

HB1 INTRODUCED



1 SB9Z88-1
2 By Representatives Reynolds, Wood (D), Shedd, Moore (P),
3 Estes, Oliver, Rigsby, Holk-Jones, Baker, Blackshear, Sells
4 RFD: Ways and Means General Fund
5 First Read: 08-Mar-23
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SYNOPSIS:

This bill makes supplemental appropriations from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund for the fiscal year ending September 30, 2023.

A BILL
TO BE ENTITLED
AN ACT

To make supplemental appropriations from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund for the fiscal year ending September 30, 2023.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to all other appropriations heretofore or hereafter made, there is hereby appropriated \$1,060,181,797.72 in federal funds from the American Rescue Plan Act - Coronavirus State Fiscal Recovery Fund to the Department of Finance for the fiscal year ending September 30, 2023:

(a) Up to \$339,175,000 shall be used to support the delivery of health care and related services to citizens of Alabama related to the coronavirus pandemic, of which:

(1) Up to \$200,000,000 shall be used to reimburse



HB1 INTRODUCED

29 hospitals and nursing homes for eligible expenses. Of this
30 amount, \$100,000,000 shall be allocated to hospitals and
31 \$100,000,000 shall be allocated to nursing homes. These funds
32 may be delegated through memorandum of agreement to the
33 Alabama Health Research and Education Foundation, Inc. and the
34 Alabama Nursing Home Association Education Foundation.

35 (2) Up to \$5,000,000 shall be used to reimburse
36 veterans' hospitals for eligible expenses. These funds may be
37 delegated through memorandum of agreement to the Department of
38 Veterans' Affairs.

39 (3) Up to \$40,000,000 shall be used to reimburse the
40 State Employees' Insurance Board for eligible expenses.

41 (4) Up to \$40,000,000 shall be used to reimburse the
42 Public Education Employees' Health Insurance Board for
43 eligible expenses.

44 (5) Up to \$25,000,000 shall be used to support mental
45 health programs and services. These funds may be delegated
46 through memorandum of agreement to the Department of Mental
47 Health and the Department of Veterans' Affairs.

48 (6) Up to \$9,000,000 shall be used to facilitate the
49 expansion and use of telemedicine. Eligible uses shall include
50 the facilitation and expansion of healthcare specializations
51 in rural and community hospitals through telemedicine
52 affiliations with hospitals or health systems in the state and
53 the utilization of telemedicine delivery systems in rural and
54 educational settings. The Department of Finance may delegate
55 these funds through memorandum of agreement to the Alabama
56 Department of Public Health, or any other health care



HB1 INTRODUCED

57 provider.

58 (7) Up to \$20,000,000 shall be used to assist with a
59 voluntary clinical trial and health care research program to
60 enable greater access to personalized medicine for citizens of
61 Alabama.

62 (8) Up to \$175,000 shall be used to reimburse expenses
63 related to the coronavirus vaccine voucher programs for public
64 university students.

65 (b) Up to \$660,000,000 shall be used for eligible
66 water, sewer, and broadband infrastructure investments, of
67 which:

68 (1) Up to \$260,000,000 shall be used to support the
69 improvement and expansion of broadband network access to the
70 citizens of Alabama consistent with the Alabama Connectivity
71 Plan as approved by the Alabama Digital Expansion Authority or
72 as otherwise approved by a vote of at least two-thirds of the
73 members of the Alabama Digital Expansion Authority, and for
74 the modernization of cybersecurity and new broadband
75 infrastructure for existing and new state agencies and
76 entities. These funds may be delegated through memorandum of
77 agreement to the Alabama Department of Economic and Community
78 Affairs' Alabama Digital Expansion Division and the Office of
79 Information Technology. The Alabama Digital Expansion
80 Authority, in collaboration with the Alabama Department of
81 Economic and Community Affairs' Alabama Digital Expansion
82 Division and the Office of Information Technology, shall
83 submit bi-annual reports to the Governor and the Legislature
84 describing the status of the projects undertaken with funds



HB1 INTRODUCED

85 appropriated by this subdivision, with the first report being
86 due by June 30, 2023, and subsequent reports due by January 1
87 and July 1 of each year until all projects have been
88 completed.

89 (2) Up to \$400,000,000 shall be used to improve access
90 to clean water to the citizens of Alabama through investments
91 in water and sewer infrastructure projects.

92 a. Up to \$395,000,000 may be delegated through
93 memorandum of agreement to the Alabama Department of
94 Environmental Management. The Department of Environmental
95 Management shall utilize the funds to implement the following
96 programs:

97 1. Up to \$195,000,000 shall be provided as grants to
98 water and sewer systems for high-need projects eligible for
99 the Environmental Protection Agency's Clean Water State
100 Revolving Fund or the Drinking Water State Revolving Fund. The
101 high-need projects shall be selected from project requests
102 submitted by public water and sewer systems with priority
103 given to projects located in counties that did not have
104 projects approved for funding in 2022. Other projects shall be
105 awarded based on a ranking system established by the
106 Department of Environmental Management that provides
107 additional weight for projects that facilitate or improve
108 access to water or sewer services.

109 2. Up to \$200,000,000 shall be provided as matching
110 grants to public water and sewer systems for water or sewer
111 infrastructure projects. The projects shall be selected from
112 project requests submitted by public water and sewer systems.



HB1 INTRODUCED

113 Projects shall be awarded based on a ranking system
114 established by the Department of Environmental Management that
115 includes a factor for the water and sewer needs of growing
116 communities. The Department of Environmental Management may
117 establish matching requirements for grant recipients with
118 consideration for ability to pay. Matching funds may be
119 provided from Local Coronavirus Fiscal Recovery Funds, in kind
120 contributions, or any other source of funds made available for
121 this purpose.

122 b. Up to \$5,000,000 may be delegated through a
123 memorandum of agreement with the Department of Public Health.
124 The Department of Public Health shall utilize these funds to
125 provide grants for wastewater improvements through the
126 engineered septic system program in the Alabama Black Belt
127 areas of low population density, rural poverty, and/or soils
128 with poor perc characteristics, where there is a finding of
129 discharge of raw sewage onto the ground due to the utilization
130 of straight pipes, failing septic systems, or similar
131 circumstances.

132 (c) Up to \$55,000,000 shall be used for eligible
133 programs or services in response to the negative economic
134 impacts of the public health emergency. The Department of
135 Finance may delegate these funds through memorandum of
136 agreement to any state agency or association or provider of
137 eligible programs and services. The programs and services
138 eligible for funding in this category include:

139 (1) Food assistance through food banks.

140 (2) Programs that provide services to child-welfare



HB1 INTRODUCED

141 involved families.

142 (3) Programs that provide services to victims of
143 domestic violence.

144 (4) Programs that provide services for senior citizens.

145 (5) Programs that provide services for mental health
146 disorders and behavioral analysis.

147 (6) Programs that support long-term housing security.

148 (7) Programs that provide summer learning opportunities
149 or athletic programs or services to school-aged children.

150 (d) Up to \$5,000,000 shall be used for response and
151 mitigation expenses related to the coronavirus pandemic,
152 which shall be used to reimburse the Alabama Department of
153 Labor for the expense of conducting hearings related to the
154 receipt and use of coronavirus unemployment benefits.

155 (e) Up to \$1,006,797.72 shall be used to reimburse
156 costs for the administration, auditing, and reporting
157 requirements of the state fiscal recovery funds.

158 Section 2. (a) Any amount of the funds appropriated in
159 this act remaining unexpended on September 30, 2023, shall be
160 reappropriated for the same purposes for the fiscal year
161 beginning October 1, 2023, and for all fiscal years thereafter
162 extending through December 31, 2026.

163 (b) In the event that any of the appropriations to any
164 of the categories listed above needs to be adjusted for the
165 utilization of available funds or if the uses above are deemed
166 ineligible uses of the federal funds by the United States
167 Congress, the United States Department of the Treasury, or any
168 other federal entity of competent jurisdiction, the Director



HB1 INTRODUCED

169 of Finance shall obtain written approval of a majority of the
170 Speaker of the House of Representatives, the President Pro
171 Tempore of the Senate, the Minority Leader of the House of
172 Representatives, the Minority Leader of the Senate, and the
173 chair of each budget committee of the Legislature to
174 reallocate funds among the categories listed above prior to
175 any such reallocation.

176 (c) Any delegate or subrecipient of funds appropriated
177 in this act shall comply with all federal reporting
178 requirements and ensure proper utilization of the funds
179 appropriated. The delegate or subrecipient shall be solely
180 liable for any penalties or repayment requirements for
181 inappropriate use of funds appropriated.

182 (d) To ensure the state complies with all requirements
183 of the American Rescue Plan Act, any delegate or subrecipient
184 of any of the funds appropriated in this act shall provide all
185 information requested by the Department of Finance in a
186 complete and timely manner.

187 Section 3. The co-chairs of the Joint Legislative
188 Oversight Committee on American Rescue Plan Act State Funds,
189 as established by Act 2022-1, on behalf of the oversight
190 committee, shall have authority to request and receive reports
191 from the Department of Finance and to request and receive
192 supplemental information or data from the Department of
193 Finance or any other administering agency or entity related to
194 the implementation of the programs funded in this act and any
195 other act appropriating Coronavirus State Fiscal Recovery
196 Funds or Coronavirus Capital Projects Funds, including as to



HB1 INTRODUCED

197 the related memorandum of agreement, and to conduct hearings
198 and receive testimony therein related to the implementation of
199 the aforesaid programs.

200 Section 4. The Department of Finance shall provide a
201 copy of all expenditure reports required to be filed with the
202 Department of the Treasury regarding the Coronavirus State
203 Fiscal Recovery Funds to the Legislature within five days of
204 filing the report. The report may be delivered electronically
205 to the Legislative Fiscal Officer for distribution.

206 Section 5. This act shall become effective immediately
207 upon its passage and approval by the Governor, or its
208 otherwise becoming law.