

1 HB358  
2 171498-2  
3 By Representatives Hanes and Whorton (R) (N & P)  
4 RFD: Local Legislation  
5 First Read: 01-MAR-16

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Jackson County; to amend Section  
14 45-36-162, Code of Alabama 1975, providing for the  
15 distribution of certain TVA in-lieu-of-taxes funds; to create  
16 a Jackson County Economic Development Fund; and to provide for  
17 the use of the fund.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 45-36-162, Code of Alabama 1975,  
20 is amended to read as follows:

21 "§45-36-162.

22 "Any payments coming into the treasury of Jackson  
23 County that are derived, directly or indirectly, from payments  
24 by the Tennessee Valley Authority in lieu of payment of taxes  
25 shall be appropriated as follows:

26 "(1) One percent to the Jackson County Economic  
27 Development Fund paid to the fund monthly until it reaches a

1 balance of one million dollars (\$1,000,000); the payments  
2 shall continue whenever the balance in the fund drops below  
3 one million dollars (\$1,000,000). The county commission may  
4 invest the funds to the benefit of local governments and  
5 entities in the county, in its discretion, and expend the same  
6 for disaster relief in the county or for any economic purpose  
7 that benefits the county, including, but not limited to, any  
8 activity or purpose which provides an incentive for the  
9 creation or retention of jobs and employment opportunities in  
10 the county; participating local governments or entities may  
11 apply for the funds for these purposes. It is the intent of  
12 this appropriation for the Jackson County Economic Development  
13 Fund to be used for recruiting industry; matching public or  
14 private grants the county may receive for industrial  
15 development; and special projects for site preparation,  
16 surveying, archaeological or geotechnical studies, or other  
17 direct expenses necessary to recruit industry to the county.

18 "(1)(2) The ~~first~~ next one hundred forty-five  
19 thousand dollars (\$145,000) of each year's payments shall be  
20 paid to the Jackson County Hospital Board to provide all  
21 residents of Jackson County with adequate ambulance service.

22 "(3) After the above appropriations, the next  
23 thirty-five thousand dollars (\$35,000) of each year's payments  
24 shall be distributed to the Scottsboro-Jackson County Rescue  
25 Squad for the maintenance and operation of the rescue squad's  
26 equipment and facilities.

1           "~~(2)~~(4) After the above appropriation ~~to the Jackson~~  
2 ~~County Hospital Board~~, the next one hundred five thousand  
3 dollars (\$105,000) shall be paid to the Jackson County  
4 Economic Development Authority on an annual basis. ~~The~~  
5 ~~appropriation shall be paid before all other appropriations~~  
6 ~~other than the appropriation to the hospital board.~~

7           "~~(3)~~(5) In addition to ~~all other amounts hereinabove~~  
8 ~~paid to~~ the Jackson County Economic Development Authority, as  
9 provided above, the next seventy-five thousand dollars  
10 (\$75,000), ~~after the appropriations in subdivisions (1) and~~  
11 ~~(2)~~ shall be annually paid to the authority. All  
12 appropriations made in this subdivision to the Jackson County  
13 Economic Development Authority shall be deposited in a special  
14 industrial development fund to be used only for the purposes  
15 of this subdivision as follows: For recruiting industry;  
16 matching public or private grants the county may receive for  
17 industrial development; and special projects for site  
18 preparation, surveying, archaeological or geotechnical  
19 studies, or other direct expenses necessary to recruit  
20 industry to the county.

21           "~~(4)~~(6) After the above appropriation, all Jackson  
22 County volunteer fire departments in good standing with the  
23 Jackson County Association of Volunteer Fire Departments shall  
24 be authorized to receive ~~five thousand dollars (\$5,000)~~ seven  
25 thousand five hundred dollars (\$7,500) each annually to help  
26 furnish adequate fire protection in the communities that they  
27 serve. The amount paid to each volunteer fire department shall

1 be paid at the direction of the county fire marshal and  
2 disbursed to each fire chief upon approval of the county fire  
3 marshal. In addition to the above, ~~thirty thousand dollars~~  
4 ~~(\$30,000)~~ thirty-five thousand dollars (\$35,000) shall be  
5 distributed to the Jackson County Association of Volunteer  
6 Fire Departments for use by the association.

7 ~~"(5) After the above appropriation, the next~~  
8 ~~twenty-five thousand dollars (\$25,000) of each year's payments~~  
9 ~~shall be distributed to the Scottsboro Jackson County Rescue~~  
10 ~~Squad for the maintenance and operation of the rescue squad's~~  
11 ~~equipment and facilities.~~

12 "(7) The next forty thousand dollars (\$40,000) to  
13 the Greater Jackson County Chamber of Commerce to promote  
14 tourism, workforce development and education, and retail and  
15 commercial development that promotes economic development in  
16 the area. The funds disbursed pursuant to this subdivision  
17 shall be disbursed in two payments of twenty thousand dollars  
18 (\$20,000).

19 ~~"(6)(8)~~ (8) An annual accounting of the use of the funds  
20 appropriated in subdivisions ~~(1),~~ (2), (3), (4), and (5), (6),  
21 and (7) shall be furnished to the Jackson County ~~Discretionary~~  
22 ~~Committee~~ Commission no later than September 30 of each year.  
23 In the event an annual accounting is not furnished, the  
24 ~~committee~~ commission may reduce or terminate funding for the  
25 next fiscal year for the entity failing to furnish the report  
26 by a majority vote of the ~~committee~~ commission. All resulting

1 excess money shall then be transferred to the general fund of  
2 the county.

3 "~~(7)~~ (9) Commencing October 1, ~~2013~~ 2016, the net  
4 payments remaining in the appropriation paid to Jackson County  
5 after the appropriations in subdivisions (1), (2), (3), (4),  
6 ~~and (5), (6), and (7)~~ shall be appropriated as follows:

7 "a. Two percent of such payments, as shall be  
8 necessary, shall be used to establish, equip, and maintain a  
9 legislative office for the members of the state legislative  
10 delegation serving Jackson County, Alabama, and any unused  
11 portion shall be paid to the Jackson County ~~Discretionary Fund~~  
12 ~~to be disbursed by the Jackson County Discretionary Committee,~~  
13 ~~as established hereinafter, in the same manner as all other~~  
14 ~~funds from the Jackson County Discretionary Fund~~ Commission's  
15 general fund.

16 "b. Two percent of such payments shall be  
17 appropriated to Jackson County EDA under this section.

18 "c. ~~Thirty-three and fifty hundredths~~ Thirty-six  
19 percent of such payments shall be appropriated to the public  
20 school systems within Jackson County on a per pupil pro rata  
21 basis.

22 "d. ~~Twenty-five~~ Twenty-nine and fifty hundredths  
23 percent of such payments shall be appropriated to the  
24 incorporated municipalities within the county on a population  
25 basis.

1           ~~"e. Twenty five and fifty hundredths percent of such~~  
2 ~~payments shall be placed in the general fund of the county~~  
3 ~~treasury and may be used for any lawful purpose by the county.~~

4           ~~"f. Eleven e. Thirty and fifty hundredths percent of~~  
5 ~~such payments shall be placed in a Jackson County~~  
6 ~~Discretionary Fund to be disbursed by the Jackson County~~  
7 ~~Discretionary Committee, as established hereinafter the~~  
8 ~~general fund of the county treasury and may be used for any~~  
9 ~~lawful purpose by the county.~~

10           ~~"(8) There is created a Jackson County Discretionary~~  
11 ~~Committee consisting of six members. The members of the~~  
12 ~~committee shall be: The Chair of the Jackson County~~  
13 ~~Commission, a member of the Jackson County Commission selected~~  
14 ~~by the commission on an annual basis, the Jackson County~~  
15 ~~Revenue Commissioner, the state senator representing Jackson~~  
16 ~~County, and the two state House of Representatives members~~  
17 ~~representing all or part of Jackson County. The state senator~~  
18 ~~representing Jackson County shall be the chair of the~~  
19 ~~committee. The discretionary committee shall adopt rules of~~  
20 ~~procedure consistent with this section and shall make, by~~  
21 ~~majority vote, all decisions concerning disbursement from the~~  
22 ~~Jackson County Discretionary Fund."~~

23           Section 2. This act shall become effective following  
24 its passage and approval by the Governor, or its otherwise  
25 becoming law.