## HB320 ENROLLED



- 1 PZFSGR-2
- 2 By Representatives Bedsole, Reynolds, Chestnut, Wood (R),
- 3 Treadaway, Mooney, Daniels, England, Stringer
- 4 RFD: Ways and Means General Fund
- 5 First Read: 13-Apr-23
- 6 2023 Regular Session

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1 Enrolled, An Act, 2 3 4 Relating to sheriffs; to amend Act 2022-133, 2022 5 Regular Session, now appearing as Section 41-23-9, Code of 6 Alabama 1975, to change the name of the Local Government 7 Pistol Permit Revenue Loss Fund; to increase the life span of the fund; to further provide for expenditures from the fund; 8 9 to further provide for the deposit and allocation of grant reimbursement monies; and to make nonsubstantive, technical 10 11 revisions to update existing code language to current style. 12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: 13 Section 1. Act 2022-133, 2022 Regular Session, now 14 appearing as Section 41-23-9, Code of Alabama 1975, is amended 15 to read as follows: "\$41-23-9 16 17 (a) There is created in the State Treasury a fund to be 18 known as the Local Government Pistol Permit Revenue Loss Fund Sheriffs' Advancement in Education, Technology, and 19 20 Training Fund, into which there is automatically appropriated 21 five million dollars (\$5,000,000) annually or so much as 22 necessary to maintain a balance of two million dollars 23 (\$2,000,000) in the fund, seven million five hundred thousand dollars (\$7,500,000) at the beginning of each fiscal year for 24 25 the three five fiscal years following January 1, 2023 beginning 26 October 1, 2023. The fund shall consist of both of the 27 following:

(1) All appropriations made to the fund.

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- 29 (2) Any gifts, grants, or donations made to the fund 30 from any source.
- 31 (b) The Alabama Department of Economic and Community
  32 Affairs shall use and expend the fund pursuant to subsection
  33 (c). Any necessary expenses of the department in implementing
  34 this section shall also be paid out of the fund.

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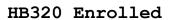
(c) (1) The Alabama Department of Economic and Community Affairs may make quarterly grants to any county in which the sheriff has provided the required reports as set out in the Minimum Accounting Requirements for the Office of Sheriff established by the Department of Examiners of Public Accounts, specifically regarding the number of pistol permits purchased in that county and the revenue received from pistol permit fees issued pursuant to Section 13A-11-75, for fiscal years 2022 and 2023. Any reports that are required by this act and delinquent on the effective date of this act shall be accepted as timely if delivered within 90 days of the effective date of this act. Any grants awarded to a county pursuant to this subsection may not exceed the amount of revenue received from pistol permit fees by that county in fiscal year 20222021, as indicated within the reports to the Department of Examiners of Public Accounts. Any amounts exceeding these revenues shall be remitted back to the Local Government Pistol Permit Revenue Loss Fund Sheriffs' Advancement in Education, Technology, and Training Fund at the end of each fiscal year. Grant funds Monies shall be used by a county only for the same purposes for which pistol permit fees were authorized to be expended within that county on January 1, 2023 December 31, 2022.

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- (2) The Department of Economic and Community Affairs shall make grants under this subsection only to an office of sheriff that, at time of submission of a report to the Department of Examiners of Public Accounts pursuant to subdivision (1), has certified in writing that each pistol permit issued by that office of sheriff in the preceding quarter was issued only following completion of a background check through the National Instant Criminal Background Check System (NICS) and that the office of sheriff, within the preceding 12 months, has trained each employee, officer, or agent involved in the issuance of pistol permits on how and when to perform a NICS background check.
  - (d) No later than January 15, 2023, and thereafter on a quarterly basis, the Department of Examiners of Public Accounts shall provide all reports referenced in subsection (c) to the Department of Economic and Community Affairs.

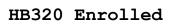
- (e) This section shall be repealed January 1, 20272029. At that time, any monies remaining in the fund that are not committed for the purpose of this section shall be transferred to the State General Fund.
- (f) No monies may be withdrawn or expended from the fund for any purpose unless the monies have been appropriated by the Legislature. Any monies appropriated shall be budgeted and allotted pursuant to the Budget Management Act in accordance with Article 4 of Chapter 4 of Title 41, and only in the amounts provided by the Legislature in the general appropriations act or other appropriations act, and only for the purposes of Act 2022-133.





85	(g) (1) Each county receiving grant funds monies			
86	pursuant to subsection (c) shall establish a separate fund in			
87	the county treasury to account for the grant funds and			
88	expenditure of the funds for the deposit of grant reimbursemen			
89	monies.			
90	(2) All monies received by a county commission pursuant			
91	to this section shall be deposited, within 30 days of receipt			
92	into the fund and shall be allocated in the same manner that			
93	pistol permit revenues are allocated by law.			
94	(3) A county commission shall not retain any portion of			
95	monies received pursuant to this section beyond what is			
96	authorized by law.			
97	(4) All monies received pursuant to subsection (c)			
98	shall be expended at the discretion of the sheriff as			
99	authorized by law and pursuant to the limitations of			
100	subsection (c).			
101	(5) The county commission shall not be responsible for			
102	the expenditure of any monies received pursuant to this			
103	section."			
104	Section 2. This act shall become effective immediately			
105	following its passage and approval by the Governor, or its			

106 otherwise becoming law.





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120		President and Presiding Officer of	of the Senate		
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125 126		I hereby certify that the within Act originated in and passed by the House 25-Apr-23, as amended.			
127	was pas	sed by the house 25-Apr-25, as aller	idea.		
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137	Senate	01-Jun-23	Passed		
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140	House	01-Jun-23	Concurred in		
141	-		Senate Amendment		