

1 SB290
2 188997-2
3 By Senator Dial (N & P)
4 RFD: Local Legislation
5 First Read: 08-FEB-18

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Clay County; to amend Section 2 of Act
14 2017-65 of the 2017 Regular Session, now appearing as Section
15 45-14-244.07 of the Code of Alabama 1975, to further provide
16 for the distribution of the local tobacco tax.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. Section 2 of Act 2017-65 of the 2017
19 Regular Session, now appearing as Section 45-14-244.07 of the
20 Code of Alabama 1975, is amended to read as follows:

21 "§45-14-244.07.

22 "(a) The proceeds from the tobacco tax authorized in
23 Clay County pursuant to Section 45-14-244, and as further
24 provided for in Sections 45-14-244.01 to 45-14-244.03,
25 inclusive, and Section 45-14-244.06, less two percent of the
26 actual cost of collection, which shall be retained by the

1 Department of Revenue, shall be distributed to the Clay County
2 General Fund to be expended as follows:

3 "(1) Thirty-two percent to the Alabama Forestry
4 Commission to be utilized for fire protection in the county,
5 as provided in subsection (b).

6 "(2) Twenty percent to the Clay County Industrial
7 Development Council.

8 "(3) ~~Eighteen~~ Twenty percent to the Clay County
9 Animal Shelter. The Clay County Animal Shelter shall annually
10 report to the county commission regarding the expenditure of
11 the funds in the preceding year.

12 "(4) ~~Fifteen~~ Thirteen percent to the Clay County
13 Commission to be deposited into a special fund in the county
14 treasury and, subject to an application process developed by
15 the county commission, disbursed to water districts in the
16 county for the purpose of installing feeder lines. The county
17 commission shall have the authority to develop guidelines,
18 promulgate rules, and institute an application process to
19 provide for the disbursement of the funds.

20 "(5) Fifteen percent shall be retained in the Clay
21 County General Fund to be utilized as are other county funds.

22 "(b) The funds distributed to the Alabama Forestry
23 Commission shall be payable on a quarterly or monthly basis
24 and will be expended solely for purposes of fire protection,
25 prevention, and fire safety education in order to encourage a
26 strong volunteer firefighters' network in Clay County. The
27 proceeds shall be distributed to volunteer fire departments in

1 the county as determined by rules and regulations set up by
2 the Alabama Forestry Commission and the Clay County Volunteer
3 Firefighters Association on an equal basis, share and share
4 alike. None of the proceeds shall be used for salaries nor to
5 pay members for any performance of duties associated with the
6 department. Any member fire department which fails to meet the
7 standards and criteria shall be denied its share of the
8 funding. The association shall give noncomplying member fire
9 departments proper notice of all deficiencies and a reasonable
10 time period to correct the deficiencies before any funds are
11 denied."

12 Section 2. This act shall become effective on
13 October 1, 2017.