

1 SB3
2 171498-1
3 By Senator Livingston (N & P)
4 RFD: Local Legislation
5 First Read: 08-SEP-15

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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 twenty-five thousand dollars (\$25,000) 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) each
25 annually to help furnish adequate fire protection in the
26 communities that they serve. The amount paid to each volunteer
27 fire department shall be paid at the direction of the county

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

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

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

18 ~~"(6)(8)~~ An annual accounting of the use of the funds
19 appropriated in subdivisions ~~(1),~~ (2), (3), (4), and (5), ~~(6),~~
20 ~~and (7)~~ shall be furnished to the Jackson County ~~Discretionary~~
21 ~~Committee~~ Commission no later than September 30 of each year.
22 In the event an annual accounting is not furnished, the
23 ~~committee~~ commission may reduce or terminate funding for the
24 next fiscal year for the entity failing to furnish the report
25 by a majority vote of the ~~committee~~ commission. All resulting
26 excess money shall then be transferred to the general fund of
27 the county.

1 "~~(7)~~(9) Commencing October 1, ~~2013~~ 2015, the net
2 payments remaining in the appropriation paid to Jackson County
3 after the appropriations in subdivisions (1), (2), (3), (4),
4 ~~and (5), (6), and (7)~~ shall be appropriated as follows:

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

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

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

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

24 "~~Twenty-five and fifty hundredths percent of such~~
25 ~~payments shall be placed in the general fund of the county~~
26 ~~treasury and may be used for any lawful purpose by the county.~~

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

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

20 Section 2. This act shall become effective following
21 its passage and approval by the Governor, or its otherwise
22 becoming law.