

HB581 INTRODUCED



1 HB581
2 F2TF5CD-1
3 By Representatives Collins, Moore (P), Stadthagen (N & P)
4 RFD: Local Legislation
5 First Read: 17-Apr-25



A BILL
TO BE ENTITLED
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~~ in the following preference order:

(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~~



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

(2) ~~Second, eight~~ Nine percent of the amount of the



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~~three percent increase remaining after the allocations thereof shall have been made under subdivision (1) shall be allocated and paid to the Morgan County Rescue Squad and the expenditure of the funds thereby shall be audited on an annual basis.~~

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

(b) Following the distributions provided in subsection (a), the remainder of the three percent increase shall be combined with the 75 percent TVA payment paid pursuant to Section 40-28-2, and those combined monies 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) 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



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specified by notice, in writing, to the commission by the district. The commission shall make payments pursuant to this subdivision as required to comply with the terms of the obligations and the proceedings and documents under which the obligations are issued. This subdivision shall be void on December 31, 2042.

(4) The remainder of any TVA payment after the allocations provided in subdivisions (1) through (3), up to two hundred thousand dollars (\$200,000), to the Morgan County Economic Development Fund in an amount that will set the total monies in the fund at one million dollars (\$1,000,000).

(5) The remainder of any TVA payment after the allocations provided in subdivisions (1) through (4) shall be distributed to the Morgan County Legislative Delegation Fund."

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

(b) All decisions concerning the delegation office including, but not limited to, revenue, income, purchases, and grants shall be made by resolution of the delegation adopted by a concurrent majority of the delegation, members of the Senate and House of Representatives, each house voting separately. The resolution may provide an operational procedure for the decisions of the delegation office.

(c) The county commission shall immediately pay any



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amounts from the Morgan County Legislative Delegation Fund as the delegation may request. Requests shall be in the form of a resolution passed by the delegation, signed by one senator and one member of the House of Representatives from the county duly appointed by the members of the delegation.

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

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

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

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

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

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



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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.