

## **BALDWIN COUNTY BOARD OF EDUCATION**

### **Board Resolution Regarding Educational Sales Tax Exemptions**

**BE IT RESOLVED** by the BALDWIN COUNTY BOARD OF EDUCATION, an agency of the State of Alabama ("Baldwin County BOE"), in a regular meeting assembled as follows:

**WHEREAS**, the Baldwin County BOE and the administration, pursuant to Alabama law and Board Policy are authorized to exercise administrative and supervisory control over the public school system of Baldwin County;

**WHEREAS**, the Baldwin County BOE, the Superintendent, and the Chief School Financial Officer are responsible for the financial integrity of the school system and are charged with acting as fiduciaries of public school funds;

**WHEREAS**, the Baldwin County Commission has provided notice of pending Commission action at their upcoming October 15, 2024 meeting and that they intend to take action that will have an effect on the Baldwin County BOE's Sales and Use Tax Revenues, specifically that they will consider exempting proceeds from the Sale of Hearing Instruments from Baldwin County Sales and Use Tax under Section 40-23-4(a)(55) of the Code of Alabama.

**WHEREAS**, the Baldwin County Commission has previously sought acquiescence from the school board with regards to exemptions such as back to school and hurricane preparedness.

**WHEREAS**, if adopted by the Baldwin County Commission, the hearing instrument exemption would commence on November 1, 2024 and end on September 30, 2029.

**WHEREAS**, \$0.024 of Baldwin County's 3-cent sales taxes ("School taxes") are not taxes levied *for* the Baldwin County Commission, but rather, are educational sales taxes levied *by* the County Commission on behalf of the School Board, an agency of the State of Alabama, for public school purposes.

**WHEREAS**, on previous and several occasions, by formally adopted resolution, the Baldwin County Commission has covenanted, agreed, and pledged in good faith these School taxes levied on behalf of the Baldwin County BOE for the Baldwin County BOE's capital and operational expenses and indebtedness.

**WHEREAS**, student growth, inflation, and the additional unfunded mandates and requirements consistently being placed on public local boards of education consistently year over year increase the operational costs for public school systems faster than at any point in history.

**WHEREAS**, the lack of any growth in this year's State sales tax collections, compounded by the concerns over a national slowdown and/or possible recession, give the Baldwin County BOE and its administration concern about additional exemptions of educational sales taxes.

**WHEREAS**, the continued exemption of items from sales taxes by the Alabama State legislature is a concerning matter to public boards of education as sales taxes serve as a primary funding

source for public education under current Alabama law.

**NOW THEREFORE, BE IT RESOLVED, BY THE BALDWIN COUNTY BOARD OF EDUCATION,** that we proclaim on October 11, 2024:

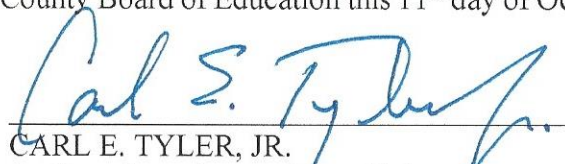
1. The findings and recitals outlined above are found to be true and correct and are hereby approved and adopted; and
2. The Baldwin County BOE does have great concerns about any further exemptions or reductions of taxes levied for the purpose of public education, we are greatly appreciative, however, of County Commissioner Ball's discussion with us and his request for our consideration.
3. The Baldwin County BOE hereby notifies the Baldwin County Commission that we have no objection to the Commission adopting the specific exemption for hearing instruments under Section 40-23-4(a)(55) of the Code of Alabama. The Baldwin County BOE reserves the right to object and take any steps necessary on any future exemptions.
4. The Baldwin County BOE hereby authorizes the Superintendent, and/or his designees, to speak and advocate on behalf of the Board in registering concerns and objections to any further sales tax exemptions which could impact the quality of education, financial obligations, indebtedness, and/or the future financial integrity of the school system and public schools in general; and
5. The Board hereby authorizes the Superintendent or his designee to take whatever steps reasonably necessary to fulfill the purposes of this Resolution.

**DONE this 11<sup>th</sup> day of October, 2024.**

**STATE OF ALABAMA  
COUNTY OF BALDWIN**

I, Carl E. Tyler, Jr. Superintendent and Ex-officio Secretary of the Baldwin County Board of Education, do hereby certify that the foregoing is a true and correct copy of a resolution of the Board adopted at its meeting held on October 11, 2024 and that the same is in full force and effect.

WITNESS my hand and seal of the Baldwin County Board of Education this 11<sup>th</sup> day of October, 2024.

  
CARL E. TYLER, JR.  
As Superintendent and Ex-officio Secretary