

1 HB214
2 155784-2
3 By Representatives Johnson (R) and Hurst (N & P)
4 RFD: Local Legislation
5 First Read: 14-JAN-14

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Talladega County; to amend Section 11 of
14 Act 91-533 of the 1991 Regular Session (Acts 1991, p. 948), as
15 last amended by Act 2000-758, 2000 Regular Session (Acts 2000,
16 p. 1732), relating to a special sales tax outside of cities
17 within the county; to further define the members of the
18 Talladega County legislative delegation relating to the
19 distribution of a portion of the revenue derived from the act
20 to specify that the term includes only those members of the
21 legislative delegation who reside in the county.

22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. Section 11 of Act 91-533 of the 1991
24 Regular Session (Acts 1991, p. 948), as last amended by Act
25 2000-758, 2000 Regular Session (Acts 2000, p. 1732), is
26 amended to read as follows:

1 "Section 11. All revenues arising from the taxes
2 herein levied shall be deposited in a special fund, designated
3 as the Talladega County Special Tax Fund. An amount up to
4 \$50,000 annually shall, upon approval of the Talladega County
5 legislative delegation, be used for personnel and/or
6 professional services deemed necessary by the delegation to
7 assist in the administration and coordination of the projects
8 designated in this act. The term "approval of the Talladega
9 County legislative delegation" as used in this paragraph and
10 throughout this act, shall constitute the approval of a
11 majority of the members of the Alabama Senate and Alabama
12 House of Representatives representing Talladega County who
13 reside within the county. The remaining amounts shall be
14 distributed by the county commission in the following manner:

15 "(1) Twelve percent to the Talladega County
16 Association of Volunteer Fire Departments.

17 "(2) Twelve percent to the bridge fund to be used
18 towards the construction and/or financing of a bridge across
19 Coosa River connecting Talladega and Shelby Counties at the
20 site previously served by a ferry. The Talladega Economic
21 Development Authority shall make recommendations to the
22 Talladega County Commission as to the expenditure of these
23 funds. Approval by the Talladega County legislative
24 delegation, as defined above, is required prior to the
25 expenditure of any funds. If the Talladega Economic
26 Development Authority fails to make a recommendation
27 acceptable to the Talladega County legislative delegation,

1 then final disposition of said funds shall be at the sole
2 discretion of the Talladega County legislative delegation.
3 Distribution of these discretionary funds shall be approved by
4 the Talladega County legislative delegation, as defined above.

5 "(3) Ten percent to fund the commitment made by the
6 Talladega County Commission to the Honda project.

7 "(4) Ten percent to the Talladega County Health
8 Department for construction and/or financing of new facility
9 to serve North Talladega County, and to fund maintenance and
10 operation expenses for Talladega County health programs
11 located in Sylacauga and Talladega. The Talladega Economic
12 Development Authority shall make recommendations to the
13 Talladega County Commission as to the expenditure of these
14 funds. Approval by the Talladega County legislative
15 delegation, as defined above, is required prior to the
16 expenditure of any funds. If the Talladega Economic
17 Development Authority fails to make a recommendation
18 acceptable to the Talladega County legislative delegation,
19 then final disposition of said funds shall be at the sole
20 discretion of the Talladega County legislative delegation.
21 Distribution of these discretionary funds shall be approved by
22 the Talladega County legislative delegation, as defined above.

23 "(5) Ten percent to the Talladega County Economic
24 Development Authority.

25 "(6) Ten percent for development of water lines to
26 serve Talladega County residents and industry for improved
27 fire protection and rural development. The Talladega Economic

1 Development Authority shall make recommendations to the
2 Talladega County Commission as to the expenditure of these
3 funds. Approval by the Talladega County legislative
4 delegation, as defined above, is required prior to the
5 expenditure of any funds. If the Talladega Economic
6 Development Authority fails to make a recommendation
7 acceptable to the Talladega County legislative delegation,
8 then final disposition of said funds shall be at the sole
9 discretion of the Talladega County legislative delegation.
10 Distribution of these discretionary funds shall be approved by
11 the Talladega County legislative delegation, as defined above.

12 "(7) Five percent to the public libraries in
13 Talladega County located in Childersburg, Lincoln, Sylacauga,
14 and Talladega to be distributed on a pro rata basis by
15 population of each municipality.

16 "(8) Five percent to the Talladega County Commission
17 fund that is used to match federal and state funds for roads
18 and bridges in Talladega County.

19 "(9) Five percent for the maintenance and renovation
20 of county-owned buildings as needed and as determined by the
21 county commission, including as first priority the courthouse
22 annex located in Sylacauga.

23 "(10) Four percent to be used to improve the supply
24 and quality of the water in North Talladega County,
25 particularly to enhance water supplies and capacities for
26 communities within North Talladega County in and around the
27 Talladega Municipal Airport, including, but not limited to,

1 the addition and maintenance of water towers. The Talladega
2 Economic Development Authority shall make recommendations to
3 the Talladega County Commission as to the expenditure of these
4 funds. Approval by the Talladega County legislative
5 delegation, as defined above, is required prior to the
6 expenditure of any funds. If the Talladega Economic
7 Development Authority fails to make a recommendation
8 acceptable to the Talladega County legislative delegation,
9 then final disposition of said funds shall be at the sole
10 discretion of the Talladega County legislative delegation.
11 Distribution of these discretionary funds shall be approved by
12 the Talladega County legislative delegation, as defined above.

13 "(11) Four percent to be used to hire additional law
14 enforcement officers in the Talladega County Sheriff's
15 Department to better serve the rural residents of Talladega.

16 "(12) Two percent divided equally and distributed to
17 the ARC programs of North and South Talladega County located
18 in Sylacauga and Talladega.

19 "(13) Two percent to the Talladega Childrens
20 Rehabilitation Office for rehabilitation services in Talladega
21 County.

22 "(14) a. Any remaining revenue proceeds shall be
23 deposited into a trust fund called the Talladega County
24 Special Tax Trust Fund. As the need for the funds in items (1)
25 to (13), inclusive, becomes obsolete as determined by the
26 Talladega County Economic Development Authority, and as agreed
27 to by the Talladega County legislative delegation, or in the

1 alternative as determined by the Talladega County legislative
2 delegation, the percentage allotted to any particular item
3 also shall be deposited in the Special Tax Trust Fund to be
4 invested in the same manner as other funds in the County
5 Treasury are invested. The legislative delegation of Talladega
6 County may determine which future projects are appropriate for
7 the expenditure of interest earned on funds held in the trust
8 account. No expenditures shall be made from the Special Tax
9 Trust Fund until after the expiration of five years from the
10 establishment of the trust account. After such time only the
11 interest on the Special Tax Trust Fund may be expended on
12 projects and/or the financing of projects, including bonded
13 indebtedness, submitted to the Talladega County legislative
14 delegation for approval.

15 "b. Revenues currently in the Debt Retirement Fund
16 provided for in Act 91-533 which are not needed to retire
17 current indebtedness shall be distributed as follows:

18 1. The first one hundred thousand dollars (\$100,000)
19 to purchase vehicles for the Talladega County Sheriff's
20 Department.

21 "2. The balance remaining shall be divided and
22 equally distributed in a lump sum for the purposes addressed
23 above in subdivisions (2) and (4).

24 "c. The Talladega County Economic Development
25 Authority shall act in an advisory capacity to the Talladega
26 County legislative delegation in regard to expenditures from
27 the Talladega County Special Tax Trust Fund. The authority

1 shall report to the legislative delegation annually beginning
2 September 1, 2000, and shall issue additional reports at other
3 times when requested by the delegation."

4 Section 2. This act shall become effective
5 immediately following its passage and approval by the
6 Governor, or its otherwise becoming law.