

1 SB381  
2 198777-2  
3 By Senators Butler, Orr and Melson (N & P)  
4 RFD: Local Legislation  
5 First Read: 07-MAY-19

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Limestone County; to amend Section  
14 45-42-163, Code of Alabama 1975, relating to the distribution  
15 of T.V.A. in-lieu-of-taxes payments; to further provide for  
16 the payments to volunteer fire departments when a volunteer  
17 fire department is decertified.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 45-42-163, Code of Alabama 1975,  
20 is amended to read as follows:

21 "§45-42-163.

22 "Upon receipt by Limestone County of funds pursuant  
23 to Chapter 28, Title 40, as amended, Limestone County will  
24 within a reasonable time thereafter, distribute the funds so  
25 received as follows:

1           "(1) Effective through September 30, 2006, all funds  
2 shall be distributed as prescribed by Act 86-550, 1986 Regular  
3 Session, (Acts 1986, p. 1124).

4           "(2) Effective October 1, 2007, and thereafter, the  
5 funds shall be distributed as follows:

6           "a. Before the percentage formula of distribution  
7 contained in paragraph b. is applied, the sum of two hundred  
8 ninety-three thousand dollars (\$293,000) shall be distributed  
9 in the following manner:

10           "1. Forty thousand dollars (\$40,000) to Auburn  
11 University to be used exclusively for the benefit of the  
12 Limestone County Cooperative Extension Service.

13           "2. Seven thousand five hundred dollars (\$7,500) to  
14 the Limestone County Soil and Water Conservation District.

15           "3. Thirty-seven thousand five hundred dollars  
16 (\$37,500) to the Limestone County Economic Development  
17 Association, Inc.

18           "4. Thirty-five thousand dollars (\$35,000) to the  
19 Athens-Limestone Public Library.

20           "5. Five thousand dollars (\$5,000) to the Houston  
21 Memorial Library.

22           "6. Twelve thousand dollars (\$12,000) to the  
23 Veteran's Museum and Archives.

24           "7. Twelve thousand dollars (\$12,000) to each of the  
25 13 volunteer fire departments in the county in existence on  
26 January 1, 2006. If a volunteer fire department is  
27 decertified, the proceeds provided by this subparagraph to the

1 decertified volunteer fire department shall be distributed  
2 equally to the remaining volunteer fire departments. The act  
3 adding this amendatory language shall be retroactive to  
4 January 1, 2018.

5 "b.1. After the allocations as set forth in  
6 paragraph a. have been completed, the remainder of all funds  
7 received by Limestone County pursuant to Chapter 28, Title 40,  
8 as amended, is to be distributed as follows:

9 "(i) Limestone County General Fund, 25 percent.

10 "(ii) Limestone County Public Building Fund, 10  
11 percent.

12 "(iii) Special Hospital Tax Fund, five percent.

13 "(iv) Countywide School Fund, 23.5 percent.

14 "(v) Limestone County Board of Education, nine  
15 percent.

16 "(vi) Athens City Board of Education, six percent.

17 "(vii) City of Athens, 20 percent.

18 "(viii) City of Ardmore, one percent.

19 "(ix) City of Elkmont, .38 percent.

20 "(x) City of Mooresville, .06 percent.

21 "(xi) City of Lester, .06 percent.

22 "2. For fiscal year 2013, the amount distributed in  
23 this paragraph to the Limestone County Board of Education and  
24 the Athens City Board of Education is to be distributed as  
25 follows:

26 "(i) Limestone County Board of Education, 10  
27 percent.

1           "(ii) Athens City Board of Education, five percent.

2           "3. For fiscal year 2014 and thereafter, the amount  
3 distributed in this paragraph to the school districts is to be  
4 distributed as follows: Athens City Board of Education, four  
5 percent.

6           "4. Beginning in fiscal year 2015, the amount  
7 distributed in this paragraph to the Limestone County Board of  
8 Education and the Athens City Board of Education shall be  
9 determined annually by the county commission based on the  
10 average daily membership of the Limestone County Board of  
11 Education and the Athens City Board of Education.

12           "c.1. Effective with the fiscal year beginning  
13 October 1, 2007, the three percent increase in the  
14 in-lieu-of-taxes payments generated by Act 2006-655, 2006  
15 Regular Session, (Acts 2006, p. 1793), to counties served by  
16 the Tennessee Valley Authority shall be distributed separate  
17 and apart from the distribution in paragraphs a. and b. and  
18 shall be distributed first to the following entities in the  
19 following amounts:

20           "(i) Limestone County Economic Development  
21 Association, Inc., fifteen thousand dollars (\$15,000).

22           "(ii) Athens-Limestone Public Library, fifty  
23 thousand dollars (\$50,000).

24           "(iii) Calhoun Community College, twenty-five  
25 thousand dollars (\$25,000) to be expended solely for the  
26 benefit of the Limestone County campus.

1                   "(iv) Spirit of Athens, five thousand dollars  
2                   (\$5,000).

3                   "(v) Greater Athens Chamber of Commerce, five  
4                   thousand dollars (\$5,000).

5                   "(vi) Athens-Limestone County Rescue Squad, twelve  
6                   thousand dollars (\$12,000).

7                   "(vii) Athens State University, fifty thousand  
8                   dollars (\$50,000) to be expended solely for the benefit of the  
9                   Limestone County campus.

10                  "(viii) Limestone County Family Resource Center,  
11                  twenty-five thousand dollars (\$25,000).

12                  "(ix) Limestone County Recycling Center, five  
13                  thousand dollars (\$5,000).

14                  "(x) Limestone County Economic Development Partners,  
15                  Inc., one hundred thousand dollars (\$100,000) to be expended  
16                  solely to promote economic development, employment, and growth  
17                  of jobs within all areas of Limestone County and the City of  
18                  Athens.

19                  "2. Any remaining amounts shall be distributed in  
20                  equal amounts to the City of Athens and the Limestone County  
21                  Commission for the express purpose of paying for the debts and  
22                  expenses related to the Elm Industrial Park. After the  
23                  retirement of any debts and expenses related to the Elm  
24                  Industrial Park, any remaining amounts shall be distributed in  
25                  equal amounts to the City of Athens and the Limestone County  
26                  Commission for economic development purposes.

1 "d. Effective after April 24, 2012, any increase in  
2 the in-lieu-of-taxes payments generated by Act 2010-135, 2010  
3 Regular Session, (Acts 2010, p. 190), including any amounts  
4 not appropriated under Act 2010-549, 2010 Regular Session,  
5 (Acts 2010, p. 975), to counties served by the Tennessee  
6 Valley Authority shall be distributed separate and apart from  
7 the distribution in paragraphs a., b., and c. and shall be set  
8 aside by the county commission in a separate fund to be used  
9 to establish, equip, and maintain a legislative office for  
10 members of the state Legislature serving the county. All  
11 decisions concerning the Limestone County Legislative Office,  
12 including, but not limited to, revenue, income, purchases, and  
13 grants shall be made by resolutions of the delegation adopted  
14 by a concurrent majority of the Limestone County delegation,  
15 ~~senators~~ Senators and ~~house of representatives~~ House of  
16 Representatives members, each house voting separately. Such  
17 resolution may provide an operational procedure for the  
18 delegation office. The commission shall immediately pay such  
19 amounts from such fund as the Limestone County Legislative  
20 Delegation may request. Such requests shall be in the form of  
21 a resolution passed by the county legislative delegation,  
22 signed by one ~~senator~~ Senator and one member of the ~~house of~~  
23 ~~representatives~~ House of Representatives from the county who  
24 shall be duly appointed by the legislative delegation. This  
25 legislative delegation shall expend such monies to employ  
26 staff, acquire adequate physical office space, equipment,  
27 supplies, services, and all other necessary items and may also

1       expend the monies for other purposes, including grants for  
2       allowable public purposes at the discretion and direction of  
3       the legislative delegation. The persons employed and  
4       expenditures of the funds by the legislative delegation shall  
5       be in its discretion. Any funds allocated but not spent at the  
6       end of the fiscal year shall not be applied for any other  
7       purpose, but shall be carried forward and shall remain  
8       available year to year for expenditure. The revenue and  
9       expenditures of the legislative office shall be audited on an  
10      annual basis."

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