

1 HB1
2 216487-2
3 By Representative Clouse
4 RFD: Ways and Means General Fund
5 First Read: 19-JAN-22

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8 SYNOPSIS: This bill makes supplemental appropriations
9 from the American Rescue Plan Act - Coronavirus
10 State Fiscal Recovery Fund, the American Rescue
11 Plan Act - Coronavirus State Fiscal Recovery
12 Revenue Replacement Fund, and the American Rescue
13 Plan Act - Coronavirus Capital Projects Fund for
14 the fiscal year ending September 30, 2022.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To make supplemental appropriations from the
21 American Rescue Plan Act - Coronavirus State Fiscal Recovery
22 Fund, the American Rescue Plan Act - Coronavirus State Fiscal
23 Recovery Revenue Replacement Fund, and the American Rescue
24 Plan Act - Coronavirus Capital Projects Fund for the fiscal
25 year ending September 30, 2022.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. In addition to all other appropriations
2 heretofore or hereafter made, there is hereby appropriated
3 \$443,343,362.50 in federal funds from the American Rescue Plan
4 Act - Coronavirus State Fiscal Recovery Fund to the Department
5 of Finance for the fiscal year ending September 30, 2022, to
6 be used to as follows:

7 (1) Up to \$80,000,000 to be used to support the
8 delivery of health care and related services to citizens of
9 Alabama related to the pandemic by and through reimbursement
10 of eligible expenses. These funds may be delegated through
11 memoranda of agreement to the Alabama Hospital Association and
12 the Alabama Nursing Home Association.

13 (2) Up to \$51,000,000 to be used to support the
14 improvement and expansion of broadband network access to the
15 citizens of Alabama. These funds may be delegated through
16 memoranda of agreement to the Alabama Department of Economic
17 and Community Affairs' Alabama Digital Expansion Division.

18 (3) Up to \$225,000,000 shall be used to improve
19 access to clean water to the citizens of Alabama through
20 investments in water and sewer infrastructure projects. These
21 funds may be delegated through memoranda of agreement to the
22 Alabama Department of Environmental Management. The Department
23 of Environmental Management shall utilize the funds to
24 implement the following programs:

25 a. Up to \$120,000,000 shall be provided as grants to
26 water and sewer systems for emergency or high need projects
27 previously identified for participation in the Clean Water

1 State Revolving Fund or the Drinking Water State Revolving
2 Fund. The high need and emergency projects shall be selected
3 based on a ranking system established by the Department of
4 Environmental Management that provides additional weight for
5 projects that facilitate or improve access to water or sewer
6 services in communities disproportionately impacted by
7 COVID-19 or lack local funding to complete the project.

8 b. Up to \$100,000,000 shall be provided as matching
9 grants to public water and sewer systems for water or sewer
10 infrastructure projects. The Department of Environmental
11 Management shall establish matching requirements for grant
12 recipients with consideration for ability to pay. Matching
13 funds may be provided from Local Coronavirus Fiscal Recovery
14 Funds, in-kind contributions, or any other source of funds
15 made available for this purpose.

16 c. Up to \$5,000,000 shall be provided as grants to
17 install clustered decentralized wastewater system
18 demonstrations utilizing a collection system
19 known as Septic Tank Effluent Pump (STEP) or other
20 demonstration systems in the Alabama Black Belt areas of low
21 population density, rural poverty, and/or soils with poor perc
22 characteristics, where there is a finding of discharge of raw
23 sewage onto the ground due to the utilization of straight
24 pipes, failing septic systems, or similar circumstances.

25 (4) Up to \$79,500,000 shall be allocated to the
26 Unemployment Compensation Trust Fund, with the intent to
27 reduce rates on businesses in 2022. This contribution also

1 returns the balance in the fund to a balance close to January
2 27, 2020.

3 (5) Up to \$7,843,362.50 for reimbursement of costs
4 for the administration, auditing, and reporting requirements
5 of the state and local fiscal recovery funds.

6 Section 2. In addition to all other appropriations
7 heretofore or hereafter made, there is hereby appropriated
8 \$136,796,346 in federal funds from the American Rescue Plan
9 Act - Coronavirus State Fiscal Recovery Revenue Replacement
10 Fund to the Department of Finance for the fiscal year ending
11 September 30, 2022, which may delegate these funds through
12 memoranda of agreement to be used as follows:

13 (1) Up to \$34,000,000 to be used to support the
14 improvement and expansion of broadband network access to the
15 citizens of Alabama. These funds may be delegated through
16 memoranda of agreement to the Alabama Department of Economic
17 and Community Affairs' Alabama Digital Expansion Division.

18 (2) Up to \$5,000,000 shall be used to facilitate the
19 expansion and use of telemedicine. The Department of Finance
20 may delegate these funds through memorandum of agreement to
21 the Alabama Department of Public Health, or any other health
22 care association or health care provider.

23 (3) Up to \$36,796,346 to be used to support the
24 delivery of health care and related services to citizens of
25 Alabama related to the coronavirus pandemic, including through
26 assisted living facilities. These funds may be delegated
27 through memoranda of agreement with the Alabama Department of

1 Public Health, the Alabama Department of Mental Health,
2 Alabama Department of Rehabilitation Services, or any other
3 state entity of competent jurisdiction, health care
4 association or health care provider.

5 (4) Up to \$30,000,000 for assistance to rural
6 hospitals. For the purposes of this appropriation, a rural
7 hospital is one so designated by the Health Resources and
8 Services Administration. Funds shall be allocated as grants to
9 eligible hospitals based on the number of beds reflected on
10 the Certificate of Need held by each hospital.

11 (5) Up to \$20,000,000 for assistance to emergency
12 response providers, including ambulance/EMS service providers,
13 rescue squad organizations, volunteer fire departments, and
14 911 boards. These funds shall be allocated as follows:

15 a. Volunteer fire departments - \$10,000,000

16 b. Other emergency response providers - \$10,000,000

17 (6) Up to \$11,000,000 for reimbursements of expenses
18 of state inmates housed in county jails from March 3, 2021, to
19 December 31, 2021.

20 Section 3. In addition to all other appropriations
21 heretofore or hereafter made, there is hereby appropriated
22 \$191,887,857 in federal funds from the American Rescue Plan
23 Act - Coronavirus Capital Projects Fund to the Department of
24 Finance for the fiscal year ending September 30, 2022, to be
25 used for the delivery of broadband and related services to
26 citizens of Alabama related to the coronavirus pandemic and to
27 enable investment in capital assets providing necessary

1 technology infrastructure for work, education, and access to
2 critical services. These funds may be delegated by the
3 Department of Finance through memoranda of agreement to the
4 Alabama Department of Economic and Community Affairs' Alabama
5 Digital Expansion Division.

6 Section 4. (a) Any amount of the funds appropriated
7 in this act remaining unexpended on September 30, 2022, shall
8 be reappropriated for the same purposes for the fiscal year
9 beginning October 1, 2022, and for all fiscal years thereafter
10 extending through December 31, 2026.

11 (b) In the event that any of the appropriations to
12 any of the categories listed above needs to be adjusted for
13 the utilization of available funds or if the uses above are
14 deemed ineligible uses of the federal funds by the United
15 States Congress, the United States Department of the Treasury,
16 or any other federal entity of competent jurisdiction, the
17 Director of Finance shall obtain majority approval by the
18 Speaker of the House of Representatives, the President Pro
19 Tempore of the Senate, the Minority Leader of the House of
20 Representatives, the Minority Leader of the Senate, and the
21 chair of each budget committee of the Legislature to
22 re-allocate funds among the categories listed above prior to
23 any such reallocation.

24 (c) To ensure the state complies with all
25 requirements of the American Rescue Plan Act, any delegate or
26 subrecipient of any of the funds appropriated in this act

1 shall provide all information requested by the Department of
2 Finance in a complete and timely manner.

3 Section 5. (a) There is hereby created a Joint
4 Legislative Oversight Committee on American Rescue Plan Act
5 State Funds, hereinafter referred to as the committee. The
6 committee shall consist of the Chair of the House Ways and
7 Means - General Fund Committee; the Chair of the Senate
8 Finance and Taxation - General Fund Committee; three members
9 of the House Ways and Means - General Fund Committee appointed
10 by the chair of the committee, including the ranking minority
11 member of the committee, or his or her designee; and three
12 members of the Senate Finance and Taxation - General Fund
13 Committee appointed by the chair of the committee, including
14 the ranking minority member of the committee, or his or her
15 designee; the Minority Leader of the House of Representatives;
16 the Minority Leader of the Senate; the Speaker of the House of
17 Representatives, or his or her other designee; the President
18 Pro Tempore of the Senate, or his or her designee; a member of
19 the House of Representatives appointed by the Speaker; and a
20 member of the Senate, appointed by the President Pro Tempore
21 of the Senate. The Chair of the House Ways and Means - General
22 Fund Committee and the Chair of the Senate Finance and
23 Taxation - General Fund Committee shall be co-chairs of the
24 oversight committee. The committee shall hold its
25 organizational meeting within 30 days following the effective
26 date of this act and shall meet at the call of the co-chairs
27 thereafter.

1 (b) The co-chairs of the oversight committee, on
2 behalf of the oversight committee, shall have authority to
3 request and receive reports from the Department of Finance and
4 to request and receive supplemental information or data from
5 the Department of Finance or any other administering agency or
6 entity related to the implementation of the programs funded in
7 this act and any other act appropriating Coronavirus State
8 Fiscal Recovery Funds or Coronavirus Capital Projects Funds,
9 including as to the related memoranda of agreement, and to
10 conduct hearings and receive testimony therein related to the
11 implementation of the aforesaid programs.

12 Section 6. The Department of Finance shall provide a
13 copy of all expenditure reports required to be filed with the
14 Department of the Treasury regarding the Coronavirus State
15 Fiscal Recovery Funds and the Coronavirus Capital Projects
16 Funds to the Legislature within five days of filing the
17 report. The report may be delivered electronically to the
18 Legislative Fiscal Officer for distribution.

19 Section 7. This act shall become effective
20 immediately upon its passage and approval by the Governor, or
21 its otherwise becoming law.