

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

1 SB381

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Limestone County; to amend Section
8 45-42-163, Code of Alabama 1975, relating to the distribution
9 of T.V.A. in-lieu-of-taxes payments; to further provide for
10 the payments to volunteer fire departments when a volunteer
11 fire department is decertified.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 "§45-42-163.

16 "Upon receipt by Limestone County of funds pursuant
17 to Chapter 28, Title 40, as amended, Limestone County will
18 within a reasonable time thereafter, distribute the funds so
19 received as follows:

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

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

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

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

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

10 "3. Thirty-seven thousand five hundred dollars
11 (\$37,500) to the Limestone County Economic Development
12 Association, Inc.

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

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

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

19 "7. Twelve thousand dollars (\$12,000) to each of the
20 13 volunteer fire departments in the county in existence on
21 January 1, 2006. If a volunteer fire department is
22 decertified, the proceeds provided by this subparagraph to the
23 decertified volunteer fire department shall be distributed
24 equally to the remaining volunteer fire departments. The act

1 adding this amendatory language shall be retroactive to
2 January 1, 2018.

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

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

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

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

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

12 "(v) Limestone County Board of Education, nine
13 percent.

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

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

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

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

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

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

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

24 "(i) Limestone County Board of Education, 10
25 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).

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

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

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

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

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

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

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

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

22 "2. Any remaining amounts shall be distributed in
23 equal amounts to the City of Athens and the Limestone County
24 Commission for the express purpose of paying for the debts and
25 expenses related to the Elm Industrial Park. After the

1 retirement of any debts and expenses related to the Elm
2 Industrial Park, any remaining amounts shall be distributed in
3 equal amounts to the City of Athens and the Limestone County
4 Commission for economic development purposes.

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

1 signed by one ~~senator~~ Senator and one member of the ~~house of~~
2 ~~representatives~~ House of Representatives from the county who
3 shall be duly appointed by the legislative delegation. This
4 legislative delegation shall expend such monies to employ
5 staff, acquire adequate physical office space, equipment,
6 supplies, services, and all other necessary items and may also
7 expend the monies for other purposes, including grants for
8 allowable public purposes at the discretion and direction of
9 the legislative delegation. The persons employed and
10 expenditures of the funds by the legislative delegation shall
11 be in its discretion. Any funds allocated but not spent at the
12 end of the fiscal year shall not be applied for any other
13 purpose, but shall be carried forward and shall remain
14 available year to year for expenditure. The revenue and
15 expenditures of the legislative office shall be audited on an
16 annual basis."

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB381

Senate 09-MAY-19

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

Patrick Harris,
Secretary.

House of Representatives
Passed: 16-MAY-19

By: Senator Butler