

**SB262 ENGROSSED**



1 DSG4HN-2  
2 By Senator Beasley  
3 RFD: Finance and Taxation Education  
4 First Read: 27-Apr-23  
5  
6 2023 Regular Session



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A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$13,651,435 from the Education Trust Fund to Tuskegee University in Tuskegee, Alabama, for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2024; to provide that the appropriation is subject to certain provisions of the Code of Alabama 1975; to require an operations plan and an audited financial statement prior to the release of any funds; and to require an end of year report.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Tuskegee University has a unique relationship to the State of Alabama. Due to the unique nature of the circumstances related to the establishment and development of Tuskegee Institute which differs from that of private schools and colleges receiving funds from the state and from the state's public colleges and universities, the institution should be afforded a unique treatment relative to funding from the Education Trust Fund. Tuskegee Institute was established by an act of the Legislature in 1881 and separately incorporated by an act of the Legislature in 1892;



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29 the Governor appoints five commissioners who serve as voting  
30 members on the Tuskegee University Board; and the State  
31 Superintendent of Education serves as an ex officio voting  
32 commissioner on the Tuskegee University Board. Tuskegee has  
33 received appropriations from the Legislature since 1881. Being  
34 a private institution as well as a state related and supported  
35 institution, it is deemed that Tuskegee University should be  
36 funded accordingly and not as the private schools and colleges  
37 nor as the state public colleges and universities are funded.

38 Section 2. There is hereby appropriated the sum of  
39 \$13,651,435 from the Education Trust Fund to Tuskegee  
40 University in Tuskegee, Alabama, for the support and  
41 maintenance of the educational program of the institution, for  
42 the fiscal year ending September 30, 2024. Of the above  
43 appropriation, at least \$2,000,000 shall be expended for the  
44 agricultural research and extension service state match.

45 Section 3. The above appropriation is made for the  
46 support of public education in Alabama and for the support and  
47 maintenance of the above program. The appropriation shall be  
48 subject to the provisions, terms, conditions, and limitations  
49 of the Budget and Financial Control Act, Section 41-4-80 et  
50 seq., Code of Alabama 1975, the provisions of the Budget  
51 Management Act of 1976, Section 41-19-1 et seq., Code of  
52 Alabama 1975, and any other provisions of this act.

53 Section 4. (a) Prior to the release of any funds  
54 appropriated under this act the following reports shall be  
55 submitted:

56 (1) An operations plan for the 2024 fiscal year,



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57 including goals and measurable performance indicators, shall  
58 be submitted to and approved by the Director of Finance, as  
59 provided for state agencies in Section 41-19-10 of the Code of  
60 Alabama 1975.

61 (2) An audited financial statement for all operations  
62 during the 2022 fiscal year.

63 (b) It is the intent that funds appropriated for the  
64 2024 fiscal year shall be released by the Director of Finance  
65 following receipt of the above reports.

66 (c) In addition, quarterly reports shall be made to the  
67 Director of Finance relating actual expenditures and  
68 accomplishments to planned expenditures and accomplishments.  
69 An end of year performance report for the 2024 fiscal year  
70 shall be made to the Director of Finance stating the work  
71 accomplished and the services provided and the costs of  
72 accomplishing the work and providing the services, citing  
73 meaningful measures of program effectiveness and costs, as is  
74 required for state agencies in Section 41-19-11 of the Code of  
75 Alabama 1975.

76 (d) The Director of Finance shall forward a copy of all  
77 required reports to the Legislative Council in a timely  
78 manner.

79 Section 5. This act shall become effective October 1,  
80 2023.



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81  
82  
83 Senate

84 Read for the first time and referred .....27-Apr-23  
85 to the Senate committee on Finance  
86 and Taxation Education  
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88 Read for the second time and placed .....03-May-23  
89 on the calendar:  
90 0 amendments  
91  
92 Read for the third time and passed .....04-May-23  
93 as amended  
94 Yeas 32  
95 Nays 0  
96 Abstains 1

Patrick Harris,  
Secretary.

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