

1 SB327
2 219458-3
3 By Senator Sanders-Fortier
4 RFD: Finance and Taxation Education
5 First Read: 17-MAR-22

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To create the Healing History Act; to provide
12 legislative findings; to establish the Tuskegee Airmen Freedom
13 Fund in the State Treasury, administered by the Alabama State
14 Council on the Arts, to provide for the commissioning of
15 public art; to add to the name of the Edmund W. Pettus Bridge;
16 and to amend Section 40-8-3, Code of Alabama 1975, to allocate
17 a portion of the state ad valorem tax to the Tuskegee Airmen
18 Freedom Fund.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. (a) This section shall be known and cited
21 as the Healing History Act.

22 (b) The Legislature finds and declares all of the
23 following:

24 (1) The time for healing our history is now.

25 (2) Monuments and memorials that date from the
26 infancy of this state to the present, commemorating such
27 individuals, causes, and events as the confederacy, women's

1 suffrage, the civil rights movement, and indigenous peoples,
2 should stand together representing and uplifting diverse
3 perspectives and significant events of Alabama history.

4 (3) This inclusive healing history campaign, which
5 represents another step towards fulfilling Dr. King's dream of
6 the Beloved Community where women, men, boys, and girls stand
7 and sit together at the "table of brotherhood," should begin
8 at the foot of the Edmund W. Pettus Bridge in historic Selma,
9 Alabama.

10 (c) (1) The Tuskegee Airmen Freedom Fund is created
11 in the State Treasury. Any monetary interest that accrues to
12 the fund and any monies in the fund at the end of the fiscal
13 year shall remain in the fund and shall not revert to the
14 State General Fund. No funds shall be withdrawn or expended
15 except as budgeted and allocated in accordance with Sections
16 41-4-80 through 41-4-96, inclusive, and Sections 41-19-1
17 through 41-19-12, inclusive, Code of Alabama 1975, and only in
18 the amounts authorized by the Legislature in the general
19 appropriation bill or other appropriation bills.

20 (2) The fund shall consist of all monies collected
21 or received pursuant to Section 40-8-3, Code of Alabama 1975,
22 and all grants, appropriations, gifts, donations, and other
23 sources for the purposes of administering the fund. The
24 Alabama State Council on the Arts shall develop guidelines,
25 policies, procedures, applications, and deadlines related to
26 the administration of the fund.

1 (3) The fund shall be administered by the Alabama
2 State Council on the Arts to accomplish all of the following:

3 a. Accepting and reviewing grant applications for
4 the commissioning of public art including, but not limited to,
5 sculptures, monuments, memorials, murals, exhibitions,
6 installations, and related educational materials and
7 programming.

8 b. Accepting and reviewing grant applications for
9 the planning, design, and construction related to
10 commissioning new public art or monuments that may be placed
11 near monuments and memorials representing divergent
12 perspectives, to provide an inclusive perspective of history
13 while uniting themes under a healing history campaign
14 developed by the Alabama Humanities Alliance.

15 (d) (1) There is created a Tuskegee Airmen Freedom
16 Fund Applicant Review Commission within the Alabama State
17 Council on the Arts. The commission shall review requests
18 submitted to the Alabama State Council on the Arts for the
19 funding of new or existing projects from the Tuskegee Airmen
20 Freedom Fund, and shall approve, approve in part, or deny
21 those requests. The membership of the commission, which shall
22 be reconstituted every three years by July 1, shall consist of
23 three members appointed by the Executive Director of the
24 Alabama State Council on the Arts and two members appointed by
25 the Governor. Members may include legislators serving in
26 leadership positions with the Legislature, and vacancies in

1 the commission shall be filled by the original appointing
2 authority for the remainder of the unexpired term.

3 (2) The Executive Director of the Alabama State
4 Council on the Arts may establish one or more temporary or
5 permanent advisory committees, as necessary to provide for the
6 implementation of this section. An advisory committee created
7 pursuant to this subdivision shall serve at the pleasure of
8 the executive director.

9 (3) The appointing authorities shall coordinate
10 their appointments to assure that the membership of the
11 applicant review commission and each advisory committee
12 created is inclusive and reflects the racial, gender,
13 geographic, urban, rural, and economic diversity of the state.

14 (e) (1) The Alabama State Council on the Arts may
15 accept public or private gifts, grants, and donations,
16 including in-kind services, for use in fulfilling any duties
17 imposed by this act, and may also use funds appropriated to
18 the Alabama State Council on the Arts by the Legislature, if
19 necessary. These funds shall be supplemental to any and all
20 other appropriations made to the Alabama State Council on the
21 Arts. No funds provided pursuant to this act shall be
22 construed to be in lieu of annual appropriations to the
23 Alabama State Council on the Arts, and no revenues received by
24 the Alabama State Council on the Arts from the Tuskegee Airmen
25 Freedom Fund shall replace or supplant other annual
26 appropriations to the Council on the Arts.

1 (2) In the event funds are appropriated to the
2 Alabama State Council on the Arts by the Legislature, the
3 executive director shall submit biannual reports regarding the
4 status of the project, and requests for additional funding, to
5 the appropriate budget chairs.

6 (3) Up to 15 percent of the annual revenues
7 deposited into the Tuskegee Airmen Freedom Fund may be used
8 for the compensation and benefits of staff and other
9 administrative costs deemed necessary to implement and manage
10 this act and programs created pursuant to this act.

11 (f) The Department of Transportation shall place an
12 appropriate marker at the foot of the Edmund W. Pettus Bridge
13 in Selma, acknowledging the bridge as the Bridge of Hope and
14 the foundation of the Healing History campaign, where all of
15 Alabama's history is embraced and acknowledged for the purpose
16 of healing history.

17 Section 2. (a) For purposes of this section, the
18 term local legislative delegation shall include all members of
19 the Legislature representing any portion of Dallas County.

20 (b) (1) Notwithstanding the Alabama Memorial
21 Preservation Act of 2017, Article 9A, commencing with Section
22 41-9-230, of Chapter 9 of Title 41, Code of Alabama 1975, or
23 any other law or rule to the contrary, the name of the Edmund
24 W. Pettus Bridge in Selma is amended to the Edmund W. Pettus -
25 Foot Soldiers Bridge.

26 (2) Nothing in this section shall be interpreted as
27 authorizing any signage on or relating to the name "Edmund W.

1 Pettus Bridge" existing on the effective date of this act to
2 be modified or disturbed in any manner. The name "Foot
3 Soldiers" shall have separate signage, that may be provided
4 through a permanently installed light display, subject to
5 approval by the Department of Transportation, which includes a
6 silhouette of the Foot Soldiers.

7 (c) After the effective date of this act, the local
8 legislative delegation shall send written notice of the name
9 change to the Alabama Historical Commission and the Department
10 of Transportation, including a citation to this section.

11 (d) Upon receipt of notice, the Alabama Historical
12 Commission shall send notice of the name change to the
13 National Park Service and take any other action necessary to
14 ensure that the name change is reflected in the National
15 Register of Historic Places and any Alabama registry of
16 historic places.

17 Section 3. Section 40-8-3 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§40-8-3.

20 "There is hereby levied for the purpose and upon the
21 property hereinafter named and not specifically exempted from
22 taxation annual taxes, as follows:

23 "(1) For the maintenance of the public schools of
24 this state, ~~\$.30~~ thirty cents (\$.30) on each ~~\$100~~ one hundred
25 dollars (\$100) of the assessed value of taxable property.

26 "(2) For the relief of needy Confederate soldiers
27 and sailors, resident citizens of ~~Alabama~~ this state and their

1 widows, ~~\$.10~~ ten cents (\$.10) on each ~~\$100~~ one hundred dollars
2 (\$100) of the assessed value of taxable property of which one
3 percent of the gross amount collected ~~will~~ shall be expended
4 by the Alabama Historical Commission to provide for capital
5 improvements and maintenance at the Confederate Memorial Park
6 at Mountain Creek, Chilton County, Alabama; and one percent of
7 the gross amount collected shall be deposited into the
8 Tuskegee Airmen Freedom Fund to be expended by the Alabama
9 State Council on the Arts for commissioning of public art
10 including, but not limited to, sculptures, monuments,
11 memorials, murals, exhibitions, installations, and related
12 educational materials and programming, and other programs
13 provided pursuant to the Healing History Act.

14 "(3) For the use of the state and to raise revenue
15 therefor, ~~\$.25~~ twenty-five cents (\$.25) on each ~~\$100~~ one
16 hundred dollars (\$100) of the assessed value of taxable
17 property."

18 Section 4. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Finance and Taxation Education 17-MAR-22

Read for the second time and placed on the calen-
dar..... 29-MAR-22

Read for the third time and passed as amended 05-APR-22

Yeas 23
Nays 3
Abstaining 2

Patrick Harris,
Secretary.