

1 HB140
2 214711-2
3 By Representative Garrett
4 RFD: Ways and Means Education
5 First Read: 13-JAN-22

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2 ENROLLED, An Act,

3 To make an appropriation of \$13,151,435 from the
4 Education Trust Fund to Tuskegee University in Tuskegee,
5 Alabama for the support and maintenance of the educational
6 program of the institution, for the fiscal year ending
7 September 30, 2023; to provide that the appropriation is
8 subject to certain provisions of the Code of Alabama 1975; to
9 require an operations plan and an audited financial statement
10 prior to the release of any funds; and to require an end of
11 year report.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. Tuskegee University has a unique
14 relationship to the State of Alabama. Due to the unique nature
15 of the circumstances related to the establishment and
16 development of Tuskegee Institute which differs from that of
17 private schools and colleges receiving funds from the state
18 and from the state's public colleges and universities, the
19 institution should be afforded a unique treatment relative to
20 funding from the Education Trust Fund. Tuskegee Institute was
21 established by an act of the Legislature in 1881 and
22 separately incorporated by an act of the Legislature in 1892;
23 the Governor appoints five commissioners who serve as voting
24 members on the Tuskegee Board; and the State Superintendent of
25 Education serves as an ex officio voting commissioner on the

1 Tuskegee Board. Tuskegee has received appropriations from the
2 Legislature since 1881. Being a private institution as well as
3 a state related and supported institution, it is deemed that
4 Tuskegee University should be funded accordingly and not as
5 the private schools and colleges nor as the state public
6 colleges and universities are funded.

7 Section 2. There is hereby appropriated the sum of
8 \$13,151,435 from the Education Trust Fund to Tuskegee
9 University in Tuskegee, Alabama for the support and
10 maintenance of the educational program of the institution, for
11 the fiscal year ending September 30, 2023. Of the above
12 appropriation, at least \$2,000,000 shall be expended for the
13 agricultural research and extension service state match.

14 Section 3. The above appropriation is made for the
15 support of public education in Alabama and for the support and
16 maintenance of the above program. The appropriation shall be
17 subject to the provisions, terms, conditions, and limitations
18 of the Budget and Financial Control Act, Section 41-4-80 et
19 seq., Code of Alabama 1975, the provisions of The Budget
20 Management Act of 1976, Section 41-19-1 et seq., Code of
21 Alabama 1975, and any other provisions of this act.

22 Section 4. (a) Prior to the release of any funds
23 appropriated under this act the following reports shall be
24 submitted:

1 (1) An operations plan for the fiscal year 2023,
2 including goals and measurable performance indicators, shall
3 be submitted to and approved by the Director of Finance, as
4 provided for state agencies in Section 41-19-10 of the Code of
5 Alabama 1975.

6 (2) An audited financial statement for all
7 operations during the fiscal year 2021.

8 (b) It is the intent that funds appropriated for
9 fiscal year 2023 shall be released by the Director of Finance
10 following receipt of the above reports.

11 (c) In addition, quarterly reports shall be made to
12 the Director of Finance relating actual expenditures and
13 accomplishments to planned expenditures and accomplishments.
14 An end of year performance report for the fiscal year 2023
15 shall be made to the Director of Finance stating the work
16 accomplished and the services provided and the costs of
17 accomplishing the work and providing the services, citing
18 meaningful measures of program effectiveness and costs, as is
19 required for state agencies in Section 41-19-11 of the Code of
20 Alabama 1975.

21 (d) The Director of Finance shall forward a copy of
22 all required reports to the Legislative Council in a timely
23 manner.

24 Section 5. This act shall become effective October
25 1, 2022.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 08-MAR-22.

Jeff Woodard
Clerk

Senate

31-MAR-22

Passed