

1 SB65
2 180517-2
3 By Senator Dial (N & P)
4 RFD: Local Legislation
5 First Read: 07-FEB-17

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Clay County; to further provide for the
14 distribution of the tobacco tax levied in the county pursuant
15 to Section 45-14-244 of the Code of Alabama 1975; and to
16 repeal Sections 45-14-244.04 and 45-14-244.05 of the Code of
17 Alabama 1975.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. This act shall apply only in Clay County.

20 Section 2. (a) The proceeds from the tobacco tax
21 authorized in Clay County pursuant to Section 45-14-244 of the
22 Code of Alabama 1975, and as further provided for in Sections
23 45-14-244.01 to 45-14-244.03, inclusive, and Section
24 45-14-244.06 of the Code of Alabama 1975, less two percent of
25 the actual cost of collection, which shall be retained by the
26 Department of Revenue, shall be distributed to the Clay County
27 General Fund to be expended as follows:

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

4 (2) Twenty percent to the Clay County Industrial
5 Development Council.

6 (3) Eighteen percent to the Clay County Animal
7 Shelter. The Clay County Animal Shelter shall annually report
8 to the county commission regarding the expenditure of the
9 funds in the preceding year.

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

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

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

1 Firefighters Association on an equal basis, share and share
2 alike. None of the proceeds shall be used for salaries nor to
3 pay members for any performance of duties associated with the
4 department. Any member fire department which fails to meet the
5 standards and criteria shall be denied its share of the
6 funding. The association shall give noncomplying member fire
7 departments proper notice of all deficiencies and a reasonable
8 time period to correct the deficiencies before any funds shall
9 be denied.

10 Section 3. Sections 45-14-244.04 and 45-14-244.05 of
11 the Code of Alabama 1975, are repealed.

12 Section 4. This act shall become effective on
13 October 1, 2017.