17 shall elect one of its members to serve as chairman. A quorum  
18 of the committee shall consist of no less than three members.  
19 Committee members shall serve without compensation.

20 "The Secondary Road Committee shall develop and  
21 publish criteria for the designation of high density roads and  
22 bridges and for the designation of eligible recreational  
23 access roads. The committee may in its discretion provide  
24 different criteria for counties according to population,  
25 topography, and road mileage. The committee shall also develop  
26 and publish minimum design standards, including allowable cost  
27 items, for the construction, reconstruction, surfacing,

1 resurfacing, restoration, and rehabilitation of such high  
2 density roads and bridges and recreational access roads.  
3 Criteria and standards developed by the committee shall be  
4 published by distributing printed copies thereof to the  
5 chairman of each county commission in Alabama no later than 90  
6 days after June 1, 1984. The committee may from time to time  
7 amend the criteria and standards developed provided that at  
8 least 60 days' notice is provided in writing to the chairman  
9 of each county commission before the effective date of such  
10 amendment. The state Department of Transportation shall  
11 provide all supplies and clerical help necessary for the  
12 committee to execute its responsibilities.

13 "County commissions are hereby required to submit  
14 all plans for the use of such proceeds to the Director of  
15 Transportation or his designee for approval. The Director of  
16 Transportation or his designee shall review all plans and  
17 approve them or disapprove them, based on the criteria and  
18 standards developed by the committee.

19 "The funds distributed to the counties under this  
20 subsection shall not be commingled with other funds of the  
21 county except the counties' portion of the inspection fee  
22 distributed under Section 8-17-91, and shall be kept and  
23 disbursed by such county from a special fund only for the  
24 purposes hereinabove provided.

25 "The provisions of this section notwithstanding, any  
26 county may at any time deposit all or any portion of such  
27 proceeds into the county's special RRR fund as provided for in

1 Section 40-17-224 and may use the proceeds so deposited for  
2 any purpose authorized under said section."

3 Section 2. This act shall become effective beginning  
4 with the fiscal year ending September 30, ~~2021~~ 2022, following  
5 its passage and approval by the Governor, or upon its  
6 otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Ways and Means  
General Fund..... 02-FEB-21

Read for the second time and placed  
on the calendar 1 amendment ..... 03-FEB-21

Read for the third time and passed  
as amended..... 09-FEB-21

Yeas 68, Nays 19, Abstains 8

Jeff Woodard  
Clerk