

HB423 INTRODUCED



1 OZHCMM-1

2 By Representatives Hurst, Boyd, Robbins, Wood (R) (N & P)

3 RFD: Local Legislation

4 First Read: 02-May-23

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6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to Talladega County; to amend Section 11 of Act 91-533 of the 1991 Regular Session (Acts 1991, p. 948), as last amended by Act 2019-156 of the 2019 Regular Session, to further provide for the distribution of a special county sales and use tax; and to repeal Act 2015-515 of the 2015 Regular Session, relating to the distribution of a portion of the special sales and use tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 11 of Act 91-533 of the 1991 Regular Session (Acts 1991, p. 948), as amended by Act 2019-156 of the 2019 Regular Session, is amended to read as follows:

"Section 11. All revenues arising from the taxes herein levied shall be deposited in a special fund, designated as the Talladega County Special Tax Fund. An amount up to fifty thousand dollars (\$50,000) annually, plus any existing funds on deposit in the fund for professional services on the effective date of the act adding this amendatory language, ~~shall, upon approval of the Talladega County legislative delegation, shall be used for personnel and/or professional services as deemed necessary by the delegation to assist in~~



HB423 INTRODUCED

29 ~~the administration and coordination of the projects designated~~
30 ~~in this act~~ Talladega County Commission. ~~The term "approval of~~
31 ~~the Talladega County legislative delegation" as used in this~~
32 ~~paragraph and throughout this act, shall constitute the~~
33 ~~approval of the Senate member and any two (2) House~~
34 ~~representatives from said county.~~ The remaining amounts shall
35 be distributed by the county commission in the following
36 manner:

37 (1) ~~Twelve percent to the Talladega County Association~~
38 ~~of Volunteer Fire Departments~~ be further distributed equally
39 among the certified volunteer fire departments whose principal
40 fire station is located in the county.

41 (2) Twelve percent, plus any existing funds in the
42 bridge fund on the effective date of the act adding this
43 language, to the bridge fund to be used ~~towards the~~
44 ~~construction and/or financing of a bridge across Coosa River~~
45 ~~connecting Talladega and Shelby Counties at the site~~
46 ~~previously served by a ferry.~~ The Talladega Economic
47 ~~Development Authority shall make recommendations to the~~
48 ~~Talladega County Commission as to the expenditure of these~~
49 ~~funds. Approval by the Talladega County legislative~~
50 ~~delegation, as defined above, is required prior to the~~
51 ~~expenditure of any funds. If the Talladega Economic~~
52 ~~Development Authority fails to make a recommendation~~
53 ~~acceptable to the Talladega County legislative delegation,~~
54 ~~then final disposition of said funds shall be at the sole~~
55 ~~discretion of the Talladega County legislative delegation.~~
56 ~~Distribution of these discretionary funds shall be approved by~~



HB423 INTRODUCED

57 ~~the Talladega County legislative delegation, as defined above~~
58 at the discretion of the county commission for costs related
59 to rural county roads and bridges, to include Cheaha Road.

60 (3) Ten percent to fund the commitment made by the
61 Talladega County Commission to the Honda project.

62 (4) ~~Ten~~ Four percent ~~to the Talladega County Health~~
63 ~~Department for construction and/or financing of new facility~~
64 ~~to serve North Talladega County, and to fund maintenance and~~
65 ~~operation expenses for Talladega County health programs~~
66 ~~located in Sylacauga and Talladega. The Talladega Economic~~
67 ~~Development Authority shall make recommendations to the~~
68 ~~Talladega County Commission as to the expenditure of these~~
69 ~~funds. Approval by the Talladega County legislative~~
70 ~~delegation, as defined above, is required prior to the~~
71 ~~expenditure of any funds. If the Talladega Economic~~
72 ~~Development Authority fails to make a recommendation~~
73 ~~acceptable to the Talladega County legislative delegation,~~
74 ~~then final disposition of said funds shall be at the sole~~
75 ~~discretion of the Talladega County legislative delegation.~~
76 ~~Distribution of these discretionary funds shall be approved by~~
77 ~~the Talladega County legislative delegation, as defined above~~
78 for maintenance and repairs of the health department building.
79 Notwithstanding the distribution in this subdivision, the
80 amount of one million five hundred thousand dollars
81 (\$1,500,000) from the existing funds on deposit in the Health
82 Department Fund on the effective date of the act adding this
83 language shall be allocated to the East Alabama Rural
84 Innovation and Training Hub.



HB423 INTRODUCED

85 (5) Ten percent to the Talladega County Economic
86 Development Authority.

87 (6) Ten percent for development of water lines to serve
88 Talladega County residents and industry for improved fire
89 protection and rural development. The Talladega Economic
90 Development Authority shall make recommendations to the
91 Talladega County Commission as to the expenditure of these
92 funds. Approval by the Talladega County legislative
93 delegation, ~~as defined above,~~ is required prior to the
94 expenditure of any funds. If the Talladega Economic
95 Development Authority fails to make a recommendation
96 acceptable to the Talladega County legislative delegation,
97 then final disposition of ~~said~~ the funds shall be at the sole
98 discretion of the Talladega County legislative delegation. The
99 term "approval by the Talladega County legislative delegation"
100 as used in this subdivision and for purposes of this act,
101 shall mean the approval of the members of the House of
102 Representatives who reside within Talladega County.

103 Distribution of these discretionary funds shall be approved by
104 the Talladega County legislative delegation, as defined above.

105 (7) Five percent to the public libraries in Talladega
106 County located in Childersburg, Lincoln, Munford, Sylacauga,
107 and Talladega to be distributed on a pro rata basis by
108 population of each municipality.

109 (8) Five percent to the Talladega County Commission
110 fund that is used to match federal and state funds for roads
111 and bridges in Talladega County.

112 (9) Five percent for the maintenance and renovation of



HB423 INTRODUCED

113 county-owned buildings as needed and as determined by the
114 county commission, ~~including as first priority the courthouse~~
115 ~~annex located in Sylacauga.~~

116 (10) Four percent to be used to improve the supply and
117 quality of the water in North Talladega County, particularly
118 to enhance water supplies and capacities for communities
119 within North Talladega County in and around the Talladega
120 Municipal Airport, including, but not limited to, the addition
121 and maintenance of water towers. The Talladega Economic
122 Development Authority shall make recommendations to the
123 Talladega County Commission as to the expenditure of these
124 funds. Approval by the Talladega County legislative
125 delegation, as defined above, is required prior to the
126 expenditure of any funds. If the Talladega Economic
127 Development Authority fails to make a recommendation
128 acceptable to the Talladega County legislative delegation,
129 then final disposition of ~~said~~ the funds shall be at the sole
130 ~~discretion~~ approval of the Talladega County legislative
131 delegation. Distribution of these discretionary funds shall be
132 approved by the Talladega County legislative delegation, as
133 defined above.

134 (11) ~~Four~~ Ten percent to be used to hire ~~additional law~~
135 ~~enforcement officers in the Talladega County Sheriff's~~
136 ~~Department to better serve the rural residents of Talladega~~
137 personnel for the public safety radio system or for other law
138 enforcement purposes, at the determination needed by the
139 county commission.

140 (12) Two percent divided equally and distributed to the



HB423 INTRODUCED

141 ARC programs of North and South Talladega County located in
142 Sylacauga and Talladega.

143 (13) Two percent to the Talladega Childrens
144 Rehabilitation Office for rehabilitation services in Talladega
145 County.

146 (14)~~a.~~ Any remaining revenue proceeds shall be
147 deposited into a trust fund called the Talladega County
148 Special Tax Trust Fund. ~~As the need for the funds in items (1)~~
149 ~~to (13), inclusive, becomes obsolete as determined by the~~
150 ~~Talladega County Economic Development Authority, and as agreed~~
151 ~~to by the Talladega County legislative delegation, or in the~~
152 ~~alternative as determined by the Talladega County legislative~~
153 ~~delegation, the percentage allotted to any particular item~~
154 ~~also shall be deposited in the Special Tax Trust Fund to be~~
155 ~~invested in the same manner as other funds in the County~~
156 ~~Treasury are invested. The legislative delegation of Talladega~~
157 ~~County may determine which future projects are appropriate for~~
158 ~~the expenditure of interest earned on funds held in the trust~~
159 ~~account. No expenditures shall be made from the Special Tax~~
160 ~~Trust Fund until after the expiration of five years from the~~
161 ~~establishment of the trust account. After such time only the~~
162 ~~interest on the Special Tax Trust Fund may be expended on~~
163 ~~projects and/or the financing of projects, including bonded~~
164 ~~indebtedness, submitted to the Talladega County legislative~~
165 ~~delegation for approval.~~

166 ~~b. Revenues currently in the Debt Retirement Fund~~
167 ~~provided for in Act 91-533 which are not needed to retire~~
168 ~~current indebtedness shall be distributed as follows: 1. The~~



HB423 INTRODUCED

169 ~~first one hundred thousand dollars (\$100,000) to purchase~~
170 ~~vehicles for the Talladega County Sheriff's Department.~~

171 ~~2. The balance remaining shall be divided and equally~~
172 ~~distributed in a lump sum for the purposes addressed above in~~
173 ~~subdivisions (2) and (4).~~

174 ~~c. The Talladega County Economic Development Authority~~
175 ~~shall act in an advisory capacity to the Talladega County~~
176 ~~legislative delegation in regard to expenditures from the~~
177 ~~Talladega County Special Tax Trust Fund. The authority shall~~
178 ~~report to the legislative delegation annually beginning~~
179 ~~September 1, 2000, and shall issue additional reports at other~~
180 ~~times when requested by the delegation. The amount of three~~
181 ~~million five hundred thousand dollars (\$3,500,000) from~~
182 ~~existing funds on deposit on the effective date of the act~~
183 ~~adding this amendatory language in the Talladega County~~
184 ~~Special Trust Fund shall be allocated to the East Alabama~~
185 ~~Rural Training and Innovation Hub. Thereafter, any remaining~~
186 ~~funds and future revenues shall be used for rural Talladega~~
187 ~~County projects, at the discretion of the Talladega County~~
188 ~~Commission, subject to approval of the Talladega County~~
189 ~~legislative delegation.~~"

190 Section 2. Act 2015-515 of the 2015 Regular Session,
191 relating to the distribution of a portion of the special sales
192 and use tax, is repealed.

193 Section 3. This act shall become effective immediately
194 following its passage and approval by the Governor, or its
195 otherwise becoming law.