

**HB1 ENROLLED**



1 SB9Z88-2  
2 By Representatives Reynolds, Wood (D), Shedd, Moore (P),  
3 Estes, Oliver, Rigsby, Holk-Jones, Baker, Blackshear, Sells  
4 RFD:  
5 First Read: 08-Mar-23  
6



## HB1 Enrolled

1 Enrolled, An Act,

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3 To make supplemental appropriations from the American  
4 Rescue Plan Act - Coronavirus State Fiscal Recovery Fund for  
5 the fiscal year ending September 30, 2023.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. In addition to all other appropriations  
8 heretofore or hereafter made, there is hereby appropriated  
9 \$1,060,181,797.72 in federal funds from the American Rescue  
10 Plan Act - Coronavirus State Fiscal Recovery Fund to the  
11 Department of Finance for the fiscal year ending September 30,  
12 2023:

13 (a) Up to \$339,175,000 shall be used to support the  
14 delivery of health care and related services to citizens of  
15 Alabama related to the coronavirus pandemic, of which:

16 (1) Up to \$200,000,000 shall be used to reimburse  
17 hospitals and nursing homes for eligible expenses. Of this  
18 amount, \$100,000,000 shall be allocated to hospitals and  
19 \$100,000,000 shall be allocated to nursing homes. These funds  
20 may be delegated through memorandum of agreement to the  
21 Alabama Health Research and Education Foundation, Inc. and the  
22 Alabama Nursing Home Association Education Foundation.

23 (2) Up to \$5,000,000 shall be used to reimburse  
24 veterans' hospitals for eligible expenses. These funds may be  
25 delegated through memorandum of agreement to the Department of  
26 Veterans' Affairs.

27 (3) Up to \$40,000,000 shall be used to reimburse the  
28 State Employees' Insurance Board for eligible expenses.



## HB1 Enrolled

29 (4) Up to \$40,000,000 shall be used to reimburse the  
30 Public Education Employees' Health Insurance Board for  
31 eligible expenses.

32 (5) Up to \$25,000,000 shall be used to support mental  
33 health programs and services. These funds may be delegated  
34 through memorandum of agreement to the Department of Mental  
35 Health and the Department of Veterans' Affairs.

36 (6) Up to \$9,000,000 shall be used to facilitate the  
37 expansion and use of telemedicine. Eligible uses shall include  
38 the facilitation and expansion of healthcare specializations  
39 in rural and community hospitals through telemedicine  
40 affiliations with hospitals or health systems in the state and  
41 the utilization of telemedicine delivery systems in rural and  
42 educational settings. The Department of Finance may delegate  
43 these funds through memorandum of agreement to the Alabama  
44 Department of Public Health, or any other health care  
45 provider.

46 (7) Up to \$20,000,000 shall be used to assist with a  
47 voluntary clinical trial and health care research program to  
48 enable greater access to personalized medicine for citizens of  
49 Alabama.

50 (8) Up to \$175,000 shall be used to reimburse expenses  
51 related to the coronavirus vaccine voucher programs for public  
52 university students.

53 (b) Up to \$660,000,000 shall be used for eligible  
54 water, sewer, and broadband infrastructure investments, of  
55 which:

56 (1) Up to \$260,000,000 shall be used to support the



## HB1 Enrolled

57 improvement and expansion of broadband network access to the  
58 citizens of Alabama consistent with the Alabama Connectivity  
59 Plan as approved by the Alabama Digital Expansion Authority or  
60 as otherwise approved by a vote of at least two-thirds of the  
61 members of the Alabama Digital Expansion Authority, and for  
62 the modernization of cybersecurity and new broadband  
63 infrastructure for existing and new state agencies and  
64 entities. These funds may be delegated through memorandum of  
65 agreement to the Alabama Department of Economic and Community  
66 Affairs' Alabama Digital Expansion Division and the Office of  
67 Information Technology. The Alabama Digital Expansion  
68 Authority, in collaboration with the Alabama Department of  
69 Economic and Community Affairs' Alabama Digital Expansion  
70 Division and the Office of Information Technology, shall  
71 submit bi-annual reports to the Governor and the Legislature  
72 describing the status of the projects undertaken with funds  
73 appropriated by this subdivision, with the first report being  
74 due by June 30, 2023, and subsequent reports due by January 1  
75 and July 1 of each year until all projects have been  
76 completed.

77 (2) Up to \$400,000,000 shall be used to improve access  
78 to clean water to the citizens of Alabama through investments  
79 in water and sewer infrastructure projects.

80 a. Up to \$395,000,000 may be delegated through  
81 memorandum of agreement to the Alabama Department of  
82 Environmental Management. The Department of Environmental  
83 Management shall utilize the funds to implement the following  
84 programs:



## HB1 Enrolled

85           1. Up to \$195,000,000 shall be provided as grants to  
86 water and sewer systems for high-need projects eligible for  
87 the Environmental Protection Agency's Clean Water State  
88 Revolving Fund or the Drinking Water State Revolving Fund. The  
89 high-need projects shall be selected from project requests  
90 submitted by public water and sewer systems with priority  
91 given to projects located in counties that did not have  
92 projects approved for funding in 2022. Other projects shall be  
93 awarded based on a ranking system established by the  
94 Department of Environmental Management that provides  
95 additional weight for projects that facilitate or improve  
96 access to water or sewer services.

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98           2. Up to \$100,000,000 to be provided as matching grants for  
99 investments in water and sewer infrastructure projects  
100 allowable under 31 CFR 35.6(e)(1)(i), (ii), (iii) and (v).  
101 Projects shall be awarded based on a ranking system  
102 established by the Department of Environmental Management that  
103 includes a factor for the water and sewer needs of growing  
104 communities. The Department of Environmental Management may  
105 establish matching requirements for grant recipients with  
106 consideration for ability to pay. Matching funds may be  
107 provided from Local Coronavirus Fiscal Recovery Funds, in kind  
108 contributions, or any other source of funds made available for  
109 this purpose.

110           3. Up to \$100,000,000 to be provided as state-wide  
111 matching grants for investments in water and sewer  
112 infrastructure projects allowable under 31 CFR 35.6(e)(1)(i),



## HB1 Enrolled

113 (ii), (iii) and (v). Projects shall be awarded based on a  
114 ranking system established by the Department of Environmental  
115 Management that includes a factor for the water and sewer  
116 needs of growing communities. The Department of Environmental  
117 Management shall require matching funds from grant recipients  
118 of thirty-five percent (35%) or more. Matching funds may be  
119 provided from Local Coronavirus Fiscal Recovery Funds, in kind  
120 contributions, or any other source of funds made available for  
121 this purpose.

122 b. Up to \$5,000,000 may be delegated through a  
123 memorandum of agreement with the Department of Public Health.  
124 The Department of Public Health shall utilize these funds to  
125 provide grants for wastewater improvements through the  
126 engineered septic system program in the Alabama Black Belt  
127 areas of low population density, rural poverty, and/or soils  
128 with poor perc characteristics, where there is a finding of  
129 discharge of raw sewage onto the ground due to the utilization  
130 of straight pipes, failing septic systems, or similar  
131 circumstances.

132 (c) Up to \$55,000,000 shall be used for eligible  
133 programs or services in response to the negative economic  
134 impacts of the public health emergency. The Department of  
135 Finance may delegate these funds through memorandum of  
136 agreement to any state agency or association or provider of  
137 eligible programs and services. The programs and services  
138 eligible for funding in this category include:

139 (1) Food assistance through food banks.

140 (2) Programs that provide services to child-welfare



## HB1 Enrolled

141 involved families.

142 (3) Programs that provide services to victims of  
143 domestic violence.

144 (4) Programs that provide services for senior citizens.

145 (5) Programs that provide services for mental health  
146 disorders and behavioral analysis.

147 (6) Programs that support long-term housing security.

148 (7) Programs that provide summer learning opportunities  
149 or athletic programs or services to school-aged children.

150 (d) Up to \$5,000,000 shall be used for response and  
151 mitigation expenses related to the coronavirus pandemic,  
152 which shall be used to reimburse the Alabama Department of  
153 Labor for the expense of conducting hearings related to the  
154 receipt and use of coronavirus unemployment benefits.

155 (e) Up to \$1,006,797.72 shall be used to reimburse  
156 costs for the administration, auditing, and reporting  
157 requirements of the state fiscal recovery funds.

158 Section 2. (a) Any amount of the funds appropriated in  
159 this act remaining unexpended on September 30, 2023, shall be  
160 reappropriated for the same purposes for the fiscal year  
161 beginning October 1, 2023, and for all fiscal years thereafter  
162 extending through December 31, 2026.

163 (b) In the event that any of the appropriations to any  
164 of the categories listed above needs to be adjusted for the  
165 utilization of available funds or if the uses above are deemed  
166 ineligible uses of the federal funds by the United States  
167 Congress, the United States Department of the Treasury, or any  
168 other federal entity of competent jurisdiction, the Director



## HB1 Enrolled

169 of Finance shall obtain written approval of a majority of the  
170 Speaker of the House of Representatives, the President Pro  
171 Tempore of the Senate, the Minority Leader of the House of  
172 Representatives, the Minority Leader of the Senate, and the  
173 chair of each budget committee of the Legislature to  
174 reallocate funds among the categories listed above prior to  
175 any such reallocation.

176 (c) Any delegate or subrecipient of funds appropriated  
177 in this act shall comply with all federal reporting  
178 requirements and ensure proper utilization of the funds  
179 appropriated. The delegate or subrecipient shall be solely  
180 liable for any penalties or repayment requirements for  
181 inappropriate use of funds appropriated.

182 (d) To ensure the state complies with all requirements  
183 of the American Rescue Plan Act, any delegate or subrecipient  
184 of any of the funds appropriated in this act shall provide all  
185 information requested by the Department of Finance in a  
186 complete and timely manner.

187 (e) Any state agency administering a grant program for  
188 funds appropriated by this act, shall not deny a timely  
189 submitted application based on a technical deficiency without  
190 first offering to assist the applicant correct the deficiency  
191 so long as the agency has the capacity and expertise  
192 available.

193 Section 3. The co-chairs of the Joint Legislative  
194 Oversight Committee on American Rescue Plan Act State Funds,  
195 as established by Act 2022-1, on behalf of the oversight  
196 committee, shall have authority to request and receive reports





## HB1 Enrolled

197 from the Department of Finance and to request and receive  
198 supplemental information or data from the Department of  
199 Finance or any other administering agency or entity related to  
200 the implementation of the programs funded in this act and any  
201 other act appropriating Coronavirus State Fiscal Recovery  
202 Funds or Coronavirus Capital Projects Funds, including as to  
203 the related memorandum of agreement, and to conduct hearings  
204 and receive testimony therein related to the implementation of  
205 the aforesaid programs.

206           Section 4. The Department of Finance shall provide a  
207 copy of all expenditure reports required to be filed with the  
208 Department of the Treasury regarding the Coronavirus State  
209 Fiscal Recovery Funds to the Legislature within five days of  
210 filing the report. The report may be delivered electronically  
211 to the Legislative Fiscal Officer for distribution.

212           Section 5. This act shall become effective immediately  
213 upon its passage and approval by the Governor, or its  
214 otherwise becoming law.



# HB1 Enrolled

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 14-Mar-23.

John Treadwell  
Clerk

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|--------|-----------|-------------------------------|
| Senate | 16-MAR-23 | Amended and Passed            |
| House  | 16-MAR-23 | Concurred in Senate Amendment |