

HB581 ENROLLED



1 HB581
2 KH21S55-2
3 By Representatives Collins, Moore (P), Stadthagen (N & P)
4 RFD: Local Legislation
5 First Read: 17-Apr-25



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Enrolled, An Act,

Relating to Morgan County; to amend Section 45-52-161.02, Code of Alabama 1975; to further provide for the distribution of the county's Tennessee Valley Authority in-lieu-of-taxes payments; to further provide for certain funds; and to repeal Sections 45-52-161.03, 45-52-161.04, 45-52-161.05, 45-52-161.06, and 45-52-161.07, Code of Alabama 1975, relating to the distribution of the Morgan County TVA money.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-52-161.02, Code of Alabama 1975, is amended to read as follows:

"§45-52-161.02

(a) ~~The amount of the~~ three percent increase shall be allocated, applied, and paid as follows:

~~(1) First, an amount equal to 40-Forty-five percent of the three percent increase shall be set aside by the commission in to the Morgan County Legislative Delegation Fund, provided for in Section 2 of the act amending this section.a separate fund to be used to establish, equip, and maintain a legislative office for the members of the Legislature serving the county. All decisions concerning the Morgan County Legislative Office including, but not limited to, revenue, income, purchases, and grants shall be made by resolutions of the delegation adopted by a concurrent majority of the Morgan County delegation, senators and House of Representatives members, each house voting separately. The~~



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29 ~~resolution may provide an operational procedure for the~~
30 ~~delegation office. The commission shall immediately pay such~~
31 ~~amounts from such fund as the Morgan County Legislative~~
32 ~~Delegation may request. Requests shall be in the form of a~~
33 ~~resolution passed by the county legislative delegation, signed~~
34 ~~by one senator and one member of the House of Representatives~~
35 ~~from the county who shall be duly appointed by the legislative~~
36 ~~delegation. The legislative delegation shall expend the monies~~
37 ~~to employ staff, acquire adequate physical office space,~~
38 ~~equipment, supplies, services, and all other necessary items~~
39 ~~and may also expend the monies for other purposes, including~~
40 ~~grants for allowable public purposes at the discretion and~~
41 ~~direction of the legislative delegation. The individuals~~
42 ~~employed and expenditures of the funds by the legislative~~
43 ~~delegation shall be in its discretion. Any funds allocated but~~
44 ~~not spent at the end of the fiscal year shall not be applied~~
45 ~~for any other purpose, but shall be carried forward and shall~~
46 ~~remain available year to year for expenditure as provided in~~
47 ~~this subdivision. The revenue and expenditures of the~~
48 ~~legislative office shall be audited on an annual basis.~~

49 (2) ~~Second, eight Nine percent of the amount of the~~
50 ~~three percent increase remaining after the allocations thereof~~
51 ~~shall have been made under subdivision (1) shall be allocated~~
52 ~~and paid to the Morgan County Rescue Squad and the expenditure~~
53 ~~of the funds thereby shall be audited on an annual basis.~~

54 (3) Ten percent to the Decatur-Morgan County
55 Entrepreneurial Center~~Third, the balance of the three percent~~
56 ~~increase remaining after the allocations provided in~~



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~~subdivision (1) and subdivision (2) shall have been made shall
be allocated and paid as provided in Sections 45-52-161.03,
45-52-161.04, 45-52-161.05, 45-52-161.06, and 45-52-161.07.~~

(4) The remainder shall be distributed pursuant to
subsection (c).

(b) The 75 percent TVA payment paid pursuant to Section
40-28-2 shall be distributed as follows:

(1) Twenty percent to the participating boards of
education in amounts bearing the same proportion of the total
amount as the Foundation Program allocates to the
participating boards of education.

(2) Twenty percent to the participating boards of
education in amounts bearing the same proportion of the total
amount as the population served by each participating board of
education bears to the total population of the county, as
determined by the most recent federal decennial census.

(3) The remainder shall be distributed pursuant to
subsection (c).

(c) The remainder of the three percent increase
designated in subdivision (a)(4) and the remainder of the 75
percent payment designated in subdivision (b)(3) shall be
combined and the combined amount shall be distributed as
follows:

(1) Up to one million five hundred thousand dollars
(\$1,500,000) to, or at the direction of, the district during
the current bond year in an aggregate amount equal to the
annual debt service for the bond year, as from time to time
specified by notice, in writing, to the commission by the



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85 district. The commission shall make payments pursuant to this
86 subdivision as required to comply with the terms of the
87 obligations and the proceedings and documents under which the
88 obligations are issued. This subdivision shall be void on
89 December 31, 2042.

90 (2) The remainder of any TVA payment after the
91 allocation provided in subdivision (1), up to two hundred
92 thousand dollars (\$200,000), to the Morgan County Economic
93 Development Fund in an amount that will set the total monies
94 in the fund at one million dollars (\$1,000,000).

95 (3) The remainder of any TVA payment after the
96 allocations provided in subdivisions (1) and (2) shall be
97 distributed among the participating local governments, with
98 each participating local government other than the county
99 receiving an amount bearing the same proportion as the
100 population of the participating local government bears to the
101 total population of the county according to the most recent
102 federal decennial census. The remainder shall be distributed
103 to the county general fund."

104 Section 2. (a) The Morgan County Commission shall
105 maintain a separate fund, originally created by Act 2009-767,
106 2009 Regular Session, (Acts 2009, p. 5347) and now known as
107 the Morgan County Legislative Delegation Fund, to be used to
108 establish, equip, and maintain a legislative office for the
109 members of the Legislature serving the county.

110 (b) All decisions concerning the delegation office
111 including, but not limited to, revenue, income, purchases, and
112 grants shall be made by resolution of the delegation adopted



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113 by a concurrent majority of the delegation, members of the
114 Senate and House of Representatives, each house voting
115 separately. The resolution may provide an operational
116 procedure for the decisions of the delegation office.

117 (c) The county commission shall immediately pay any
118 amounts from the Morgan County Legislative Delegation Fund as
119 the delegation may request. Requests shall be in the form of a
120 resolution passed by the delegation, signed by one senator and
121 one member of the House of Representatives from the county
122 duly appointed by the members of the delegation.

123 (d) The delegation shall expend the monies in the
124 Morgan County Legislative Delegation Fund to employ staff,
125 acquire adequate physical office space, equipment, supplies,
126 services, and all other necessary items. The delegation may
127 also expend the monies for other purposes including, but not
128 limited to, grants for allowable public purposes at the
129 discretion and direction of the delegation.

130 (e) The individuals employed and expenditures of the
131 monies shall be at the discretion of the delegation.

132 (f) Any monies allocated but not spent at the end of
133 the fiscal year shall not be applied for any other purpose but
134 shall be carried forward and shall remain available year to
135 year for expenditures as provided in this section.

136 (g) The revenue and expenditures of the office shall be
137 audited on an annual basis.

138 (h) Any monies in the Morgan County Legislative
139 Delegation Fund on September 30, 2025, shall remain in the
140 Morgan County Legislative Delegation Fund on October 1, 2025.



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Section 3. The Morgan County Industrial Park and Economic Development Cooperative District shall maintain the Morgan County Economic Development Fund originally created by Act 2007-339, 2007 Regular Session (Acts 2007, p. 602). The Morgan County Economic Development Fund and the monies contained in the fund shall be the property of the district. The district shall invest the monies as provided by law for the investment of funds of the participating local governments, as defined in Section 45-52-161, Code of Alabama 1975. The district shall use the monies for economic purposes in, or for the benefit of, Morgan County to the extent any of the participating local governments, as defined in Section 45-52-161, Code of Alabama 1975, could apply the monies for those purposes. Any monies in the Morgan County Economic Development Fund on September 30, 2025, pursuant to former Section 45-52-161.06, Code of Alabama 1975, or any other provision of law, shall remain in the fund on October 1, 2025.

Section 4. Sections 45-52-161.03, 45-52-161.04, 45-52-161.05, 45-52-161.06, and 45-52-161.07, Code of Alabama 1975, relating to the distribution of the Morgan County Tennessee Valley Authority in-lieu-of-taxes payments, are repealed.

Section 5. This act shall become effective on October 1, 2025.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and
was passed by the House 29-Apr-25.

John Treadwell
Clerk

Senate	<hr/> 14-May-25 <hr/>	Amended and Passed
House	<hr/> 14-May-25 <hr/>	Concurred in Senate Amendment