

1 HB401
2 181732-1
3 By Representatives Hurst, Johnson (R) and Boyd (N & P)
4 RFD: Local Legislation
5 First Read: 14-MAR-17

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Talladega County; to amend Section 11 of
14 Act 91-533, 1991 Regular Session (Acts 1991, p. 948) as
15 further amended by Act 2000-758, 2000 Regular Session (Acts
16 2000, p. 1732), relating to a special sales tax; to provide
17 further for the distribution of the proceeds of the tax to the
18 public library located in the City of Mumford.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 11, of Act 91-533, 1991 Regular
21 Session (Acts 1991, p. 948) as further amended by Act
22 2000-758, 2000 Regular Session (Acts 2000, p. 1732), is
23 amended to read as follows:

24 "Section 11. All revenues arising from the taxes
25 herein levied shall be deposited in a special fund, designated
26 as the Talladega County Special Tax Fund. An amount up to
27 \$50,000 annually shall, upon approval of the Talladega County

1 legislative delegation, be used for personnel and/or
2 professional services deemed necessary by the delegation to
3 assist in the administration and coordination of the projects
4 designated in this act. The term "approval of the Talladega
5 County legislative delegation" as used in this paragraph and
6 throughout this act, shall constitute the approval of the
7 Senate member and any two (2) House representatives from said
8 county. The remaining amounts shall be distributed by the
9 county commission in the following manner:

10 "(1) Twelve percent to the Talladega County
11 Association of Volunteer Fire Departments.

12 "(2) Twelve percent to the bridge fund to be used
13 towards the construction and/or financing of a bridge across
14 Coosa River connecting Talladega and Shelby Counties at the
15 site previously served by a ferry. The Talladega Economic
16 Development Authority shall make recommendations to the
17 Talladega County Commission as to the expenditure of these
18 funds. Approval by the Talladega County legislative
19 delegation, as defined above, is required prior to the
20 expenditure of any funds. If the Talladega Economic
21 Development Authority fails to make a recommendation
22 acceptable to the Talladega County legislative delegation,
23 then final disposition of said funds shall be at the sole
24 discretion of the Talladega County legislative delegation.
25 Distribution of these discretionary funds shall be approved by
26 the Talladega County legislative delegation, as defined above.

1 "(3) Ten percent to fund the commitment made by the
2 Talladega County Commission to the Honda project.

3 "(4) Ten percent to the Talladega County Health
4 Department for construction and/or financing of new facility
5 to serve North Talladega County, and to fund maintenance and
6 operation expenses for Talladega County health programs
7 located in Sylacauga and Talladega. The Talladega Economic
8 Development Authority shall make recommendations to the
9 Talladega County Commission as to the expenditure of these
10 funds. Approval by the Talladega County legislative
11 delegation, as defined above, is required prior to the
12 expenditure of any funds. If the Talladega Economic
13 Development Authority fails to make a recommendation
14 acceptable to the Talladega County legislative delegation,
15 then final disposition of said funds shall be at the sole
16 discretion of the Talladega County legislative delegation.
17 Distribution of these discretionary funds shall be approved by
18 the Talladega County legislative delegation, as defined above.

19 "(5) Ten percent to the Talladega County Economic
20 Development Authority.

21 "(6) Ten percent for development of water lines to
22 serve Talladega County residents and industry for improved
23 fire protection and rural development. The Talladega Economic
24 Development Authority shall make recommendations to the
25 Talladega County Commission as to the expenditure of these
26 funds. Approval by the Talladega County legislative
27 delegation, as defined above, is required prior to the

1 expenditure of any funds. If the Talladega Economic
2 Development Authority fails to make a recommendation
3 acceptable to the Talladega County legislative delegation,
4 then final disposition of said funds shall be at the sole
5 discretion of the Talladega County legislative delegation.
6 Distribution of these discretionary funds shall be approved by
7 the Talladega County legislative delegation, as defined above.

8 "(7) Five percent to the public libraries in
9 Talladega County located in Childersburg, Lincoln, Mumford,
10 Sylacauga, and Talladega to be distributed on a pro rata basis
11 by population of each municipality.

12 "(8) Five percent to the Talladega County Commission
13 fund that is used to match federal and state funds for roads
14 and bridges in Talladega County.

15 "(9) Five percent for the maintenance and renovation
16 of county-owned buildings as needed and as determined by the
17 county commission, including as first priority the courthouse
18 annex located in Sylacauga.

19 "(10) Four percent to be used to improve the supply
20 and quality of the water in North Talladega County,
21 particularly to enhance water supplies and capacities for
22 communities within North Talladega County in and around the
23 Talladega Municipal Airport, including, but not limited to,
24 the addition and maintenance of water towers. The Talladega
25 Economic Development Authority shall make recommendations to
26 the Talladega County Commission as to the expenditure of these
27 funds. Approval by the Talladega County legislative

1 delegation, as defined above, is required prior to the
2 expenditure of any funds. If the Talladega Economic
3 Development Authority fails to make a recommendation
4 acceptable to the Talladega County legislative delegation,
5 then final disposition of said funds shall be at the sole
6 discretion of the Talladega County legislative delegation.
7 Distribution of these discretionary funds shall be approved by
8 the Talladega County legislative delegation, as defined above.

9 "(11) Four percent to be used to hire additional law
10 enforcement officers in the Talladega County Sheriff's
11 Department to better serve the rural residents of Talladega.

12 "(12) Two percent divided equally and distributed to
13 the ARC programs of North and South Talladega County located
14 in Sylacauga and Talladega.

15 "(13) Two percent to the Talladega Childrens
16 Rehabilitation Office for rehabilitation services in Talladega
17 County.

18 "(14) a. Any remaining revenue proceeds shall be
19 deposited into a trust fund called the Talladega County
20 Special Tax Trust Fund. As the need for the funds in items (1)
21 to (13), inclusive, becomes obsolete as determined by the
22 Talladega County Economic Development Authority, and as agreed
23 to by the Talladega County legislative delegation, or in the
24 alternative as determined by the Talladega County legislative
25 delegation, the percentage allotted to any particular item
26 also shall be deposited in the Special Tax Trust Fund to be
27 invested in the same manner as other funds in the County

1 Treasury are invested. The legislative delegation of Talladega
2 County may determine which future projects are appropriate for
3 the expenditure of interest earned on funds held in the trust
4 account. No expenditures shall be made from the Special Tax
5 Trust Fund until after the expiration of five years from the
6 establishment of the trust account. After such time only the
7 interest on the Special Tax Trust Fund may be expended on
8 projects and/or the financing of projects, including bonded
9 indebtedness, submitted to the Talladega County legislative
10 delegation for approval.

11 "b. Revenues currently in the Debt Retirement Fund
12 provided for in Act 91-533 which are not needed to retire
13 current indebtedness shall be distributed as follows: 1. The
14 first one hundred thousand dollars (\$100,000) to purchase
15 vehicles for the Talladega County Sheriff's Department.

16 "2. The balance remaining shall be divided and
17 equally distributed in a lump sum for the purposes addressed
18 above in subdivisions (2) and (4).

19 "c. The Talladega County Economic Development
20 Authority shall act in an advisory capacity to the Talladega
21 County legislative delegation in regard to expenditures from
22 the Talladega County Special Tax Trust Fund. The authority
23 shall report to the legislative delegation annually beginning
24 September 1, 2000, and shall issue additional reports at other
25 times when requested by the delegation."

1 Section 2. This act shall become effective
2 immediately upon its passage and approval by the Governor, or
3 upon its otherwise becoming a law.