

1 HB1
2 216487-3
3 By Representative Clouse
4 RFD: Ways and Means General Fund
5 First Read: 19-JAN-22

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ENROLLED, An Act,

To make supplemental appropriations from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund, the American Rescue Plan Act - Coronavirus State Fiscal Recovery Revenue Replacement Fund, and the American Rescue Plan Act - Coronavirus Capital Projects Fund for the fiscal year ending September 30, 2022.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$443,343,362.50 in federal funds from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund to the Department of Finance for the fiscal year ending September 30, 2022, to be used to as follows:

(1) Up to \$80,000,000 to be used to support the delivery of health care and related services to citizens of Alabama related to the pandemic by and through reimbursement of eligible expenses. These funds may be delegated through memoranda of agreement to the Alabama Hospital Association and the Alabama Nursing Home Association.

(2) Up to \$51,000,000 to be used to support the improvement and expansion of broadband network access to the citizens of Alabama. These funds may be delegated through

1 memoranda of agreement to the Alabama Department of Economic
2 and Community Affairs' Alabama Digital Expansion Division.

3 (3) Up to \$225,000,000 shall be used to improve
4 access to clean water to the citizens of Alabama through
5 investments in water and sewer infrastructure projects. These
6 funds may be delegated through memoranda of agreement to the
7 Alabama Department of Environmental Management. The Department
8 of Environmental Management shall utilize the funds to
9 implement the following programs:

10 a. Up to \$120,000,000 shall be provided as grants to
11 water and sewer systems for emergency or high need projects
12 previously identified for participation in the Clean Water
13 State Revolving Fund or the Drinking Water State Revolving
14 Fund. The high need and emergency projects shall be selected
15 based on a ranking system established by the Department of
16 Environmental Management that provides additional weight for
17 projects that facilitate or improve access to water or sewer
18 services in communities disproportionately impacted by
19 COVID-19 or lack local funding to complete the project.

20 b. Up to \$100,000,000 shall be provided as matching
21 grants to public water and sewer systems for water or sewer
22 infrastructure projects. The Department of Environmental
23 Management shall establish matching requirements for grant
24 recipients with consideration for ability to pay. Matching
25 funds may be provided from Local Coronavirus Fiscal Recovery

1 Funds, in-kind contributions, or any other source of funds
2 made available for this purpose.

3 c. Up to \$5,000,000 shall be provided as grants to
4 install clustered decentralized wastewater system
5 demonstrations utilizing a collection system
6 known as Septic Tank Effluent Pump (STEP) or other
7 demonstration systems in the Alabama Black Belt areas of low
8 population density, rural poverty, and/or soils with poor perc
9 characteristics, where there is a finding of discharge of raw
10 sewage onto the ground due to the utilization of straight
11 pipes, failing septic systems, or similar circumstances.

12 (4) Up to \$79,500,000 shall be allocated to the
13 Unemployment Compensation Trust Fund, with the intent to
14 reduce rates on businesses in 2022. This contribution also
15 returns the balance in the fund to a balance close to January
16 27, 2020.

17 (5) Up to \$7,843,362.50 for reimbursement of costs
18 for the administration, auditing, and reporting requirements
19 of the state and local fiscal recovery funds.

20 Section 2. In addition to all other appropriations
21 heretofore or hereafter made, there is hereby appropriated
22 \$136,796,346 in federal funds from the American Rescue Plan
23 Act - Coronavirus State Fiscal Recovery Revenue Replacement
24 Fund to the Department of Finance for the fiscal year ending

1 September 30, 2022, which may delegate these funds through
2 memoranda of agreement to be used as follows:

3 (1) Up to \$34,000,000 to be used to support the
4 improvement and expansion of broadband network access to the
5 citizens of Alabama. These funds may be delegated through
6 memoranda of agreement to the Alabama Department of Economic
7 and Community Affairs' Alabama Digital Expansion Division.

8 (2) Up to \$5,000,000 shall be used to facilitate the
9 expansion and use of telemedicine. The Department of Finance
10 may delegate these funds through memorandum of agreement to
11 the Alabama Department of Public Health, or any other health
12 care association or health care provider.

13 (3) Up to \$36,796,346 to be used to support the
14 delivery of health care and related services to citizens of
15 Alabama related to the coronavirus pandemic, including through
16 assisted living facilities. These funds may be delegated
17 through memoranda of agreement with the Alabama Department of
18 Public Health, the Alabama Department of Mental Health,
19 Alabama Department of Rehabilitation Services, or any other
20 state entity of competent jurisdiction, health care
21 association or health care provider.

22 (4) Up to \$30,000,000 for assistance to rural
23 hospitals. For the purposes of this appropriation, a rural
24 hospital is one so designated by the Health Resources and
25 Services Administration. Funds shall be allocated as grants to

1 eligible hospitals based on the number of beds reflected on
2 the Certificate of Need held by each hospital.

3 (5) Up to \$20,000,000 for assistance to emergency
4 response providers, including ambulance/EMS service providers,
5 rescue squad organizations, volunteer fire departments, and
6 911 boards. These funds shall be allocated as follows:

7 a. Volunteer fire departments - \$10,000,000

8 b. Other emergency response providers - \$10,000,000

9 (6) Up to \$11,000,000 for reimbursements of expenses
10 of state inmates housed in county jails from March 3, 2021, to
11 December 31, 2021.

12 Section 3. In addition to all other appropriations
13 heretofore or hereafter made, there is hereby appropriated
14 \$191,887,857 in federal funds from the American Rescue Plan
15 Act - Coronavirus Capital Projects Fund to the Department of
16 Finance for the fiscal year ending September 30, 2022, to be
17 used for the delivery of broadband and related services to
18 citizens of Alabama related to the coronavirus pandemic and to
19 enable investment in capital assets providing necessary
20 technology infrastructure for work, education, and access to
21 critical services. These funds may be delegated by the
22 Department of Finance through memoranda of agreement to the
23 Alabama Department of Economic and Community Affairs' Alabama
24 Digital Expansion Division.

1 Section 4. (a) Any amount of the funds appropriated
2 in this act remaining unexpended on September 30, 2022, shall
3 be reappropriated for the same purposes for the fiscal year
4 beginning October 1, 2022, and for all fiscal years thereafter
5 extending through December 31, 2026.

6 (b) In the event that any of the appropriations to
7 any of the categories listed above needs to be adjusted for
8 the utilization of available funds or if the uses above are
9 deemed ineligible uses of the federal funds by the United
10 States Congress, the United States Department of the Treasury,
11 or any other federal entity of competent jurisdiction, the
12 Director of Finance shall obtain majority approval by the
13 Speaker of the House of Representatives, the President Pro
14 Tempore of the Senate, the Minority Leader of the House of
15 Representatives, the Minority Leader of the Senate, and the
16 chair of each budget committee of the Legislature to
17 re-allocate funds among the categories listed above prior to
18 any such reallocation.

19 (c) To ensure the state complies with all
20 requirements of the American Rescue Plan Act, any delegate or
21 subrecipient of any of the funds appropriated in this act
22 shall provide all information requested by the Department of
23 Finance in a complete and timely manner.

24 Section 5. (a) There is hereby created a Joint
25 Legislative Oversight Committee on American Rescue Plan Act

1 State Funds, hereinafter referred to as the committee. The
2 committee shall consist of the Chair of the House Ways and
3 Means - General Fund Committee; the Chair of the Senate
4 Finance and Taxation - General Fund Committee; three members
5 of the House Ways and Means - General Fund Committee appointed
6 by the chair of the committee, including the ranking minority
7 member of the committee, or his or her designee; and three
8 members of the Senate Finance and Taxation - General Fund
9 Committee appointed by the chair of the committee, including
10 the ranking minority member of the committee, or his or her
11 designee; the Minority Leader of the House of Representatives;
12 the Minority Leader of the Senate; the Speaker of the House of
13 Representatives, or his or her other designee; the President
14 Pro Tempore of the Senate, or his or her designee; a member of
15 the House of Representatives appointed by the Speaker; and a
16 member of the Senate, appointed by the President Pro Tempore
17 of the Senate. The Chair of the House Ways and Means - General
18 Fund Committee and the Chair of the Senate Finance and
19 Taxation - General Fund Committee shall be co-chairs of the
20 oversight committee. The committee shall hold its
21 organizational meeting within 30 days following the effective
22 date of this act and shall meet at the call of the co-chairs
23 thereafter.

24 (b) The co-chairs of the oversight committee, on
25 behalf of the oversight committee, shall have authority to

1 request and receive reports from the Department of Finance and
2 to request and receive supplemental information or data from
3 the Department of Finance or any other administering agency or
4 entity related to the implementation of the programs funded in
5 this act and any other act appropriating Coronavirus State
6 Fiscal Recovery Funds or Coronavirus Capital Projects Funds,
7 including as to the related memoranda of agreement, and to
8 conduct hearings and receive testimony therein related to the
9 implementation of the aforesaid programs.

10 Section 6. The Department of Finance shall provide a
11 copy of all expenditure reports required to be filed with the
12 Department of the Treasury regarding the Coronavirus State
13 Fiscal Recovery Funds and the Coronavirus Capital Projects
14 Funds to the Legislature within five days of filing the
15 report. The report may be delivered electronically to the
16 Legislative Fiscal Officer for distribution.

17 Section 7. This act shall become effective
18 immediately upon its passage and approval by the Governor, or
19 its otherwise becoming law.

