

1 SB185
2 209514-2
3 By Senators Beasley and Allen
4 RFD: Finance and Taxation Education
5 First Read: 04-FEB-21

1 SB185

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4 ENROLLED, An Act,

5 To make an appropriation of \$12,257,156 from the
6 Education Trust Fund to Tuskegee University in Tuskegee,
7 Alabama for the support and maintenance of the educational
8 program of the institution, for the fiscal year ending
9 September 30, 2022; to provide that the appropriation is
10 subject to certain provisions of the Code of Alabama 1975; to
11 require an operations plan and an audited financial statement
12 prior to the release of any funds; and to require an end of
13 year report.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Tuskegee University has a unique
16 relationship to the State of Alabama. Due to the unique nature
17 of the circumstances related to the establishment and
18 development of Tuskegee Institute which differs from that of
19 private schools and colleges receiving funds from the state
20 and from the state's public colleges and universities, the
21 institution should be afforded a unique treatment relative to
22 funding from the Education Trust Fund. Tuskegee Institute was
23 established by an act of the Legislature in 1881 and
24 separately incorporated by an act of the Legislature in 1892;
25 the Governor appoints five commissioners who serve as voting

1 members on the Tuskegee Board; and the State Superintendent of
2 Education serves as an ex officio voting commissioner on the
3 Tuskegee Board. Tuskegee has received appropriations from the
4 Legislature since 1881. Being a private institution as well as
5 a state related and supported institution, it is deemed that
6 Tuskegee University should be funded accordingly and not as
7 the private schools and colleges nor as the state public
8 colleges and universities are funded.

9 Section 2. There is hereby appropriated the sum of
10 \$12,257,156 from the Education Trust Fund to Tuskegee
11 University in Tuskegee, Alabama for the support and
12 maintenance of the educational program of the institution, for
13 the fiscal year ending September 30, 2022. Of the above
14 appropriation, at least \$2,000,000 shall be expended for the
15 agricultural research and extension service state match.

16 Section 3. The above appropriation is made for the
17 support of public education in Alabama and for the support and
18 maintenance of the above program. The appropriation shall be
19 subject to the provisions, terms, conditions, and limitations
20 of the Budget and Financial Control Act, Section 41-4-80 et
21 seq., Code of Alabama 1975, the provisions of The Budget
22 Management Act of 1976, Section 41-19-1 et seq., Code of
23 Alabama 1975, and any other provisions of this act.

1 Section 4. (a) Prior to the release of any funds
2 appropriated under this act the following reports shall be
3 submitted:

4 (1) An operations plan for the fiscal year 2022,
5 including goals and measurable performance indicators, shall
6 be submitted to and approved by the Director of Finance, as
7 provided for state agencies in Section 41-19-10 of the Code of
8 Alabama 1975.

9 (2) An audited financial statement for all
10 operations during the fiscal year 2020.

11 (b) It is the intent that funds appropriated for
12 fiscal year 2022 shall be released by the Director of Finance
13 following receipt of the above reports.

14 (c) In addition, quarterly reports shall be made to
15 the Director of Finance relating actual expenditures and
16 accomplishments to planned expenditures and accomplishments.
17 An end of year performance report for the fiscal year 2022
18 shall be made to the Director of Finance stating the work
19 accomplished and the services provided and the costs of
20 accomplishing the work and providing the services, citing
21 meaningful measures of program effectiveness and costs, as is
22 required for state agencies in Section 41-19-11 of the Code of
23 Alabama 1975.

1 (d) The Director of Finance shall forward a copy of
2 all required reports to the Legislative Council in a timely
3 manner.

4 Section 5. This act shall become effective October
5 1, 2021.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB185
Senate 18-MAR-21
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 27-APR-21

By: Senator Beasley