

ACT #2020 - 199

1 SB161
2 207142-5
3 By Senator Albritton
4 RFD: Finance and Taxation General Fund
5 First Read: 06-FEB-20



1 SB161

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4 ENROLLED, An Act,

5 To make a supplemental appropriation from the State
6 General Fund for the fiscal year ending September 30, 2020 to
7 the District Attorneys; to amend Act 2020-36 to repurpose the
8 supplemental appropriation from the State General Fund to the
9 Legislature for the fiscal year ending September 30, 2020; to
10 make a supplemental appropriation from the State General Fund
11 for the fiscal year ending September 30, 2020 to the
12 Legislature for the Senate; and to amend Section 9 of Act
13 2019-394, the General Fund Appropriations Act, regarding the
14 appropriation of grants by the Congress of the United States
15 to the State of Alabama, in excess of the amounts authorized
16 by Act 2019-394.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. In addition to all other appropriations
19 heretofore or hereafter made, there is hereby appropriated
20 \$5,000,000 from the State General Fund to the District
21 Attorneys for the fiscal year ending September 30, 2020. This
22 amount shall be distributed to a fund established by the State
23 Department of Finance to be known as the District Attorneys
24 Administrative Fund. The funds shall be allocated to the
25 several judicial circuits based upon a formula established by

1 the Alabama District Attorneys Association for the fiscal year
2 ending September 30, 2020.

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

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

10 Section 3. Section 9 of Act 2019-394, the General
11 Fund Appropriations Act for the fiscal year ending September
12 30, 2020, is hereby amended as follows:

13 "Section 9. (a) In addition to appropriations herein
14 made, all gifts, grants, insurance proceeds, contributions, or
15 entitlements, in excess of the amount carried in this act,
16 including grants by the Congress of the United States,
17 municipalities or counties, to any department, division,
18 board, bureau, commission, agency, institution, office or
19 officer of the State of Alabama are hereby appropriated and,
20 in the event the same are recurring, are reappropriated to
21 such department, division, board, bureau, commission, agency,
22 institution, office or officer to be used only for the purpose
23 or purposes for which the grant or contribution was or shall
24 be made. Further, all state, county, municipal, and
25 educational entities are authorized to disburse such sums as

1 deemed necessary by mutual agreement among said entities and
2 the State of Alabama, and the Department of Examiners of
3 Public Accounts to partially defray the cost of auditing
4 services performed by said agency. All such sums are hereby
5 appropriated and reappropriated if necessary to the Department
6 of Examiners of Public Accounts for audit services, to be
7 expended through the fund established by Section ~~41-5A-24~~
8 41-5A-22, Code of Alabama 1975."

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

19 (1) The Coronavirus Relief Fund amounts provided by
20 the Congress of the United State to the State of Alabama from
21 the Coronavirus, Aid, Relief, and Economic Security (CARES)
22 Act (P.L. 116-136) are appropriated to the Department of
23 Finance to be used as follows:

1 a. Up to \$300,000,000 to be used to reimburse state
2 agencies for expenditures directly related to the coronavirus
3 pandemic.

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

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

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

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

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

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

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

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

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

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

16 (3) Prior to any expenditure of more than \$2,500,000
17 in any of the categories listed above, the Director of Finance
18 shall provide fourteen days written notice to the Speaker of
19 the House of Representatives, the President Pro Tempore of the
20 Senate, the majority and minority leader of each house of the
21 Alabama Legislature, and the Chair of each budget committee.
22 This notice may be delivered electronically to Deputy Director
23 of the Legislative Services Agency, Fiscal Division for
24 distribution.

1 (4) In the event that any of the appropriations to
2 any of the categories listed above needs to be adjusted for
3 the utilization of available funds, the Director of Finance
4 shall obtain unanimous approval by the Speaker of the House of
5 Representatives, the President Pro Tempore of the Senate, and
6 the Chair of each budget committee of the Alabama Legislature
7 to re-allocate funds within the categories listed above prior
8 to any such reallocation.

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

21 Section 4. In addition to all other appropriations
22 heretofore and hereafter made, there is hereby appropriated
23 \$400,000 from the State General Fund to the Legislature for
24 the fiscal year ending September 30, 2020 to be used for the
25 Senate.

1 Section 5. This act shall become effective
2 immediately upon its passage and approval by the Governor, or
3 upon its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

7 Senate 05-MAY-20.

8 I hereby certify that the within Act originated in and passed
9 the Senate, as amended.

10 Senate 18-MAY-20

11 I hereby certify that the within Act originated in and passed
12 the Senate, as amended by Executive Amendment.
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14
15 Patrick Harris,
16 Secretary.
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19 House of Representatives
20 Amended and Passed: 07-MAY-20
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22 House of Representatives
23 Passed: 18-MAY-20, as amended by Executive Amendment.
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26 By: Senator Albritton

APPROVED 5-21-2020
TIME 8:00 am

Ray Ivey
GOVERNOR

Alabama Secretary Of State

Act Num....: 2020-199
Bill Num....: S-161

HOUSE ACTION
(Continued)

HOUSE OF REPRESENTATIVES

R. 3 at length and passed

Yeas 76 Nays 9 Abs. 0

Date 9-7-20

As amended

JEFF WOODARD, Clerk