SB161

207142-5

By Senator Albritton

RFD: Finance and Taxation General Fund

First Read: 06-FEB-20
To make a supplemental appropriation from the State General Fund for the fiscal year ending September 30, 2020 to the District Attorneys; to amend Act 2020-36 to repurpose the supplemental appropriation from the State General Fund to the Legislature for the fiscal year ending September 30, 2020; to make a supplemental appropriation from the State General Fund for the fiscal year ending September 30, 2020 to the Legislature for the Senate; and to amend Section 9 of Act 2019-394, the General Fund Appropriations Act, regarding the appropriation of grants by the Congress of the United States to the State of Alabama, in excess of the amounts authorized by Act 2019-394.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated $5,000,000 from the State General Fund to the District Attorneys for the fiscal year ending September 30, 2020. This amount shall be distributed to a fund established by the State Department of Finance to be known as the District Attorneys Administrative Fund. The funds shall be allocated to the several judicial circuits based upon a formula established by
the Alabama District Attorneys Association for the fiscal year ending September 30, 2020.

Section 2. Section 7 of Act 2020-36 is hereby amended as follows:

"Section 7. In addition to all other appropriations heretofore and hereafter made, there is hereby appropriated $400,000 from the State General Fund to the Legislature for the fiscal year ending September 30, 2020 to be used for the House."

Section 3. Section 9 of Act 2019-394, the General Fund Appropriations Act for the fiscal year ending September 30, 2020, is hereby amended as follows:

"Section 9. (a) In addition to appropriations herein made, all gifts, grants, insurance proceeds, contributions, or entitlements, in excess of the amount carried in this act, including grants by the Congress of the United States, municipalities or counties, to any department, division, board, bureau, commission, agency, institution, office or officer of the State of Alabama are hereby appropriated and, in the event the same are recurring, are reappropriated to such department, division, board, bureau, commission, agency, institution, office or officer to be used only for the purpose or purposes for which the grant or contribution was or shall be made. Further, all state, county, municipal, and educational entities are authorized to disburse such sums as
deemed necessary by mutual agreement among said entities and
the State of Alabama, and the Department of Examiners of
Public Accounts to partially defray the cost of auditing
services performed by said agency. All such sums are hereby
appropriated and reappropriated if necessary to the Department
of Examiners of Public Accounts for audit services, to be
expended through the fund established by Section 41-5A-24

(b) Provided, however, this section shall not apply
to the state Coronavirus Relief Fund amounts provided by the
Congress of the United States to the State of Alabama from the
Coronavirus, Aid, Relief, and Economic Security (CARES) Act
(P.L. 116-136), not already expended prior to the effective
date of this act or to any additional federal stimulus funds
provided to the state to offset revenue losses or for purposes
directly related to the coronavirus pandemic, other than
additional funds provided directly for existing federal
programs.

(1) The Coronavirus Relief Fund amounts provided by
the Congress of the United State to the State of Alabama from
the Coronavirus, Aid, Relief, and Economic Security (CARES)
Act (P.L. 116-136) are appropriated to the Department of
Finance to be used as follows:
a. Up to $300,000,000 to be used to reimburse state agencies for expenditures directly related to the coronavirus pandemic.

b. Up to $250,000,000 to be used to reimburse local governments for expenditures directly related to the coronavirus pandemic.

c. Up to $250,000,000 to be used to support the delivery of healthcare and related services to citizens of the Alabama related to the coronavirus pandemic.

d. Up to $300,000,000 to be used to support citizens, businesses, and non-profit and faith-based organizations of the state directly impacted by the coronavirus pandemic.

e. Up to $53,000,000 for the reimbursement of equipment and infrastructure necessary for remote work and public access to the functions of state government directly impacted by the coronavirus pandemic, including the Legislature.

f. Up to $300,000,000 for expenditures related to technology and infrastructure related to remote instruction and learning.

g. Up to $200,000,000 for reimbursement of costs necessary to address the coronavirus pandemic by the Department of Corrections.
SB161

h. Up to $10,000,000 for the reimbursement of costs necessary to ensure access to the courts during the coronavirus pandemic.

i. $5,000,000 to reimburse the State General Fund for supplemental appropriations to the Alabama Department of Public Health.

j. Up to $118,346,250 for any lawful purpose as provided by the United States Congress, the United States Treasury Department, or any other federal entity of competent jurisdiction.

(2) Any of the above funds may be used to provide a temporary loan to the Education Trust Fund and/or the State General Fund in the amount equal to delayed tax receipts due to changes in tax filing provisions implemented after the declaration of the public health emergency regarding COVID-19.

(3) Prior to any expenditure of more than $2,500,000 in any of the categories listed above, the Director of Finance shall provide fourteen days written notice to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the majority and minority leader of each house of the Alabama Legislature, and the Chair of each budget committee. This notice may be delivered electronically to Deputy Director of the Legislative Services Agency, Fiscal Division for distribution.
(4) In the event that any of the appropriations to any of the categories listed above needs to be adjusted for the utilization of available funds, the Director of Finance shall obtain unanimous approval by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chair of each budget committee of the Alabama Legislature to re-allocate funds within the categories listed above prior to any such reallocation.

(5) In the event the United States Congress, the United States Treasury Department, or any other federal entity of competent jurisdiction provides that the above appropriated funds may be used to offset lost revenues of the state, no further funds shall be allocated until such time that the Governor, Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chair of each budget committee of the Alabama Legislature convene and agree to a plan to allocate funds based upon estimates of lost revenues provided by the Director of the Department of Finance and the Deputy Director of the Legislative Services Agency, Fiscal Division.

Section 4. In addition to all other appropriations heretofore and hereafter made, there is hereby appropriated $400,000 from the State General Fund to the Legislature for the fiscal year ending September 30, 2020 to be used for the Senate.
Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.
President and Presiding Officer of the Senate

Speaker of the House of Representatives

Senate 05-MAY-20.
I hereby certify that the within Act originated in and passed the Senate, as amended.

Senate 18-MAY-20
I hereby certify that the within Act originated in and passed the Senate, as amended by Executive Amendment.

Patrick Harris,
Secretary.

House of Representatives
Amended and Passed: 07-MAY-20

House of Representatives
Passed: 18-MAY-20, as amended by Executive Amendment.

By: Senator Albritton