

1 HB461  
2 191909-2  
3 By Representatives Harbison, Shedd and Henry (Constitutional  
4 Amendment)  
5 RFD: Local Legislation  
6 First Read: 27-FEB-18

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8 SYNOPSIS: This bill would propose a local  
9 constitutional amendment relating to Cullman County  
10 to provide that all allowances or amounts received  
11 by the Sheriff of Cullman County for feeding  
12 prisoners would be deposited in a special account  
13 and used for feeding prisoners in the county jail  
14 and any excess would be authorized to be used by  
15 the sheriff for law enforcement purposes.

16 This bill would also provide that effective  
17 beginning the next term of office, the annual  
18 salary of the Sheriff of Cullman County would be  
19 equal to the annual salary of the Judge of Probate  
20 of Cullman County.

21  
22 A BILL  
23 TO BE ENTITLED  
24 AN ACT  
25

26 To propose an amendment to the Constitution of  
27 Alabama of 1901, relating to Cullman County, to provide that

1 all allowances received by the sheriff for feeding prisoners  
2 would be deposited in a special account and used for feeding  
3 of prisoners in the county jail and that any excess in the  
4 fund would be authorized to be used for law enforcement  
5 purposes by the sheriff and to provide for the salary of the  
6 sheriff effective beginning the next term of office.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. The following amendment to the  
9 Constitution of Alabama of 1901, is proposed and shall become  
10 valid as a part of the Constitution when all requirements of  
11 this act are fulfilled:

12 PROPOSED AMENDMENT

13 Effective beginning the next term of office of the  
14 Sheriff of Cullman County after the ratification of this  
15 amendment, any allowances or other amounts received by the  
16 sheriff for feeding prisoners shall be deposited in a separate  
17 account in the county treasury to be known as the "Sheriff's  
18 Discretionary Fund" and shall be used by the sheriff for the  
19 feeding of prisoners in the county jail. Any funds in the  
20 Sheriff's Discretionary Fund over the amounts needed for  
21 feeding prisoners may be used by the sheriff for law  
22 enforcement purposes and for the operation of the office of  
23 the sheriff. Any funds in the Sheriff's Discretionary Fund  
24 shall be carried over from year to year. In the event  
25 additional amounts are needed by the sheriff for the feeding  
26 of prisoners, the amounts shall be paid by the sheriff from  
27 any other discretionary funds available for the operation of

1 the office of the sheriff. The sheriff shall not be subject to  
2 the competitive bid law for the purchase of food or supplies  
3 used for feeding prisoners in the county jail. Also, effective  
4 at that time, the sheriff shall receive an annual salary equal  
5 to the annual salary of the Judge of Probate of Cullman County  
6 not to include any compensation received by the judge of  
7 probate for election purposes.

8 Section 2. An election upon the proposed amendment  
9 shall be held in accordance with Section 284 and Section  
10 284.01 of the Constitution of Alabama of 1901, now appearing  
11 as Section 284 and Section 284.01 of the Official  
12 Recompilation of the Constitution of Alabama of 1901, as  
13 amended, and the election laws of this state.

14 Section 3. The appropriate election official shall  
15 assign a ballot number for the proposed constitutional  
16 amendment on the election ballot and shall set forth the  
17 following description of the substance or subject matter of  
18 the proposed constitutional amendment:

19 "Relating to Cullman County, proposing an amendment  
20 to the Constitution of Alabama of 1901, to provide that  
21 effective beginning the next term of office of the sheriff,  
22 all allowances or amounts received by the sheriff for feeding  
23 prisoners would be deposited in a special account and used for  
24 feeding prisoners in the county jail and any excess in the  
25 fund would be authorized to be used for law enforcement  
26 purposes by the sheriff and to provide that, at that time, the  
27 annual salary of the Sheriff of Cullman County would be equal

1 to the annual salary of the Judge of Probate of Cullman  
2 County.

3 "Proposed by Act \_\_\_\_\_"

4 This description shall be followed by the following  
5 language:

6 "Yes ( ) No ( )."