

1 HB251  
2 216261-1  
3 By Representative Gaston  
4 RFD: State Government  
5 First Read: 03-FEB-22

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8       SYNOPSIS:               Under existing law, the general and  
9                               permanent laws of the State of Alabama enacted  
10                              subsequent to the adoption and enactment of the  
11                              Code of Alabama 1975, including acts of the 1976  
12                              Regular Session of the Legislature through the 2020  
13                              Regular Session as contained in the respective  
14                              annual cumulative supplements and replacement  
15                              volumes to the code, have been adopted and  
16                              incorporated in a continuous and systematic manner  
17                              into the Code of Alabama 1975.

18                              This bill would adopt and incorporate into  
19                              the Code of Alabama 1975, those general and  
20                              permanent laws of the state enacted during the 2021  
21                              Regular Session as contained in the 2021 Cumulative  
22                              Supplements to certain volumes of the code and 2021  
23                              Replacement Volumes 4, 7A, and 17A.

24                              This bill would initially adopt and  
25                              incorporate into the Code of Alabama 1975, Volume  
26                              22M, Local Laws Monroe to Perry Counties.

1                   This bill would adopt and incorporate into  
2                   the Code of Alabama 1975, the 2021 supplements to  
3                   local law volumes.

4                   This bill would make certain corrections to  
5                   the replacement volumes and volumes of the  
6                   cumulative supplements.

7                   This bill would specify that this adoption  
8                   and incorporation constitute a continuous  
9                   systematic codification of the entire Code of  
10                  Alabama 1975, and would expressly provide that this  
11                  act does not affect 2022 session statutes.

12                  This bill would also specify the duties of  
13                  the Secretary of State regarding the custody of the  
14                  cumulative supplements and replacement volumes.

15  
16   A BILL  
17   TO BE ENTITLED  
18   AN ACT  
19

20                  To adopt and incorporate into the Code of Alabama  
21                  1975, those general and permanent laws of the state enacted  
22                  during the 2021 Regular Session as contained in the 2021  
23                  Cumulative Supplements to certain volumes of the code and 2021  
24                  Replacement Volumes 4, 7A, and 17A; to initially adopt and  
25                  incorporate into the Code of Alabama 1975, 2021 Volume 22M,  
26                  Local Laws Monroe to Perry Counties; and to adopt and  
27                  incorporate into the Code of Alabama 1975, the 2021 Cumulative

1 Supplements to local law volumes; to make corrections in  
2 certain volumes of the cumulative supplements and replacement  
3 volumes; to specify that this adoption and incorporation  
4 constitute a continuous systematic codification of the entire  
5 Code of Alabama 1975, and that this act is a law that adopts a  
6 code; to declare that the Code Publisher has certified that it  
7 has discharged its duties regarding the replacement volumes;  
8 to expressly provide that this act does not affect any 2022  
9 session statutes; and to specify the duties of the Secretary  
10 of State regarding the custody of the cumulative supplements  
11 and replacement volumes.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) (1) Those general and permanent laws  
14 of the state enacted during the 2021 Regular Session as  
15 contained in the 2021 Cumulative Supplements to Volume 3,  
16 Volumes 5 to 7, inclusive, Volumes 8 to 17, inclusive, and  
17 Volumes 17B to 22A, inclusive, and the 2021 Replacement  
18 Volumes 4, 7A, and 17A, and the additions and deletions made  
19 by the Code Commissioner for editorial purposes, as edited and  
20 published by Thomson Reuters, as the Code Publisher, which  
21 volumes of the 2021 Cumulative Supplements and 2021  
22 Replacement Volumes are identified and authenticated by the  
23 Great Seal of the State of Alabama placed upon the front and  
24 back of each of the volumes of the cumulative supplements and  
25 upon the first inside page and the last inside page of the  
26 replacement volumes, are adopted and incorporated into the  
27 Code of Alabama 1975.

1           (2) Those general and permanent laws of the state  
2 enacted during the 2021 Regular Session as contained in the  
3 2021 Cumulative Supplements to Volumes 3 to 22A, inclusive,  
4 and the additions and deletions made by the Code Commissioner  
5 for editorial purposes, as edited and published by Thomson  
6 Reuters, as the Code Publisher, which volumes of the 2021  
7 Cumulative Supplements and 2021 Replacement Volumes are  
8 identified and authenticated by the Great Seal of the State of  
9 Alabama placed upon the front and back of each of the volumes  
10 of the cumulative supplements and upon the first inside page  
11 and the last inside page of the replacement volumes, are  
12 adopted and incorporated into the Code of Alabama 1975.

13           (b) The following corrections are made:

14           (1) Section 15-22-32, 2021 Cumulative Supplement to  
15 Volume 12B, pages 120 and 121. To correct a scrivener's error  
16 which resulted in the use of incorrect terminology, in the  
17 second sentence of paragraph (b)(1)c. and in the first  
18 sentence of paragraph (e)(5)a., replace "the revocation  
19 occurred" with "the violation occurred"

20           (2) Section 15-22-54, 2021 Cumulative Supplement to  
21 Volume 12B, pages 132 and 134. To correct a scrivener's error  
22 which resulted in the use of incorrect terminology, in the  
23 second sentence of paragraph (e)(1)d. and in the first  
24 sentence of subdivision (f)(5), replace "the revocation  
25 occurred" with "the violation occurred"

26           (3) Section 16-6F-10, 2021 Cumulative Supplement to  
27 Volume 13, page 111. To reletter internal references to

1 reflect the addition of a new paragraph a. during the  
2 legislative process, in the first sentence of paragraph  
3 (b) (1)d., replace "paragraph a." with "paragraph b." and in  
4 the second sentence of paragraph (b) (1)d., replace "paragraph  
5 b." with "paragraph c."

6 (4) Section 32-12A-1, 2021 Replacement Volume 17A,  
7 pages 790 and 791. To correct a publishing error that occurred  
8 during the harmonization of two amendatory acts, in the first  
9 sentence of subdivisions (1) and (5), after the language "less  
10 in width," insert "measured from the outside of the tire rim  
11 to the outside of the tire rim directly across on the  
12 vehicle," and in subdivision (5), replace "2,500" with "3,500"

13 (5) Section 40-18-384, 2021 Cumulative Supplement to  
14 Volume 21A, page 179. To correct an internal cross-reference  
15 to reflect code sections repealed and added by Act 2021-2, in  
16 subdivision (a) (2) and in subsection (d), replace "Section  
17 40-18-411(a) (2)c." with "Section 40-18-417.2(a) (2)b."

18 (6) Section 45-16-84.02, 2021 Cumulative Supplement  
19 to Volume 22D, page 103. For purposes of organization and  
20 clarity, to redesignate the code section as subdivisions  
21 (c) (1), (2), and (3) of Section 45-16-241.20 and revise  
22 internal references to achieve appropriate hierarchy as  
23 follows:

24 "(c) (1) A Revenue Commissioner of Coffee County  
25 elected on or after March 8, 2021, shall receive an annual  
26 base salary of eighty-five thousand dollars (\$85,000) per  
27 year. Except as provided in subdivision (2), the salary shall

1 constitute the total compensation payable to the revenue  
2 commissioner, and shall be in lieu of any salary, expense  
3 allowance, or other compensation provided by law. The revenue  
4 commissioner shall be paid from the same funds and in the same  
5 manner as presently provided.

6 "(2) The annual salary provided in subdivision (1)  
7 shall continue to be adjusted thereafter as authorized in  
8 Chapter 2A of Title 11.

9 "(3) If there is a break in continuous service as  
10 revenue commissioner on or after May 17, 2021, upon  
11 reappointment or reelection as revenue commissioner, he or she  
12 shall receive the base salary as provided in subdivision (1),  
13 which may be adjusted as provided in subdivision (2)."

14 Section 2. Those local and permanent laws of the  
15 state previously enacted and contained in the local and  
16 permanent laws pertaining to various counties enacted during  
17 the 2021 Regular Session, and the 2021 Regular Session as  
18 contained in initial Volume 22M, Local Laws Monroe to Perry  
19 Counties, and the 2021 Cumulative Supplements to Volumes 22B,  
20 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, and 22L and the  
21 additions and deletions made by the Code Commissioner for  
22 editorial purposes, as edited and published by Thomson  
23 Reuters, as the Code Publisher, which volumes of the 2021  
24 Cumulative Supplement are identified and authenticated by the  
25 Great Seal of the State of Alabama placed upon the front and  
26 back of each of the volumes of the cumulative supplements, are  
27 adopted and incorporated into the Code of Alabama 1975.

1           Section 3. The adoption and incorporation of the  
2 supplements and replacement volumes specified in this act  
3 shall constitute a continuous systematic codification of the  
4 entire Code of Alabama 1975, for purposes of Section 85 of the  
5 Official Recompilation of the Constitution of Alabama of 1901,  
6 as amended. This act is a law that adopts a code for the  
7 purposes of Section 45 of the Official Recompilation of the  
8 Constitution of Alabama of 1901, as amended. Notwithstanding  
9 the foregoing, nothing in this act shall be deemed to codify  
10 any provision of law that was adopted in violation of any  
11 provision of the Constitution of Alabama of 1901, establishing  
12 requirements for, or limitations on, the enactment of a law.

13           Section 4. It is declared that Thomson Reuters, as  
14 the Code Publisher, has certified that it has discharged its  
15 duties and responsibilities to edit and publish 2021  
16 Replacement Volumes 4, 7A, and 17A of the Code of Alabama  
17 1975, by combining the material in the previous bound volumes  
18 with the material contained in the cumulative supplements  
19 without making substantive changes, but making, under the  
20 supervision and pursuant to the direction of the Code  
21 Commissioner, nonsubstantive changes and corrections as may  
22 have resulted from changes in reference numbers, changes of  
23 names and titles of governmental departments, agencies, and  
24 officers, typographical errors, grammatical changes, and  
25 misspellings.

26           Section 5. The adoption of this act shall not  
27 repeal, supersede, amend, or in any other way affect any



1 statute enacted into law during any 2022 session of the  
2 Legislature.

3 Section 6. Upon passage and approval of this act,  
4 the duly authenticated volumes of the 2021 Cumulative  
5 Supplements, the 2021 Replacement Volumes, and the 2021  
6 Cumulative Supplements shall be transmitted to the Secretary  
7 of State, who shall file the volumes of the supplements and  
8 the replacement volumes in that office. The volumes of the  
9 supplements and replacement volumes shall not be removed from  
10 the office of the Secretary of State, but the Secretary of  
11 State, upon request, under proper certificate and seal of that  
12 office, shall certify any part or parts thereof upon payment  
13 of the fee specified by law for similar services.

14 Section 7. This act shall become effective  
15 immediately following its passage and approval by the  
16 Governor, or its otherwise becoming law.