

# HB320 INTRODUCED



1 PZFSGR-1  
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  
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SYNOPSIS:

Under existing law, five million dollars or so much as is necessary to maintain a balance of two million dollars is appropriated to the Local Government Pistol Permit Revenue Loss Fund every year for three years beginning October 1, 2023.

This bill would change the name of the fund to the Sheriffs' Advancement in Education, Technology, and Training Fund, and would appropriate seven million five hundred thousand dollars to the fund every year for five years beginning October 1, 2023.

This bill would further provide for the deposit and allocation of grant reimbursement monies.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to sheriffs; to amend Act 2022-133, 2022 Regular Session, now appearing as Section 41-23-9, Code of Alabama 1975, to change the name of the Local Government



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29 Pistol Permit Revenue Loss Fund; to increase the money  
30 appropriated to the fund; to increase the life span of the  
31 fund; to further provide for expenditures from the fund; to  
32 further provide for the deposit and allocation of grant  
33 reimbursement monies; and to make nonsubstantive, technical  
34 revisions to update existing code language to current style.

35 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

36 Section 1. Act 2022-133, 2022 Regular Session, now  
37 appearing as Section 41-23-9, Code of Alabama 1975, is amended  
38 to read as follows:

39 "§41-23-9

40 (a) There is created in the State Treasury a fund to be  
41 known as the ~~Local Government Pistol Permit Revenue Loss~~  
42 ~~Fund~~Sheriffs' Advancement in Education, Technology, and  
43 Training Fund, into which there is automatically appropriated  
44 ~~five million dollars (\$5,000,000) annually or so much as~~  
45 ~~necessary to maintain a balance of two million dollars~~  
46 ~~(\$2,000,000) in the fund,~~ seven million five hundred thousand  
47 dollars (\$7,500,000) at the beginning of each fiscal year for  
48 the ~~three~~ five fiscal years ~~following January 1, 2023~~ beginning  
49 October 1, 2023. The fund shall consist of both of the  
50 following:

51 (1) All appropriations made to the fund.

52 (2) Any gifts, grants, or donations made to the fund  
53 from any source.

54 (b) The Alabama Department of Economic and Community  
55 Affairs shall use and expend the fund pursuant to subsection  
56 (c). Any necessary expenses of the department in implementing



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57 this section shall also be paid out of the fund.

58 (c) (1) The Alabama Department of Economic and Community  
59 Affairs may make quarterly grants to any county in which the  
60 sheriff has provided the required reports as set out in the  
61 Minimum Accounting Requirements for the Office of Sheriff  
62 established by the Department of Examiners of Public Accounts,  
63 specifically regarding the number of pistol permits purchased  
64 in that county and the revenue received from pistol permit  
65 fees issued pursuant to Section 13A-11-75, for fiscal years  
66 2022 and 2023. Any reports that are required by this act and  
67 delinquent on the effective date of this act shall be accepted  
68 as timely if delivered within 90 days of the effective date of  
69 this act. Any grants awarded to a county pursuant to this  
70 subsection may not exceed the amount of revenue received from  
71 pistol permit fees by that county in fiscal year ~~2022~~2021, as  
72 indicated within the reports to the Department of Examiners of  
73 Public Accounts. Any amounts exceeding these revenues shall be  
74 remitted back to the ~~Local Government Pistol Permit Revenue~~  
75 ~~Loss Fund~~ Sheriffs' Advancement in Education, Technology, and  
76 Training Fund at the end of each fiscal year. ~~Grant funds~~  
77 Monies shall be used by a county only for the same purposes  
78 for which pistol permit fees were authorized to be expended  
79 within that county on ~~January 1, 2023~~ December 31, 2022.

80 (2) The Department of Economic and Community Affairs  
81 shall make grants under this subsection only to an office of  
82 sheriff that, at time of submission of a report to the  
83 Department of Examiners of Public Accounts pursuant to  
84 subdivision (1), has certified in writing that each pistol



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85 permit issued by that office of sheriff in the preceding  
86 quarter was issued only following completion of a background  
87 check through the National Instant Criminal Background Check  
88 System (NICS) and that the office of sheriff, within the  
89 preceding 12 months, has trained each employee, officer, or  
90 agent involved in the issuance of pistol permits on how and  
91 when to perform a NICS background check.

92 (d) No later than January 15, 2023, and thereafter on a  
93 quarterly basis, the Department of Examiners of Public  
94 Accounts shall provide all reports referenced in subsection  
95 (c) to the Department of Economic and Community Affairs.

96 (e) This section shall be repealed January 1, ~~2027~~2029.  
97 At that time, any monies remaining in the fund that are not  
98 committed for the purpose of this section shall be transferred  
99 to the State General Fund.

100 (f) No monies may be withdrawn or expended from the  
101 fund for any purpose unless the monies have been appropriated  
102 by the Legislature. Any monies appropriated shall be budgeted  
103 and allotted pursuant to the Budget Management Act in  
104 accordance with Article 4 of Chapter 4 of Title 41, and only  
105 in the amounts provided by the Legislature in the general  
106 appropriations act or other appropriations act, and only for  
107 the purposes of Act 2022-133.

108 (g) (1) Each county receiving ~~grant funds monies~~  
109 pursuant to subsection (c) shall establish a separate fund in  
110 the county treasury ~~to account for the grant funds and~~  
111 ~~expenditure of the funds~~for the deposit of grant reimbursement  
112 monies.



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113           (2) All monies received by a county commission pursuant  
114 to this section shall be deposited, within 30 days of receipt,  
115 into the fund and shall be allocated in the same manner that  
116 pistol permit revenues are allocated by law.

117           (3) A county commission shall not retain any portion of  
118 monies received pursuant to this section beyond what is  
119 authorized by law.

120           (4) All monies received pursuant to subsection (c)  
121 shall be expended at the discretion of the sheriff as  
122 authorized by law and pursuant to the limitations of  
123 subsection (c).

124           (5) The county commission shall not be responsible for  
125 the expenditure of any monies received pursuant to this  
126 section."

127           Section 2. This act shall become effective immediately  
128 following its passage and approval by the Governor, or its  
129 otherwise becoming law.