

advocate for SCHOOLS



TO SEE A LIST OF BILLS TRACKED BY AASB
DURING THE 2022 REGULAR SESSION,
CLICK ON BILL TRACKER BELOW:



Special Session

A special session can last no more than 12 legislative days (within a 30-calendar-day timeframe).

Lawmakers are expecting the regular session to resume on February 1.

First Special Session

10 days remain

AASB Advocacy Days

Alabama's 2022 legislative session is underway, and you're invited to join us in Montgomery for AASB Advocacy Days.*

Due to COVID-19 restrictions, space for Advocacy Days is limited.

Feb. 8 | Districts 7, 8, 9
[REGISTER NOW](#)

Feb. 22 | Districts 1, 2, 3
[REGISTER NOW](#)

Mar. 8 | Districts 4, 5, 6
[REGISTER NOW](#)

*You may sign up to participate for any of the dates if unable to attend on designated district day.

2022 Regular Legislative Session

27 days remain

Pause on Regular Session: Federal Funds a Priority

Gov. Ivey [released a proclamation Tuesday calling legislators into special session](#). The governor, in consultation with legislative leadership, deemed it a priority for lawmakers to determine how to best use federal funds Alabama has received under the American Rescue Plan Act (ARPA). In her call, Ivey specified the following be considered during the special session, the:

- ARPA Coronavirus State Fiscal Recovery Fund, which includes replenishing the Unemployment Compensation Trust Fund to provide tax relief to employers;
- ARPA Coronavirus State Fiscal Recovery Replacement Fund;
- ARPA Coronavirus Capital Projects Fund; and
- Oversight and transparency of ARPA funds allocated.

Only items set forth in the governor's call are to be considered during a special session. While lawmakers may introduce additional legislation outside of the call, any other bills would require a 2/3 vote in each chamber to be considered.

Closer Look at the Governor's FY23 ETF Budget

Bump Up for Capital Projects

Due to rising costs of construction over the past two years, the governor's [FY23 budget proposal](#), introduced last week, contains an appropriation of \$125 million (one-time funding) to be allocated to all eligible education entities that received a pro-rata share of the 2020 PSCA bond issue. Schools may utilize this one-time funding toward the cost of any projects funded by the proceeds in the bond issue or for any other capital project including construction costs, costs of equipping facilities, and repairs and maintenance.

In 2020, the legislature authorized the Public School and College Authority (PSCA) to

sell up to \$1.25 billion in bonds and allocated money to every K-12 public school system and institutions of higher education in the state. The money was divided with 73% going to K-12 schools and 27% going to two- and four-year colleges. The bond issue was approved for use toward construction, safety improvements or technology upgrades.

AASB applauds the governor for recognizing the impact inflation and supply chain issues are having on capital outlay projects. School boards identified new construction as a funding priority this session.

Additional Professional Days

The governor added two professional development (PD) days in her budget recommendation. Funding for this request is estimated to cost the ETF \$17 million per day for a total of \$34 million. The line item specifies these days are "to increase efficiency and knowledge regarding the use of technology for instruction in the classroom." Currently, nine-month teachers have a 187-day contract consisting of 180 instructional days and seven PD days. This proposal would adjust contracts to 189 days.

In lieu of two additional PD days, AASB in collaboration with A+ Education Partnership is submitting a proposal to legislators that will create a High-Quality Professional Development Fund at the state level to ensure quality and development of teachers' competencies and content knowledge in critical areas, including literacy, math, student mental health, and implementing high-quality instructional materials. LEAs would apply for funding for professional development, either from a list of state-vetted, high-quality professional learning opportunities that develop teachers' content knowledge of state standards for fast-track approval or other professional development opportunities.

Tax Cuts Proposed

In this week’s Senate Finance and Taxation Education Committee meeting, **Education Trust Fund (ETF) Budget Chair Sen. Arthur Orr** suggested the committee consider ways to return some of the record-setting ETF revenue to taxpayers. He offered two tax-cut bills which would cost the ETF more than \$57 million when implemented, but any loss suffered could be offset by increased ETF revenue due to inflation. Orr explained the bills would benefit senior citizens and working class families and both were unanimously approved by committee members.

The ETF is driven by two significant revenue sources, income tax and sales tax. Changes to these revenue sources can impact the ETF positively or negatively.

S.18 (Orr) as **amended** would allow up to \$10,000 of taxable retirement income to be exempt from income tax for taxpayers 65 and older. Beginning in 2023, the first \$5,000 of taxable retirement income would be exempt, and in 2024 the exemption would increase to the first \$10,000. **See ETF fiscal note.**

SB19 (Orr) would increase the maximum dependent exemption from \$20,000 to \$50,000; increase the adjusted gross income (AGI) floor from \$23,000 to \$25,500 for couples married filing jointly, head of family or single and would increase the AGI floor from \$10,500 to \$12,750 for those married, but filing separate. The standard deduction amount also would be increased from \$4,000 to \$5,000 for taxpayers that are married filing jointly. The bill was **amended** to say that the standard deduction shall not be less than \$2,500 for married taxpayers filing separate, head of family or single which increases that deduction go from \$2,000 to \$2,500. **See ETF fiscal note.**

Flexibility for Child Nutrition Programs

S.72 (Williams) will help Child Nutrition Programs (CNP) respond to food and supply shortages caused by the pandemic. The bill, which received a **favorable report** by the Senate Government Affairs Committee, would allow local boards and any other public education entity providing CNP meals under the State Department of Education to purchase goods and services without going through the state competitive bid law in emergency situations as recommended by the State Superintendent of Education and approved by the Department of Examiners of Public Accounts. Eliminating the bid requirement would save time, allowing school officials to quickly respond to unanticipated food shortages.

The bidding requirement in emergencies was waived by federal authorities, but the state must change its law to give CNP programs flexibility needed in these situations. Desperate to provide tasty, healthy meals for students, school officials who purchased food from area stores when usual suppliers ran short risk audit findings if this legislation is not approved.

Committee Activity

S.31 (Jones) - **Family leave for adoption** - would require, concurrently with federal law, certain employers to offer 12 weeks of family medical leave to eligible employees for the birth and care of a child during the first year after the birth of the child and for an adopted child within one year of placement. Approved by Senate committee.

S.77 (Givhan) - **Prohibit purchase of flags** - would prohibit any state agency or institution from purchasing a United States flag or Alabama flag not manufactured in the United States of America. Approved by Senate committee.

Select Bill Introductions

H.18 (Brown, C.) - **Mask opt-out**- would allow a parent or guardian of public K-12 student to opt-out of any requirement that students must wear a face-covering at a school, school function, school bus stop or on a school bus.

H.36 (Wood, R.) - **Retiree part-time compensation** - would increase compensation that a retiree receiving an ERS or TRS allowance may earn for performing duties with an employer participating in the system.

H.50 (Hollis) - **Feminine hygiene products** - would require local boards to provide feminine hygiene products in women’s restrooms, for schools with grades 5-12, at no cost to students.

H.96 (Gray) - **Water bottle filling stations** - would require the installation of water bottle filling stations in all newly constructed and renovated public K-12 school buildings.

H.123 (Ledbetter) - **Mental health coordinators** - would establish the qualifications and duties of a mental health service coordinator and would require each local board to employ a mental health service coordinator to serve schools within its school system.

H.124 (Ledbetter) - **4H credit** - would require that a K-12 public school student who participates in an activity or program sponsored by 4-H or the Future Farmers of America (FFA) during school hours is credited as being present in class during the participation.

H.134 (Baker) - **Tier 2 retirement (TRS)** - would modify benefits for Tier 2 TRS members by providing 30-year retirement and increases the member contribution rate.

S.30 (Singleton) - **TRS lump sum payment** - would provide a one-time lump sum payment to TRS retirees receiving benefits prior to March 1, 2022, of \$2 per month for each year of service attained by the retiree or a total of \$300, whichever is greater.

S.78 (Smitherman) - **AL Literacy Act postponement** - would postpone implementation of the third grade retention requirement until the 2025-2026 school year.

S.116 (Whatley) - **Advanced K-12 enrollment** - would allow children of military families to enroll in public K-12 school in advance pending military orders.

AASB LEGISLATIVE TEAM



Sally Smith, J.D.
Executive Director

ssmith@AlabamaSchoolBoards.org



Bart Reeves, Ed.D.
Assistant Executive Director
for Governmental Relations

breeves@AlabamaSchoolBoards.org



Tracey Meyer
Governmental Relations
Coordinator

tmeyer@AlabamaSchoolBoards.org