

SB235 ENROLLED



1 SB235
2 IARKW6Z-2
3 By Senator Jones (N & P)
4 RFD: Local Legislation
5 First Read: 18-Mar-25



SB235 Enrolled

Enrolled, An Act,

Relating to Etowah County and the Mega Sports Complex Authority; to amend Section 45-28-220.03, Code of Alabama 1975, to immediately transfer all fiduciary responsibility relating to the authority to the City of Rainbow City; and to provide for the dissolution of the authority upon the full payment of certain outstanding debt.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-28-220.03 of the Code of Alabama 1975, is amended to read as follows:

"§45-28-220.03

(a) This section shall only apply in Etowah County.

(b) The Etowah County Mega Sports Complex Authority is created.

(c) (1) ~~Immediately after October 1, 2022, the terms of the members serving on the authority shall end. Thereafter,~~
~~the~~ The authority shall consist of the following members:

a. Except as otherwise provided in subparagraph 1., one member appointed by each member of the local legislative delegation with initial terms expiring as follows:

1. House District 29, expiring November 10, 2022. The initial appointment occurring after October 1, 2022, shall be made by the Director of the Etowah County Tourism Board.

Subsequent appointments to this position shall be made by the legislative member representing House District 29.

2. House District 28, expiring November 10, 2023.

3. House District 30, expiring November 10, 2024.



SB235 Enrolled

4. Senate District 10, expiring November 10, 2025.

b. The President of the Etowah County Chamber of Commerce, or his or her designee.

c. The Director of the Etowah County Tourism Board, or his or her designee.

d. One member appointed by the governing body of the City of Rainbow City, for an initial term expiring November 10, 2024.

(2) Upon completion of the initial staggered terms, subsequent appointments of non ex-officio members shall be made in the same manner for terms of four years.

(3) A member shall be removed from the authority after failing to attend three consecutive properly noticed regular meetings of the authority, or more than half of the properly noticed regular meetings, during a calendar year. The members of the authority shall meet at least quarterly and minutes of the meetings of the authority shall be posted on a website operated by the authority or on a social media website of the authority, or both, within 30 days after the meeting date. A vacancy on the authority for any reason shall be filled by appointment by the original appointing authority for the unexpired term.

~~(4) Except for the Director of the Etowah County Tourism Board, no member of the authority may also serve as a member of the Etowah County Tourism Board.~~

~~(d) The authority shall evaluate the development of a sports complex for Etowah County for implementation and administration by the authority. The evaluation shall include,~~



SB235 Enrolled

~~but is not limited to, the following considerations and issues:~~

~~(1) The feasibility of a mega sports complex for the county.~~

~~(2) What should be included in such a complex.~~

~~(3) The location of such a complex.~~

~~(4) The cost associated with acquiring and maintaining such a complex.~~

~~(5) Possible funding sources for such a complex.~~

~~(e) After its evaluation, the authority may initiate the development and management of a public mega sports complex in the county.~~

~~(f)~~ (d) The authority, subject to subsections (e) and (h), shall ~~also~~ have the following powers and duties:

(1) To acquire or lease real property for the development of sports or other recreational facilities and related improvements for public purposes.

(2) To make, enter into, and execute contracts, agreements, or other instruments necessary to accomplish the purposes of this section.

(3) To establish and appoint committees and hire staff which it deems necessary for the carrying out of its functions.

(4) To accept and receive any and all donations and grants of money, equipment, supplies, materials, and services, ~~and to receive, utilize, and dispose of it.~~

(5) To perform other functions as may be necessary or appropriate to achieve the purposes of this section.



SB235 Enrolled

(e) Commencing on October 1, 2025, all fiduciary responsibility and duties relating to the authority shall be vested in the City of Rainbow City. All revenue of the authority including, but not limited to, tax revenues received pursuant to Section 45-28-220.03, shall be transmitted to the appropriate designated division of the city and all fiscal distributions, liabilities, and obligations of the authority shall be the responsibility of the city, provided that collected and received revenue is sufficient to satisfy the liabilities and obligations of the authority. The designated division shall have unfettered access to all accounts held by the authority on October 1, 2025, which accounts shall remain separate and distinct from all other accounts held by the city.

~~(g)~~ (f) All T.V.A. in-lieu-of-taxes payments to Etowah County retained by the county and not transferred to the City of Sardis pursuant to Section 40-28-2 shall be distributed to the Etowah County Mega Sports Complex Authority to be used for the financing and operation of a mega sports complex as provided by the City of Rainbow City pursuant to subsection (e).

~~(h)~~ (g) (1) Any additional funds received by the authority from any state or county tax revenue shall be applied first toward the payment of existing debts.

(2) Immediately upon the full payment of all debts in existence as of October 1, 2022, all revenues referenced in subsection ~~(g)~~ (f) of this section and ~~subdivision (1) of~~ Section 45-28-91.02 (1) shall be held in the county treasury



SB235 Enrolled

until otherwise directed by unanimous consent of the members of the legislative delegation.

(h) On or before June 1, 2048, and immediately upon the full payment of all debts in existence on October 1, 2022, the terms of the members then serving on the authority pursuant to subsection (c) shall end, and the authority shall be dissolved. At that time, the City of Rainbow City shall perform all duties of the authority as provided in subsection (d) and all existing debts, liabilities, and assets of the authority including, but not limited to, real property, buildings, equipment, and other assets, shall transfer to the City of Rainbow City.

(i) A comprehensive financial audit of the authority shall be performed immediately after October 1, 2022, annually for the immediately succeeding two years, and every two years thereafter. The audit shall be performed by a licensed independent certified public accountant chosen by the authority from a list of three auditing firms nominated by the governing body of the City of Rainbow City. A copy of each audit performed shall be submitted to the Chief Examiner of the Department of Examiners of Public Accounts and each appointing authority within 30 days after completion.

Immediately upon dissolution of the authority, the comprehensive financial audits shall cease."

Section 2. This act shall become effective on October 1, 2025.



SB235 Enrolled

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB235

Senate 01-Apr-25

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

Patrick Harris,
Secretary.

House of Representatives

Passed: 08-Apr-25

By: Senator Jones