

1 HB656
2 150363-6
3 By Representatives Johnson (W) and Robinson (J) (N & P)
4 RFD: Local Legislation
5 First Read: 23-APR-13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

ENROLLED, An Act,

Relating to Jackson County; to amend and reenact Section 1 of Act 79-473, 1979 Regular Session, as amended by Act 99-550, and Act 2012-421, so as to provide for the appropriation of funds received by the county from payments made in lieu of taxes by the Tennessee Valley Authority.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act 79-473, 1979 Regular Session (Acts 1979, p. 873), as amended by Act 99-550, and as further amended by Act 2012-421, is amended and reenacted to read as follows:

"Section 1. Any payments coming into the treasury of Jackson County that are derived, directly or indirectly, from payments by the Tennessee Valley Authority in lieu of payment of taxes shall be appropriated as follows:

"(A) The first one hundred forty-five thousand dollars (\$145,000) of each year's payments shall be paid to the Jackson County Hospital Board to provide all residents of Jackson County with adequate ambulance service.

"(B) After the above appropriation to the Jackson County Hospital Board, the next one hundred five thousand dollars (\$105,000) shall be paid to the Jackson County Economic Development Authority on an annual basis. Said

1 appropriation shall be paid before all other appropriations
2 other than the appropriation to the hospital board.

3 "(C) In addition to all other amounts hereinabove
4 paid to the Jackson County Economic Development Authority, the
5 next seventy-five thousand dollars (\$75,000), after the
6 appropriations in subsections (A) and (B) above shall be
7 annually paid to the Authority. All appropriations made in
8 this subsection to the Jackson County Economic Development
9 Authority shall be deposited in a special industrial
10 development fund to be used only for the purposes of this
11 subsection as follows: for recruiting industry; matching
12 public or private grants the county may receive for industrial
13 development; and special projects for site preparation,
14 surveying, archaeological or geotechnical studies, or other
15 direct expenses necessary to recruit industry to the county.

16 "(D) After the above appropriation, all Jackson
17 County volunteer fire departments in good standing with the
18 Jackson County Association of Volunteer Fire Departments shall
19 be authorized to receive five thousand dollars (\$5,000) each
20 annually to help furnish adequate fire protection in the
21 communities that they serve. The amount paid to each volunteer
22 fire department shall be paid at the direction of the County
23 Fire Marshal and disbursed to each fire chief upon approval of
24 the County Fire Marshal. In addition to the above, thirty
25 thousand dollars (\$30,000) shall be distributed to the Jackson

1 County Association of Volunteer Fire Departments for use by
 2 the association.

3 "(E) After the above appropriation, the next
 4 twenty-five thousand dollars (\$25,000) of each year's payments
 5 shall be distributed to the Scottsboro-Jackson County Rescue
 6 Squad for the maintenance and operation of the rescue squad's
 7 equipment and facilities.

8 "(F) An annual accounting of the use of the funds
 9 appropriated in subsections (A), (B), (C), (D), and (E) shall
 10 be furnished to the Jackson County Discretionary Committee no
 11 later than September 30 of each year. In the event an annual
 12 accounting is not furnished, the committee may reduce or
 13 terminate funding for the next fiscal year for the entity
 14 failing to furnish the report by a majority vote of the
 15 committee.

16 "(G) Commencing October 1, 2013, the net payments
 17 remaining in the appropriation paid to Jackson County after
 18 the appropriations in subsections (A), (B), (C), (D), and (E)
 19 above shall be appropriated as follows:

20 "(1) Two percent (2%) of such payments, as shall be
 21 necessary, shall be used to establish, equip and maintain a
 22 legislative office for the members of the state legislative
 23 delegation serving Jackson County, Alabama, and any unused
 24 portion shall be paid to the Jackson County Discretionary Fund
 25 to be disbursed by the Jackson County Discretionary Committee,

1 as established hereinafter, in the same manner as all other
2 funds from the Jackson County Discretionary Fund.

3 "(2) Two percent (2%) of such payments shall be
4 appropriated to Jackson County EDA under this act.

5 "(3) Thirty-three and fifty hundredths percent
6 (33.5%) of such payments shall be appropriated to the public
7 school systems within Jackson County on a per pupil pro rata
8 basis.

9 "(4) Twenty-five and fifty hundredths percent
10 (25.5%) of such payments shall be appropriated to the
11 incorporated municipalities within the county on a population
12 basis.

13 "(5) Twenty-five and fifty hundredths percent
14 (25.5%) of such payments shall be placed in the general fund
15 of the county treasury and may be used for any lawful purpose
16 by the county.

17 "(6) Eleven and fifty hundredths percent (11.50%) of
18 such payments shall be placed in a Jackson County
19 Discretionary Fund to be disbursed by the Jackson County
20 Discretionary Committee, as established hereinafter.

21 "(H) There is created a Jackson County Discretionary
22 Committee consisting of six members. The members of the
23 committee shall be: the Chair of the Jackson County
24 Commission, a member of the Jackson County Commission selected
25 by the commission on an annual basis, the Jackson County

1 Revenue Commissioner, the state senator representing Jackson
2 County, and the two state House of Representatives members
3 representing all or part of Jackson County. The state senator
4 representing Jackson County shall be the chair of the
5 committee. The discretionary committee shall adopt rules of
6 procedure consistent with this act and shall make, by majority
7 vote, all decisions concerning disbursement from the Jackson
8 County Discretionary Fund."

9 Section 2. All prior local acts of the Alabama
10 Legislature related to the distribution of Tennessee Valley
11 Authority in lieu of tax payments that are inconsistent
12 herewith are repealed.

13 Section 3. The provisions of this act are severable.
14 If any part of this act is declared invalid or
15 unconstitutional, that declaration shall not affect the part
16 which remains.

17 Section 4. This act shall not affect any payments
18 for the fiscal year ending September 30, 2013.

19 Section 5. This act shall be effective October 1,
20 2013.

