

HB320 ENROLLED



1 PZFSGR-2

ACT #2023 - 504

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,

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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
8 the fund; to further provide for expenditures from the fund;
9 to further provide for the deposit and allocation of grant
10 reimbursement monies; and to make nonsubstantive, technical
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:

16 "§41-23-9

17 (a) There is created in the State Treasury a fund to be
18 known as the ~~Local Government Pistol Permit Revenue Loss~~
19 ~~Fund~~ Sheriffs' Advancement in Education, Technology, and
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~~
24 ~~dollars (\$7,500,000)~~ at the beginning of each fiscal year for
25 the ~~three-five~~ three-five fiscal years ~~following January 1, 2023~~ beginning
26 October 1, 2023. The fund shall consist of both of the
27 following:

28 (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.

35 (c) (1) The Alabama Department of Economic and Community
36 Affairs may make quarterly grants to any county in which the
37 sheriff has provided the required reports as set out in the
38 Minimum Accounting Requirements for the Office of Sheriff
39 established by the Department of Examiners of Public Accounts,
40 specifically regarding the number of pistol permits purchased
41 in that county and the revenue received from pistol permit
42 fees issued pursuant to Section 13A-11-75, for fiscal years
43 2022 and 2023. Any reports that are required by this act and
44 delinquent on the effective date of this act shall be accepted
45 as timely if delivered within 90 days of the effective date of
46 this act. Any grants awarded to a county pursuant to this
47 subsection may not exceed the amount of revenue received from
48 pistol permit fees by that county in fiscal year ~~2022~~2021, as
49 indicated within the reports to the Department of Examiners of
50 Public Accounts. Any amounts exceeding these revenues shall be
51 remitted back to the ~~Local Government Pistol Permit Revenue~~
52 ~~Less Fund~~ Sheriffs' Advancement in Education, Technology, and
53 Training Fund at the end of each fiscal year. ~~Grant funds~~
54 Monies shall be used by a county only for the same purposes
55 for which pistol permit fees were authorized to be expended
56 within that county on ~~January 1, 2023~~December 31, 2022.

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57 (2) The Department of Economic and Community Affairs
58 shall make grants under this subsection only to an office of
59 sheriff that, at time of submission of a report to the
60 Department of Examiners of Public Accounts pursuant to
61 subdivision (1), has certified in writing that each pistol
62 permit issued by that office of sheriff in the preceding
63 quarter was issued only following completion of a background
64 check through the National Instant Criminal Background Check
65 System (NICS) and that the office of sheriff, within the
66 preceding 12 months, has trained each employee, officer, or
67 agent involved in the issuance of pistol permits on how and
68 when to perform a NICS background check.

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

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

77 (f) No monies may be withdrawn or expended from the
78 fund for any purpose unless the monies have been appropriated
79 by the Legislature. Any monies appropriated shall be budgeted
80 and allotted pursuant to the Budget Management Act in
81 accordance with Article 4 of Chapter 4 of Title 41, and only
82 in the amounts provided by the Legislature in the general
83 appropriations act or other appropriations act, and only for
84 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 reimbursement
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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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 25-Apr-23, as amended.

John Treadwell
Clerk

Senate 01-Jun-23

Passed

House 01-Jun-23

Concurred in
Senate Amendment

APPROVED

6-14-2023

TIME

9:30 am

GOVERNOR

Alabama Secretary Of State

Act Num....: 2023-504
Bill Num...: H-320

Recv'd 06/15/23 09:49am SLF

INSOR Seaside DIST. NO. 49

SPONSORS

Remond 21 28
Hustoft 67 29
Wood 36 30
READAWAY 5/31
Donner 43 32
Wicks 58 33
Wland 70 34
Wland 102 35
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HOUSE ACTION

DATE: 4-13 2023
RD 1 RFD WNGF

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on

WNGF was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) WNGF w/sub WNGF this 19th day of April, 2023.

Remond 21, Chair

DATE: 4-19 2023
RF RD 2 CAL

DATE: 20
RE-REFERRED ☐ RE-COMMITTED ☐
Committee

DATE: 20
RE-REFERRED ☐ RE-COMMITTED ☐
Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 320.
YEAS 100 NAYS 0

JOHN TREADWELL,
Clerk

FURTHER HOUSE ACTION (OVER)

SENATE ACTION

F+TG

DATE: 4-25 2023
RD 1 RFD F+TG

This Bill was referred to the Standing Committee of the Senate on

F+TG and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) 1 w/sub 0 w/eng sub 0 by a vote of
YEAS 15 NAYS 0 abstain 0
this 25th day of May, 2023.
Chair, Chair

DATE: 5-24 2023
RF CAV AND (1) RD2 2 CAL ☐

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 5-24.
YEAS 0 NAYS 0

PATRICK HARRIS,
Secretary

DATE: 6-1-23 RD 3 at length
PASSED ☒ PASSED AS AMENDED ☐

YEAS 31 NAYS 0
And was ordered returned forthwith to the House
PATRICK HARRIS,
Secretary

DATE: 20
INDEFINITELY POSTPONED YEAS NAYS

DATE: 20
RECONSIDERED YEAS NAYS

FURTHER SENATE ACTION (OVER)