

1 SB563  
2 139787-4  
3 By Senator McGill (N & P)  
4 RFD: Local Legislation No. 1  
5 First Read: 26-APR-12

1 SB563

2  
3  
4 With Notice and Proof

5  
6 ENROLLED, An Act,

7 Relating to Jackson County; to amend and reenact  
8 Section 1 of Act 79-473, 1979 Regular Session, as amended by  
9 Act 99-550, so as to provide for the appropriation of funds  
10 received by the county from payments made in lieu of taxes by  
11 the Tennessee Valley Authority; and to repeal Act 2011-611 and  
12 Act 2011-654 of the 2011 Regular Session.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. Act 79-473, 1979 Regular Session (Acts  
15 1979, p. 873), as amended by Act 99-550, is amended and  
16 reenacted to read as follows:

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

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

1 shall be paid in 12 equal monthly installments to begin  
2 October 1, 2012.

3 "(B) After the above appropriation to the Jackson  
4 County Hospital Board, the next one hundred fifty thousand  
5 dollars (\$150,000) (increased annually by an amount equal to  
6 two percent of any increase in T.V.A. payments received by the  
7 county over the amount of the previous years' payments after  
8 the enactment of Act 79-473 so that such two percent increases  
9 continually increase this amount) shall be paid to the Jackson  
10 County Economic Development Authority on an annual basis. Said  
11 appropriation shall be paid before all other appropriations  
12 other than the appropriation to the hospital board. Said  
13 annual appropriation shall be paid in 12 equal monthly  
14 installments.

15 "(C) In addition to all other amounts hereinabove  
16 paid to the Jackson County Economic Development Authority,  
17 commencing October 1, 2012, the next seventy-five thousand  
18 dollars (\$75,000), after the appropriations in subsections (A)  
19 and (B) above shall be annually paid to the Authority. Said  
20 additional annual appropriation to the Authority shall be paid  
21 in 12 equal monthly installments. All appropriations made in  
22 this subsection to the Jackson County Economic Development  
23 Authority shall be deposited in a special industrial  
24 development fund to be used only for the purposes of this  
25 subsection as follows: for recruiting industry; matching

1 public or private grants the county may receive for industrial  
2 development; and special projects for site preparation,  
3 surveying, archaeological or geotechnical studies, or other  
4 direct expenses necessary to recruit industry to the county.

5 "(D) After the above appropriation, all Jackson  
6 County volunteer fire departments in good standing with the  
7 Jackson County Association of Volunteer Fire Departments shall  
8 be authorized to receive five thousand dollars (\$5,000) each  
9 annually to help furnish adequate fire protection in the  
10 communities that they serve. The amount paid to each volunteer  
11 fire department shall be paid at the direction of the County  
12 Fire Marshal and disbursed to each fire chief upon approval of  
13 the County Fire Marshal. In addition to the above, thirty  
14 thousand dollars (\$30,000) shall be distributed to the Jackson  
15 County Association of Volunteer Fire Departments for use by  
16 the association.

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

22 "(F) An annual accounting of the use of the funds  
23 appropriated in subsections (A), (B), (C), (D), and (E) shall  
24 be furnished to the Jackson County Legislative Delegation not  
25 later than September 30 of each year. In the event an annual

1 accounting is not furnished, the board may reduce or terminate  
2 funding for the next fiscal year for the entity failing to  
3 furnish the report by a majority of the board.

4 "(G) Commencing October 1, 2012, based on the TVA  
5 payments for the fiscal year ending September 30, 2005, the  
6 net payments remaining after the appropriations in subsections  
7 (A), (B), (C), (D), and (E) above shall be appropriated as  
8 follows:

9 "(1) Three percent of such payments, or such portion  
10 thereof as shall be necessary, shall be used to establish,  
11 equip and maintain a legislative office for the members of the  
12 state legislative delegation serving Jackson County, Alabama,  
13 and may also be used for other county purposes at the  
14 discretion and direction of the board.

15 "(2) Thirty-nine percent of such payments shall be  
16 appropriated to the public school systems within the county on  
17 a per pupil basis.

18 "(3) Twenty-nine percent of such payments shall be  
19 appropriated to the incorporated municipalities within the  
20 county on a population basis.

21 "(4) Twenty-nine percent of such payments shall be  
22 placed in the general fund in the county treasury and may be  
23 used for any lawful purpose by the county.

24 "(H) Beginning October 1, 2012, all future growth in  
25 T.V.A. payments received by the county over the T.V.A.

1 payments received by the county during the fiscal year ending  
2 September 30, 2005, less the amount of such growth provided in  
3 subsection B above to the Jackson County Economic Development  
4 Authority, shall be paid into an emergency fund and is hereby  
5 appropriated to the Jackson County Discretionary Board as  
6 provided in subsection (I) serving Jackson County.

7 "(I) There is created the Jackson County  
8 Discretionary Board consisting of four members. The members of  
9 this board shall be: The Chair of the Jackson County  
10 Commission and the senator and the two representatives,  
11 respectively, that are legislators representing all or part of  
12 Jackson County. The state senator representing Jackson County  
13 shall be chair of the committee. The discretionary board shall  
14 receive all growth in the T.V.A in lieu of tax payments as  
15 provided above. The discretionary board may make all decisions  
16 concerning the disbursement of the growth funds referred to  
17 above. Expenditures from the funds shall be made at the  
18 discretion of the discretionary board upon receiving a valid  
19 request.

20 Section 2. Act 2011-611 and Act 2011-654 of the 2011  
21 Regular Session is repealed.

22 Section 3. The provisions of this act are severable.  
23 If any part of this act is declared invalid or  
24 unconstitutional, that declaration shall not affect the part  
25 which remains.

1                   Section 4. This act shall be effective December 1,  
2           2012.

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

---

President and Presiding Officer of the Senate

---

Speaker of the House of Representatives

SB563

Senate 03-MAY-12

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

Patrick Harris  
Secretary

---

House of Representatives  
Passed: 09-MAY-12

---

By: Senator McGill