

1 SB290  
2 188997-3  
3 By Senator Dial (N & P)  
4 RFD: Local Legislation  
5 First Read: 08-FEB-18

1 SB290

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to Clay County; to amend Section 2 of Act  
8 2017-65 of the 2017 Regular Session, now appearing as Section  
9 45-14-244.07 of the Code of Alabama 1975, to further provide  
10 for the distribution of the local tobacco tax; and to provide  
11 for retroactive effect.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Section 2 of Act 2017-65 of the 2017  
14 Regular Session, now appearing as Section 45-14-244.07 of the  
15 Code of Alabama 1975, is amended to read as follows:

16 "§45-14-244.07.

17 "(a) The proceeds from the tobacco tax authorized in  
18 Clay County pursuant to Section 45-14-244, and as further  
19 provided for in Sections 45-14-244.01 to 45-14-244.03,  
20 inclusive, and Section 45-14-244.06, less two percent of the  
21 actual cost of collection, which shall be retained by the  
22 Department of Revenue, shall be distributed to the Clay County  
23 General Fund to be expended as follows:

1           "(1) Thirty-two percent to the Alabama Forestry  
2 Commission to be utilized for fire protection in the county,  
3 as provided in subsection (b).

4           "(2) Twenty percent to the Clay County Industrial  
5 Development Council.

6           "(3) ~~Eighteen~~ Twenty percent to the Clay County  
7 Animal Shelter. The Clay County Animal Shelter shall annually  
8 report to the county commission regarding the expenditure of  
9 the funds in the preceding year.

10          "(4) ~~Fifteen~~ Thirteen percent to the Clay County  
11 Commission to be deposited into a special fund in the county  
12 treasury and, subject to an application process developed by  
13 the county commission, disbursed to water districts in the  
14 county for the purpose of installing feeder lines. The county  
15 commission shall have the authority to develop guidelines,  
16 promulgate rules, and institute an application process to  
17 provide for the disbursement of the funds.

18          "(5) Fifteen percent shall be retained in the Clay  
19 County General Fund to be utilized as are other county funds.

20          "(b) The funds distributed to the Alabama Forestry  
21 Commission shall be payable on a quarterly or monthly basis  
22 and will be expended solely for purposes of fire protection,  
23 prevention, and fire safety education in order to encourage a  
24 strong volunteer firefighters' network in Clay County. The  
25 proceeds shall be distributed to volunteer fire departments in

1 the county as determined by rules and regulations set up by  
2 the Alabama Forestry Commission and the Clay County Volunteer  
3 Firefighters Association on an equal basis, share and share  
4 alike. None of the proceeds shall be used for salaries nor to  
5 pay members for any performance of duties associated with the  
6 department. Any member fire department which fails to meet the  
7 standards and criteria shall be denied its share of the  
8 funding. The association shall give noncomplying member fire  
9 departments proper notice of all deficiencies and a reasonable  
10 time period to correct the deficiencies before any funds are  
11 denied."

12 Section 2. This act shall become effective on  
13 October 1, 2017.

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

SB290

Senate 15-FEB-18

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,  
Secretary.

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House of Representatives  
Amended and passed 15-MAR-18

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Senate concurred in House amendment 20-MAR-18

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By: Senator Dial