

1 HB296  
2 197087-2  
3 By Representative Poole  
4 RFD: Fiscal Responsibility  
5 First Read: 02-APR-19

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8 SYNOPSIS: Under present law, the fiscal year of the  
9 state begins on October 1 and ends on September 30.

10 This bill would change the beginning of the  
11 fiscal year for the State of Alabama and  
12 instrumentalities of the state to July 1 of each  
13 year, starting with the 2022 fiscal year which is  
14 to begin July 1, 2021.

15 This bill would provide for the definition  
16 of the fiscal year for the state; change the date  
17 of the fiscal year; provide for a nine-month  
18 implementation fiscal year from October 1, 2020  
19 through June 30, 2021; and authorize the Governor  
20 to promulgate procedures necessary to implement  
21 this act.

22 This bill would provide that all  
23 appropriations made for the term that is the  
24 current lawful fiscal year 2021 would be allotted  
25 to conform with the nine-month implementation  
26 fiscal year and the first quarter of the 2022  
27 fiscal year; provide that all sum certain

1 distributions of tax revenue shall be made at 75  
2 percent (made at the nine months of estimated  
3 monthly revenue) of the sum certain amounts during  
4 the implementation fiscal year; and authorize  
5 conformity of dates with the new fiscal year as  
6 provided herein with the Code of Alabama 1975.

7  
8 A BILL  
9 TO BE ENTITLED  
10 AN ACT

11  
12 To amend Sections 1-3-4, 11-8-1, 11-43A-29,  
13 11-43A-94, 11-43C-41, 11-44C-41, 11-44E-110 and 16-13-1 Code  
14 of Alabama 1975, to change the date of the fiscal year and to  
15 provide for the implementation of the new fiscal year period.  
16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Sections 1-3-4, 11-8-1, 16-13-1,  
18 11-43A-29, 11-43A-94, 11-43C-41, 11-44C-41, and 11-44E-110  
19 Code of Alabama 1975, are hereby amended to read as follows:

20 "§1-3-4.

21 The fiscal year of the government shall commence on  
22 the first day of October and end on the thirtieth day of  
23 September. This fiscal year shall be used for purposes of  
24 making appropriations and of financial reporting and shall be  
25 uniformly adopted by all departments, institutions, bureaus,  
26 boards, commissions and other state agencies.

1           "(b) Beginning July 1, 2021, the fiscal year of the  
2 government shall commence on the first day of July and end on  
3 the thirtieth day of June. This fiscal year shall be used for  
4 purposes of making appropriations and of financial reporting  
5 and shall be uniformly adopted by all departments,  
6 institutions, bureaus, boards, commissions and other state  
7 agencies, county governments, and city and county boards of  
8 education.

9           "§11-8-1.

10           "For the purposes of this chapter the fiscal year  
11 shall begin ~~October 1~~ and shall end ~~September 30~~ following on  
12 the dates as provided for state government in Section 1-3-4.

13           "§11-43A-29.

14           "The fiscal year of the municipality shall begin ~~on~~  
15 ~~the first day of each October in each year~~ and shall end ~~on~~  
16 ~~the last day of each September~~ on the dates as provided for  
17 state government in Section 1-3-4. Such fiscal year shall also  
18 constitute the budget and accounting year. As used in this  
19 article the term "budget year" shall mean the fiscal year for  
20 which any particular budget is adopted and in which it is  
21 administered.

22           "The city manager, at least 45 days prior to the  
23 beginning of each budget year, shall submit to the council a  
24 budget proposal, with explanations. The council shall adopt a  
25 budget, by ordinance, prior to the beginning of each fiscal  
26 year. The budget so adopted shall be a public record and shall  
27 be available for inspection by the general public. Any changes

1 in the budget, during the course of the budget year, shall be  
2 done by ordinance.

3 "§11-43A-94.

4 "(a) The fiscal year of the municipality shall begin  
5 ~~on the first day of each October in each year~~ and shall end ~~on~~  
6 ~~the last day of September~~ on the dates as provided for state  
7 government in Section 1-3-4. Such fiscal year shall also  
8 constitute the budget and accounting year. As used in this  
9 article, the term "budget year" shall mean the fiscal year for  
10 which any particular budget is adopted and in which it is  
11 administered.

12 "(b) The city manager, at least 45 days prior to the  
13 beginning of each budget year, shall submit to the council a  
14 budget proposal with explanations. The council shall adopt a  
15 budget, by ordinance, prior to the beginning of each fiscal  
16 year. The budget so adopted shall be a public record and shall  
17 be available for inspection by the general public. Any changes  
18 in the budget during the course of the budget year shall be  
19 made by ordinance.

20 "§11-43C-41.

21 "The fiscal year of the city government shall ~~end on~~  
22 ~~the last day of September of each calendar year~~ begin and  
23 shall end on the dates as provided for state government in  
24 Section 1-3-4. Such fiscal year shall also constitute the  
25 budget and accounting year. As used in this chapter, the term  
26 "budget year" shall mean the fiscal year for which any  
27 particular budget is adopted and in which it is administered.

1           "§11-44C-41.

2           "The fiscal year of the city government shall ~~end on~~  
3 ~~the last day of September of each calendar year~~ begin and  
4 shall end on the dates as provided for state government in  
5 Section 1-3-4. Such fiscal year shall also constitute the  
6 budget and accounting year. As used in this chapter, the term  
7 "budget year" shall mean the fiscal year for which any  
8 particular budget is adopted and in which it is administered.

9           "§11-44E-110.

10          "The fiscal year of the city government shall begin  
11 ~~on the first day of October~~ and shall end ~~on the last day of~~  
12 ~~September of each calendar year~~ on the dates as provided for  
13 state government in Section 1-3-4. Such fiscal year shall also  
14 constitute the budget and accounting year. As used in this  
15 chapter, the term "budget year" shall mean the fiscal year for  
16 which any particular budget is adopted and in which it is  
17 administered.

18          "§16-13-1.

19          "The fiscal year of every board of education shall  
20 begin ~~October 1~~ and end ~~September 30~~ on the dates as provided  
21 for state government in Section 1-3-4."

22                 Section 2. The Governor of Alabama shall promulgate  
23 procedures deemed necessary to affect the orderly  
24 implementation of the change in the fiscal year as required by  
25 this act.

26                 Section 3. Fiscal year 2021, which begins October 1,  
27 2020 shall, upon passage of this act, become a nine-month

1 implementation fiscal year which ends June 30, 2021. All  
2 appropriations made for the term that is the current lawful  
3 fiscal year 2021 shall be valid for the period October 1, 2020  
4 through September 30, 2021, but shall be for the nine-month  
5 implementation fiscal year and 25 percent of the  
6 appropriations shall be for the first quarter (July 1 through  
7 September 30, 2021) for the new fiscal year 2022.

8 Section 4. In those instances where the law provides  
9 for a sum certain of tax revenue to be distributed in the  
10 fiscal year, a total of 75 percent of such sum certain amounts  
11 of tax revenue shall be distributed for the nine-month  
12 implementation fiscal year only. Such sum certain amounts of  
13 tax revenue shall be distributed as provided by law for the  
14 new fiscal year 2022 and thereafter.

15 Section 5. All references made to the fiscal year of  
16 the state within the Code of Alabama 1975 shall be restated to  
17 conform to the newly adopted July 1 through June 30 fiscal  
18 year, beginning with the fiscal year 2022.

19 Section 6. It is the intention of the act, in  
20 changing the date of the fiscal year, to allow the same number  
21 of advance days to all state agencies, departments, boards,  
22 commissions, institutions, or districts to do any act required  
23 of them by statute or regulation which was previously measured  
24 by the October 1 fiscal year. Therefore any such agency,  
25 department, board, commission, institution, or district is  
26 authorized to compute time limitation requirements imposed on  
27 them in accordance with the nine-month implementation fiscal

1 year and the new July 1 fiscal year whether or not such time  
2 limitations are referred to in the Code of Alabama 1975, by a  
3 specific date or by a set number of days.

4 Section 7. The Code Commissioner is directed to  
5 replace all fiscal year begin and end date references in the  
6 Code of Alabama 1975, to reflect the beginning date of the  
7 first day of July and end with the thirtieth day of June,  
8 inclusive, each year. No statute or resolution shall be deemed  
9 invalid due to the change in fiscal year implemented under the  
10 provisions of this act.

11 Section 8. This act shall become effective  
12 immediately upon its passage and approval, by the Governor, or  
13 on its otherwise becoming law.