

SB235 INTRODUCED



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



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A BILL
TO BE ENTITLED
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



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29 initial appointment occurring after October 1, 2022, shall be
30 made by the Director of the Etowah County Tourism Board.
31 Subsequent appointments to this position shall be made by the
32 legislative member representing House District 29.

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

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

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

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

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

40 d. One member appointed by the governing body of the
41 City of Rainbow City, for an initial term expiring November
42 10, 2024.

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

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



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

60 ~~(d) The authority shall evaluate the development of a~~
61 ~~sports complex for Etowah County for implementation and~~
62 ~~administration by the authority. The evaluation shall include,~~
63 ~~but is not limited to, the following considerations and~~
64 ~~issues:~~

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

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

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

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

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

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

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

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

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

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



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85 functions.

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

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

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

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

112 ~~(h)~~ (g) (1) Any additional funds received by the



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113 authority from any state or county tax revenue shall be
114 applied first toward the payment of existing debts.

115 (2) Immediately upon the full payment of all debts in
116 existence as of October 1, 2022, all revenues referenced in
117 subsection ~~(g)~~ (f) of this section and ~~subdivision (1) of~~
118 Section 45-28-91.02 (1) shall be held in the county treasury
119 until otherwise directed by unanimous consent of the members
120 of the legislative delegation.

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

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



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

143 Section 2. This act shall become effective on October
144 1, 2025.