

1 SB447
2 164752-4
3 By Senator Williams (N & P)
4 RFD: Local Legislation
5 First Read: 05-MAY-15

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Etowah County; to amend Section
14 45-28-244.01, Code of Alabama 1975, relating to the levy,
15 collection, and distribution of the proceeds of a county sales
16 and use tax; to eliminate certain distributions to the Etowah
17 County Rescue Squad and Attalla Rescue Squad; to reduce
18 amounts distributed to Gadsden State Community College, the
19 Etowah County Fund, the Etowah County Community Development
20 Committee, the Etowah County Library Committee, and the county
21 Volunteer Fire Departments; and to provide for distributions
22 to the Etowah County Drug Enforcement Task Force, the District
23 Attorney's Office, the Sheriff's Department, and the Etowah
24 County Sports Authority.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. Section 45-28-244.01, Code of Alabama
27 1975, is amended to read as follows:

1 "§45-28-244.01.

2 "(a) In Etowah County, there is levied a one cent
3 (\$0.01) county sales and use tax in all areas of the county,
4 which may become effective no sooner than January 1, 1996.

5 "(b) The tax shall parallel the state sales and use
6 taxes including exemptions therefrom and enforcement
7 proceedings therefor. The Etowah County Commission may
8 administer and collect this tax, or contract with a private
9 entity or the State Department of Revenue to administer and
10 collect this tax, and provide for enforcement penalties by
11 resolution. The county commission, the State Department of
12 Revenue, or a private entity collecting the tax may retain an
13 amount or percentage of the total proceeds collected in such
14 an amount as may be agreed upon by the members of the county
15 commission, but in no event shall the charge exceed two
16 percent of the total amount of tax collected under this
17 section.

18 "(c) The net proceeds of any sales and use tax
19 levied pursuant to this section shall be distributed annually
20 as follows:

21 "(1) The first sixty thousand dollars (\$60,000) to
22 the Smeltzer Education Training Center.

23 "(2) The next fifty thousand dollars (\$50,000) ~~to~~
24 divided equally between the Mental Retardation 310 Center and
25 CED Mental Health Center to be used only in Etowah County for
26 operations.

1 ~~"(3) The next ten thousand dollars (\$10,000) to the~~
2 ~~Etowah County Rescue Squad.~~

3 ~~"(4) The next five thousand dollars (\$5,000) to the~~
4 ~~Attalla Rescue Squad.~~

5 ~~"(5)~~ (3)a. Fifty percent of the remaining proceeds to
6 be used only for construction, maintenance, equipment, or
7 supplies shall be distributed as follows: 85 percent to the
8 Gadsden School System, the Etowah County School System, and
9 the Attalla School System on a pro rata basis, according to
10 the official average daily attendance for the previous school
11 year, and 15 percent to Gadsden State Community College for
12 use in Etowah County (Gadsden State shall provide an annual
13 accounting to a joint meeting of the Etowah County Commission
14 and the county legislative delegation). Each school board
15 shall receive and administer the proceeds of the sales and use
16 taxes and shall have the authority to issue bonds, secure
17 financing, and retire debt.

18 **"b.** Notwithstanding paragraph a., due to the current
19 financial condition of the school systems and Gadsden State
20 Community College, which is the result of the necessity of
21 declaring proration during the last three fiscal years, up to
22 35 percent may be used to pay the salaries of the certified
23 personnel of the school systems or Gadsden State Community
24 College.

25 ~~"(6)~~ (4) Seventy percent of the remaining 50 percent
26 to the Etowah County Fund for juvenile detention, debt
27 retirement, senior citizen services, and public safety. From

1 these funds, the county shall be responsible for insurance,
2 utilities, and maintenance of the community buildings in the
3 unincorporated areas of the county completed or approved by
4 the effective date of the act adding this language with funds
5 from the Community Development Committee. All future
6 construction of community buildings in the unincorporated
7 areas shall be approved by the county commission.

8 "~~(7)~~(5) Eighteen percent of the remaining fifty
9 percent to the Etowah County Community Development Committee
10 which shall be divided equally among the three House of
11 Representatives districts in Etowah County. The funds in each
12 district shall be expended only on projects located in the
13 respective House district. The expenditure of funds for each
14 respective district shall be voted on and approved by the
15 respective House district appointee and Senate appointee. The
16 House appointee and Senate appointee for a district may call a
17 district meeting for the purpose of this provision.

18 "~~(8)~~(6) Six percent of the remaining 50 percent to
19 the Etowah County Library Committee. Of this amount, two
20 thousand five hundred dollars (\$2,500) shall be distributed
21 annually to each public school library.

22 "~~(9)~~(7) Six percent of the remaining 50 percent to
23 be shared equally among county volunteer fire departments.

24 "(d) After September 30, 2015, the following
25 entities shall have their distributions reduced by nine
26 percent each, as calculated by the county administrator:

1 "(1) Gadsden State Community College pursuant to
2 subdivision (3)a. of subsection (c).

3 "(2) Etowah County Fund pursuant to subdivision (4)
4 of subsection (c).

5 "(3) Etowah County Community Development Committee
6 pursuant to subdivision (5) of subsection (c).

7 "(4) Etowah County Library Committee pursuant to
8 subdivision (6) of subsection (c).

9 "(e) Beginning October 1, 2015, and each year
10 thereafter, the county administrator shall distribute the
11 total amount resulting from the nine percent reductions
12 provided in subsection (d) as follows:

13 "(1) Etowah County Drug Enforcement Task Force, 45.8
14 percent.

15 "(2) Etowah County District Attorney, solely for the
16 hiring of an assistant district attorney, 11.2 percent.

17 "(3) Etowah County Sheriff's Department to augment
18 salaries of deputies and supplement payroll, 43 percent.

19 ~~"(d)~~ (e) There is created the Etowah County Community
20 Development Committee. Each member of the Etowah County
21 Legislative Delegation shall appoint one member to the
22 committee. The Etowah County Administrator shall serve as a
23 nonvoting member of the committee. The committee shall receive
24 and administer the tax proceeds pursuant to this section. The
25 committee shall have the authority to issue bonds, secure
26 financing, and retire debt.

1 "~~(e)~~ (f) There is created the Etowah County Library
2 Committee. Each member of the Etowah County Legislative
3 Delegation shall appoint one member to the committee. The
4 Etowah County Administrator shall serve as a nonvoting member
5 of the committee. The committee shall receive and administer
6 the tax proceeds pursuant to this section. The committee shall
7 have the authority to issue bonds, secure financing, and
8 retire debt.

9 "~~(f)~~ (g) There is created the Etowah County Sales Tax
10 Account. The proceeds of the sales tax shall be deposited into
11 the Etowah County Sales Tax Account and distributed according
12 to this section. Any redistribution of the funds shall not
13 reduce the amount of revenue needed to meet the obligations of
14 any existing bonded indebtedness on the effective date of
15 redistribution."

16 Section 2. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.