

SB69 ENROLLED



1 SB69
2 HMDA338-2
3 By Senator Albritton
4 RFD: Finance and Taxation General Fund
5 First Read: 07-Feb-24



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1 Enrolled, An Act,

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3 To make an appropriation of \$39,531,128 from the Children
4 First Trust Fund for the fiscal year ending September 30,
5 2025, to the entities and for the purposes designated in
6 Section 41-15B-2.2, Code of Alabama 1975; to provide for the
7 deposit of tobacco settlement revenues into the Children First
8 Trust Fund; to require written notification of anticipated
9 agency allocations by the State Director of Finance; to
10 require quarterly allocations; to condition allocations on
11 receipt of tobacco revenues; to provide for the transfer to
12 the State General Fund during fiscal year 2025 that portion of
13 Children First Trust Fund receipts currently allocated for the
14 State Board of Education; to make an appropriation of
15 \$49,596,888 from other tobacco settlement funds for the fiscal
16 year ending September 30, 2025; and to make a conditional
17 appropriation and allocation of additional tobacco revenues
18 upon the recommendation of the Director of Finance, the
19 Chairman of the House Ways and Means General Fund Committee
20 and the Chairman of the Senate Finance and Taxation-General
21 Fund Committee, and the approval of the Governor.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. (a) There is hereby appropriated from the
24 Children First Trust Fund the sum of \$39,531,128 for the
25 fiscal year ending September 30, 2025, to the entities and for
26 the purposes designated in Section 41-15B-2.2, Code of Alabama
27 1975 as follows, per the approved plan of investment for each
28 agency:



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29	Alcoholic Beverage Control Board	426,500
30	Children's Trust Fund	2,415,288
31	Department of Forensic Sciences	494,309
32	Alabama Department of Human Resources	10,295,965
33	Juvenile Probation Services Fund	4,646,647
34	Alabama Medicaid Agency	1,643,289
35	Alabama Department of Mental Health	2,142,457
36	State Multiple Needs Children's Fund	4,358,550
37	Department of Public Health	4,754,042
38	Department of Rehabilitation Services	246,763
39	Department of Youth Services	8,107,318

40 (b) (1) All tobacco revenues from the tobacco
41 settlement received by the state previously designated for the
42 Children First Trust Fund shall be deposited to the Children
43 First Trust Fund within 30 calendar days of receipt of those
44 tobacco revenues.

45 (2) The Director of Finance shall notify each agency
46 and the Department of Early Childhood Education in writing
47 prior to September 1, 2024, of the dollar amount of the
48 allocation expected to be received by the agency from the
49 Children First Trust Fund in the fiscal year ending September
50 30, 2025.

51 (3) At the beginning of each quarter of the fiscal year
52 ending September 30, 2025, the respective agency shall be
53 allocated at least one-fourth of the total amount appropriated
54 and allocated to the agency for that fiscal year when tobacco
55 revenues are available for the respective agency. In the event
56 tobacco revenues are not available for the respective agency



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57 until later in the fiscal year then the respective agency
58 shall be allocated an equal quarterly allotment for the
59 quarters that funds are available at the beginning of those
60 quarters. Such allocation shall be made and be available for
61 expenditure by the agency within five working days of the
62 commencement of the quarter. If additional sums are
63 appropriated or allocated, or both, during the fiscal year,
64 these sums shall be equally allocated to the respective agency
65 among the remaining quarters of the fiscal year or may be
66 allocated to the respective agency in one sum if revenues are
67 available. The Department of Early Childhood Education shall
68 be notified in writing of all appropriations and allocations
69 from the Children First Trust Fund by the Director of Finance.

70 (4) Allocations from the Children First Trust Fund are
71 conditioned upon the receipt of tobacco revenues.

72 (c) Allocations received pursuant to Section 1 shall be
73 expended in accordance with Section 41-15B-2.2, Code of
74 Alabama 1975.

75 (d) At the conclusion of the fiscal year, any remaining
76 sums in the Children First Trust Fund shall remain in the fund
77 and shall not revert to the State General Fund or to any other
78 fund.

79 Section 2. Notwithstanding any provision of Division 1
80 of Article 17 of Chapter 10 of Title 41, Code of Alabama 1975,
81 any provision of Chapter 15B of Title 41, Code of Alabama
82 1975, or any other provision of law, that portion of Children
83 First Trust Fund receipts currently allocated for the State
84 Board of Education shall be transferred from the Children



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85 First Trust Fund to the State General Fund during the fiscal
86 year ending September 30, 2025.

87 Section 3. In addition to the appropriation herein
88 above made, there is hereby appropriated from additional
89 tobacco settlement funds the sum of \$49,596,888 for the fiscal
90 year ending September 30, 2025 to the following entities:

91 Department of Early Childhood Education	151,730
92 21st Century Debt Service	16,000,000
93 Senior Services Trust Fund	1,348,715
94 Alabama Medicaid Agency	30,103,496
95 Department of Senior Services - Medicaid Waiver	1,992,947

96 Section 4. Any additional tobacco revenues available for
97 the fiscal year ending September 30, 2025, shall be
98 conditionally appropriated, conditioned upon the
99 recommendation of the Director of Finance, the Chairman of the
100 House Ways and Means General Fund Committee and the Chairman
101 of the Senate Finance and Taxation-General Fund Committee, and
102 approval of the Governor.

103 Section 5. The Executive Budget Office and the Director
104 of Finance shall allot funds appropriated from the Children
105 First Trust Fund only following the certification by the
106 Secretary of the Department of Early Childhood Education that
107 a plan of investment has been approved for each agency. The
108 Secretary of the Department of Early Childhood Education shall
109 prescribe the form and format on which each agency receiving
110 appropriated funds herein shall submit a plan of investment of
111 said appropriated funds. The plan of investment shall include,
112 but not be limited to, a minimum of four (4) quality assurance



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113 items on which a periodic report, as required by the approved
114 plan of investment, is made and as audited by the Examiners of
115 Public Accounts. Quality assurance items shall include the
116 number of children receiving service, an identifiable measure
117 of success of services provided and a prioritized standard of
118 successful measures for future plans of investment. It is the
119 intent of the Legislature that the Secretary of the Department
120 of Early Childhood Education shall be responsible for
121 providing a standard of measurement by which a clear
122 determination can be made through operational reporting and
123 audit reporting of a measurable success of funds appropriated
124 and invested from the Children First Trust Fund; insure funds
125 appropriated herein are invested in viable programs; insure
126 and promote the leverage of appropriated funds herein in every
127 possible manner and coordinated in all possible ways the
128 investment of funds by each service provider to insure that no
129 unproductive expenditures or duplication occurs. The Secretary
130 of the Department of Early Childhood Education shall notify
131 legislators representing the area where a grant from the
132 Children First Trust Fund is designated. The notification
133 shall occur ten days before the funds reach the recipient
134 agency.

135 Section 6. The Secretary of the Department of Early
136 Childhood Education shall report each approved plan of
137 investment to the Joint Interim Legislative Oversight
138 Committee and the Alabama Children's Policy Council. The
139 Secretary, upon the request of the service agency, may approve
140 an adjusted plan of investment. It is the intent of the



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141 Legislature that funds appropriated from the Children First
142 Trust Fund be directed to meet the most immediate needs of
143 children as changing conditions may develop.

144 Section 7. Should any provision of this act be held
145 invalid, the invalidity thereof shall not affect the remaining
146 provisions of the act.

147 Section 8. This act shall become effective immediately
148 upon its passage and approval by the Governor, or its
149 otherwise becoming law.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 11-Apr-24

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

Patrick Harris,
Secretary.

House of Representatives

Passed: 02-May-24

By: Senator Albritton