

1 SB375
2 167530-1
3 By Senator Orr
4 RFD: Finance and Taxation General Fund
5 First Read: 14-APR-15

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8 SYNOPSIS: Currently, some Alabama tax and revenue
9 statutes dedicate specific tax receipts to be
10 expended for specific entities for specific
11 purposes. This earmarking of tax receipts does not
12 give the entity which receives these funds the
13 flexibility to use those funds for other purposes
14 for which the need may be greater.

15 This bill will provide flexibility for state
16 entities to utilize state revenue for purposes
17 which are in addition to the stated purpose under
18 current law. This provision will not apply to
19 revenues which are distributed pursuant to the
20 state constitution or to revenue which is directed
21 by federal law or specific court order to be used
22 for a particular purpose.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To provide flexibility for state entities to utilize
2 state revenue for other purposes which are in addition to the
3 stated purpose under current state law.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Definition.

6 State tax receipt. Any tax, fee, license or other
7 source of revenue received by a state entity pursuant to
8 statute, rule or any other means.

9 Section 2. Any other law or laws to the contrary
10 notwithstanding, a state entity which receives state tax
11 receipts which are designated for a particular purpose may in
12 addition to the designated purpose expend those funds for
13 other functions within the entity in order to offset the
14 reduction in other funding for any given year. The flexibility
15 provided by this section shall not apply to funds which are
16 constitutionally dedicated for a specific purpose or to funds
17 designated by the federal government or State or Federal court
18 order.

19 Section 3. Each state entity shall be responsible
20 for ensuring compliance with the provisions of Section 2.

21 Section 4. The provisions of this act are severable.
22 If any part of this act is declared invalid or
23 unconstitutional, that declaration shall not affect the part
24 which remains.

25 Section 5. This act shall become effective
26 immediately following its passage and approval by the
27 Governor, or its otherwise becoming law.

