

**SB262 INTRODUCED**



1 DSG4HN-1  
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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SYNOPSIS:

This bill makes an appropriation of \$13,151,435 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; provides that the appropriation is subject to certain provisions of the Code of Alabama 1975; requires an operations plan and an audited financial statement prior to the release of any funds; and requires an end of year report.

A BILL  
TO BE ENTITLED  
AN ACT

To make an appropriation of \$13,151,435 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



## SB262 INTRODUCED

29 year report.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Tuskegee University has a unique  
32 relationship to the State of Alabama. Due to the unique nature  
33 of the circumstances related to the establishment and  
34 development of Tuskegee Institute which differs from that of  
35 private schools and colleges receiving funds from the state  
36 and from the state's public colleges and universities, the  
37 institution should be afforded a unique treatment relative to  
38 funding from the Education Trust Fund. Tuskegee Institute was  
39 established by an act of the Legislature in 1881 and  
40 separately incorporated by an act of the Legislature in 1892;  
41 the Governor appoints five commissioners who serve as voting  
42 members on the Tuskegee University Board; and the State  
43 Superintendent of Education serves as an ex officio voting  
44 commissioner on the Tuskegee University Board. Tuskegee has  
45 received appropriations from the Legislature since 1881. Being  
46 a private institution as well as a state related and supported  
47 institution, it is deemed that Tuskegee University should be  
48 funded accordingly and not as the private schools and colleges  
49 nor as the state public colleges and universities are funded.

50 Section 2. There is hereby appropriated the sum of  
51 \$13,151,435 from the Education Trust Fund to Tuskegee  
52 University in Tuskegee, Alabama, for the support and  
53 maintenance of the educational program of the institution, for  
54 the fiscal year ending September 30, 2024. Of the above  
55 appropriation, at least \$2,000,000 shall be expended for the  
56 agricultural research and extension service state match.



## SB262 INTRODUCED

57           Section 3. The above appropriation is made for the  
58 support of public education in Alabama and for the support and  
59 maintenance of the above program. The appropriation shall be  
60 subject to the provisions, terms, conditions, and limitations  
61 of the Budget and Financial Control Act, Section 41-4-80 et  
62 seq., Code of Alabama 1975, the provisions of the Budget  
63 Management Act of 1976, Section 41-19-1 et seq., Code of  
64 Alabama 1975, and any other provisions of this act.

65           Section 4. (a) Prior to the release of any funds  
66 appropriated under this act the following reports shall be  
67 submitted:

68           (1) An operations plan for the 2024 fiscal year,  
69 including goals and measurable performance indicators, shall  
70 be submitted to and approved by the Director of Finance, as  
71 provided for state agencies in Section 41-19-10 of the Code of  
72 Alabama 1975.

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

75           (b) It is the intent that funds appropriated for the  
76 2024 fiscal year shall be released by the Director of Finance  
77 following receipt of the above reports.

78           (c) In addition, quarterly reports shall be made to the  
79 Director of Finance relating actual expenditures and  
80 accomplishments to planned expenditures and accomplishments.  
81 An end of year performance report for the 2024 fiscal year  
82 shall be made to the Director of Finance stating the work  
83 accomplished and the services provided and the costs of  
84 accomplishing the work and providing the services, citing



## SB262 INTRODUCED

85 meaningful measures of program effectiveness and costs, as is  
86 required for state agencies in Section 41-19-11 of the Code of  
87 Alabama 1975.

88 (d) The Director of Finance shall forward a copy of all  
89 required reports to the Legislative Council in a timely  
90 manner.

91 Section 5. This act shall become effective October 1,  
92 2023.