

1 SB68
2 215378-2
3 By Senator Allen
4 RFD: Governmental Affairs
5 First Read: 11-JAN-22

1 SB68

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4 ENROLLED, An Act,

5 Relating to construction of wastewater treatment
6 facilities; to amend Section 22-34-11, Code of Alabama 1975;
7 to extend the loan payback period for a loan by the Alabama
8 Water Pollution Control Authority to a local governing body to
9 finance construction expenses of a wastewater treatment
10 facility in certain circumstances.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 22-34-11, Code of Alabama 1975,
13 is amended to read as follows:

14 "§22-34-11.

15 "(a) In order to provide for the funding of the loan
16 by the authority for a project to ~~the~~ a public body, ~~such the~~
17 public body shall establish a dedicated source of revenue to
18 repay the ~~moneys~~ monies received from the authority and to
19 provide for operation, maintenance, and equipment replacement
20 expenses. ~~Such~~ Notwithstanding any state law to the contrary,
21 a public body is hereby authorized and empowered, any existing
22 statute to the contrary notwithstanding, to may do and perform
23 any one or more all of the following:

24 "(1) ~~To obligate~~ Obligate itself to pay to the
25 authority at periodic intervals a sum sufficient to provide

1 bond debt service with respect to the bonds of the authority
 2 issued to fund the loan for such project and to pay over such
 3 debt service to the account of the project for deposit to the
 4 revolving loan fund~~7.~~

5 "(2) ~~To levy~~ Levy, collect~~,~~ and pay over to the
 6 authority and ~~to~~ obligate itself to continue to levy, collect~~,~~
 7 and pay over to the authority the proceeds of any ~~one or more~~
 8 of the following:

9 "a. ~~Any~~ A sewer or waste disposal service fee or
 10 charge~~7.~~

11 "b. ~~Any licenses~~ Licenses, permits, taxes~~,~~ and
 12 fees~~7.~~

13 "c. ~~Any~~ A special assessment on the property
 14 drained, served~~,~~ or benefitted by the project~~7~~and.

15 "d. Other revenue available to the public body.

16 "(3) ~~To undertake~~ Undertake and obligate itself to
 17 pay its contractual obligation to the authority solely from
 18 the proceeds from any one or more of the sources specified in
 19 subdivision (2) ~~above~~, or ~~to~~ impose upon itself a general
 20 obligation pledge to the authority additionally secured by a
 21 pledge of any one or more of such sources~~7.~~

22 "(4) ~~To obligate~~ Obligate itself to ~~continue to~~ levy
 23 and collect ~~such~~ revenues, fees~~,~~ and charges ~~as shall equal in~~
 24 an amount of not less than 110 percent nor more than 125
 25 percent, as determined by the authority~~,~~ of the maximum

1 principal and interest maturing and coming due in any one year
2 on the bonds issued by the authority to fund a loan for the
3 project;~~and.~~

4 "(5) ~~To enter~~ Enter into ~~such~~ agreements, ~~to perform~~
5 ~~such~~ acts, ~~and to delegate such~~ functions and duties as its
6 governing body ~~shall determine to be~~ determines is necessary
7 or desirable to enable the authority to fund a loan to the
8 public body to aid it in the construction or acquisition of a
9 project.

10 "(b) In the event of default, the authority may
11 ~~utilize~~ use all available remedies under state law.

12 "(c) ~~All loans~~ Any loan made by the authority shall
13 provide that repayment of ~~such loans~~ the loan shall begin not
14 later ~~then~~ than one year after completion of construction of
15 the project for which ~~such~~ the loan was made and shall be
16 repaid in full no later than 20 years after completion of ~~such~~
17 construction; provided, however, the repayment period may be
18 extended as required or permitted under the Federal Clean
19 Water Act, provided the extended repayment period does not
20 exceed the expected design life of the project.

21 "(d) The recipients of loans shall maintain project
22 accounts in accordance with generally accepted government
23 accounting standards."

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB68
Senate 01-FEB-22
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 15-FEB-22

By: Senator Allen