

OFFICE OF THE GOVERNOR

KAY IVEY  
GOVERNOR



STATE CAPITOL  
MONTGOMERY, ALABAMA 36130

(334) 242-7100  
FAX: (334) 242-3282

## STATE OF ALABAMA

### MESSAGE FROM THE GOVERNOR

May 18, 2020

Alabama Senate  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I have reviewed Senate Bill 161 and believe that all federal CARES Act funds should be appropriated immediately.

For this reason, I am returning to you, the body in which it originated, Senate Bill 161 without my signature and with the below executive amendment:

#### **Executive Amendment to Senate Bill 161**

Please amend Senate Bill 161 on page 3 by deleting lines 9 through 22 in their entirety, and replacing it with the following language:

(b) Provided, however, this section shall not apply to the state Coronavirus Relief Fund amounts provided by the Congress of the United States to the State of Alabama from the Coronavirus, Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) not already expended prior to the effective date of this act or to any additional federal stimulus funds provided to the state to offset revenue losses or for purposes directly related to the coronavirus pandemic, other than additional funds provided directly for existing federal programs.

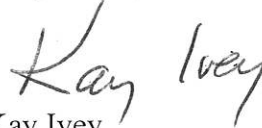
- (1) The Coronavirus Relief Fund amounts provided by the Congress of the United States to the State of Alabama from the Coronavirus, Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) are appropriated to the Department of Finance to be used as follows:
  - a. Up to \$300,000,000 to be used to reimburse state agencies for expenditures directly related to the coronavirus pandemic.

- b. Up to \$250,000,000 to be used to reimburse local governments for expenditures directly related to the coronavirus pandemic.
  - c. Up to \$250,000,000 to be used to support the delivery of healthcare and related services to citizens of the Alabama related to the coronavirus pandemic.
  - d. Up to \$300,000,000 to be used to support citizens, businesses, and non-profit and faith-based organizations of the state directly impacted by the coronavirus pandemic.
  - e. Up to \$53,000,000 for the reimbursement of equipment and infrastructure necessary for remote work and public access to the functions of state government directly impacted by the coronavirus pandemic, including the Legislature.
  - f. Up to \$300,000,000 for expenditures related to technology and infrastructure related to remote instruction and learning.
  - g. Up to \$200,000,000 for reimbursement of costs necessary to address the coronavirus pandemic by the Department of Corrections.
  - h. Up to \$10,000,000 for the reimbursement of costs necessary to ensure access to the courts during the coronavirus pandemic.
  - i. \$5,000,000 to reimburse the State General Fund for supplemental appropriations to the Alabama Department of Public Health.
  - j. Up to \$118,346,250 for any lawful purpose as provided by the United States Congress, the United States Treasury Department, or any other federal entity of competent jurisdiction.
- (2) Any of the above funds may be used to provide a temporary loan to the Education Trust Fund and/or the State General Fund in the amount equal to delayed tax receipts due to changes in tax filing provisions implemented after the declaration of the public health emergency regarding COVID-19.
- (3) Prior to any expenditure of more than \$2,500,000 in any of the categories listed above, the Director of Finance shall provide fourteen days written notice to the Speaker of the House of Representatives, the President Pro Tempore of the Senate, the majority and minority leader of each house of the Alabama Legislature, and the Chair of each budget committee. This notice may be delivered electronically to Deputy Director of the Legislative Services Agency, Fiscal Division for distribution.
- (4) In the event that any of the appropriations to any of the categories listed above needs to be adjusted for the utilization of available funds, the Director of Finance shall obtain unanimous approval by the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chair of each budget committee of the Alabama Legislature to re-allocate funds within the categories listed above prior to any such reallocation.

- (5) In the event the United States Congress, the United States Treasury Department, or any other federal entity of competent jurisdiction provides that the above appropriated funds may be used to offset lost revenues of the state, no further funds shall be allocated until such time that the Governor, the Speaker of the House of Representatives, the President Pro Tempore of the Senate, and the Chair of each budget committee of the Alabama Legislature convene and agree to a plan to allocate funds based upon estimates of lost revenues provided by the Director of the Department of Finance and the Deputy Director of the Legislative Services Agency, Fiscal Division.

Adoption of the above-proposed executive amendment will remove my objection to this bill.

Respectfully submitted,

A handwritten signature in black ink that reads "Kay Ivey". The signature is written in a cursive, flowing style.

Kay Ivey  
Governor