

1 HB232
2 196962-1
3 By Representative Hill (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 20-MAR-19

2
3
4
5
6
7
8 SYNOPSIS: This bill would propose a local
9 constitutional amendment relating to St. Clair
10 County to authorize the governing body of St. Clair
11 County to levy and collect a special school
12 district ad valorem tax in each school district, as
13 defined in the proposed amendment, in the county
14 subject to an election in the school district and
15 to provide for the use of the proceeds for public
16 school purposes in the district where levied.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT
21

22 To propose a local constitutional amendment relating
23 to St. Clair County; to authorize the governing body of St.
24 Clair County to levy and collect a special school district ad
25 valorem tax in each school district subject to an election in
26 the school district and to provide for the use of the proceeds
27 for public school purposes in the district where levied.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. The following amendment to the
3 Constitution of Alabama of 1901, is proposed and shall become
4 valid as a part of the Constitution when all requirements of
5 this act are fulfilled:

6 PROPOSED AMENDMENT

7 (a) For public school purposes, in addition to any
8 taxes now authorized, or that may hereafter be authorized, by
9 the Constitution and laws of this state, the governing body of
10 St. Clair County may levy and collect, in the several school
11 districts in St. Clair County, as those districts are defined
12 in subdivision (3), subject to an election in each school
13 district as provided in this amendment, a special school
14 district tax at a cumulative total rate not exceeding two
15 dollars (\$2) on each one hundred dollars (\$100) of taxable
16 property in the school district as assessed for state
17 taxation.

18 (b) Multiple school district taxes may be levied in
19 any school district under the authority of this amendment,
20 provided the aggregate rate of the taxes is less than or equal
21 to the rate provided in this amendment. The levy and
22 collection of any school district tax prior to, upon, or after
23 the expiration of the tax, may be continued and renewed for
24 the rate, duration, and purpose as shall then be determined,
25 in the manner and subject to the requirements in this
26 amendment for the levy of a school district tax. The duration
27 of time of the levy of a tax may not exceed 30 years from

1 October 1 next succeeding the date of the election held with
2 respect to the tax.

3 (c) (1) A school district tax shall be levied under
4 this amendment only if the rate of the tax, the time the tax
5 is to continue, and the purpose or purposes of the tax shall
6 have first been submitted to the vote of the qualified
7 electors in the school district in which such tax is proposed
8 at an election held as provided in this amendment and a
9 majority of the qualified electors voting at the election
10 shall have voted in favor of the levy and collection of the
11 tax. A vote on the school district tax as provided in this
12 subsection shall be called upon the adoption of a resolution
13 by the St. Clair County Board of Education or the Pell City
14 Board of Education or upon the petition of 50 qualified
15 electors within a particular school district.

16 (2) Multiple elections may be held under this
17 amendment in any school district, at any time and from time to
18 time, to present a proposal to levy a school district tax, to
19 present a proposal to levy a school district tax that failed
20 in a previous election, to present a proposal to levy an
21 additional tax under this amendment, or to present a proposal
22 to continue and renew the levy of a school district tax levied
23 under this amendment.

24 (3) For the purposes of this amendment, "school
25 district" means all of the following:

26 a. The Pell City School District.

1 b. Any school district in St. Clair County now
2 existing or formed following the ratification of this
3 amendment as may be approved, created, or designated by the
4 St. Clair County Board of Education, including, without
5 limitation, a school district approved or designated by the
6 board solely for purposes of the school district tax
7 authorized under this amendment.

8 c.1. Any school district which is approved, created,
9 or designated by the St. Clair County Board of Education,
10 which shall be defined as a "School Attendance and Tax
11 District."

12 2. There shall be a School Attendance and Tax
13 District known as the "Pell City School Attendance and Tax
14 District" as it now exists by agreement between the Pell City
15 Board of Education and the St. Clair County Board of
16 Education, or as modified by subsequent agreement of the two
17 boards.

18 3. The St. Clair County Board of Education, without
19 the necessity of any election, may change the boundaries of
20 any School Attendance and Tax District, or consolidate any two
21 or more School Attendance and Tax Districts, if the taxes
22 authorized to be levied for public school purposes in all of
23 the territory in the district after the change of boundaries
24 or consolidation is effected shall be at the same aggregate
25 rate and for the same duration of time; provided, however,
26 that nothing contained in this paragraph shall be construed to
27 impair or permit the impairment of the obligation of any

1 contract created with respect to any obligations or securities
2 incurred or issued with respect to any School Attendance and
3 Tax District. Nothing in this paragraph shall operate or be
4 construed to abridge or affect any existing authority or power
5 conferred on the St. Clair County Board of Education, by any
6 existing law, but shall be in addition thereto.

7 (4) The term "school district" does not include the
8 City School Systems of Leeds and Trussville.

9 (d) (1) The proceeds of each school district tax
10 levied under this amendment shall be collected in the same
11 manner and under the same requirements and laws as the taxes
12 of this state are collected. The proceeds of each school
13 district tax levied shall be delivered by the tax official to
14 the local board of education having control and supervision of
15 the public schools in the school district.

16 (2) The proceeds of any school district tax levied
17 under this amendment shall be used for the exclusive benefit
18 of the School Attendance and Tax District in which the school
19 district tax is levied.

20 (3) The proceeds of any school district tax levied
21 under this amendment shall not supplant or reduce any other
22 funds distributed for the benefit of the St. Clair County
23 Board of Education, the Pell City Board of Education, or a
24 School Attendance and Tax District.

25 (e) This amendment shall be self-executing and no
26 enabling legislation shall be necessary.

1 Section 2. An election upon the proposed amendment
2 shall be held in accordance with Section 284.01 of the
3 Constitution of Alabama of 1901, now appearing as Section
4 284.01 of the Official Recompilation of the Constitution of
5 Alabama of 1901, as amended, and the election laws of this
6 state.

7 Section 3. The appropriate election official shall
8 assign a ballot number for the proposed constitutional
9 amendment on the election ballot and shall set forth the
10 following description of the substance or subject matter of
11 the proposed constitutional amendment:

12 "Relating to St. Clair County, proposing an
13 amendment to the Constitution of Alabama of 1901, to authorize
14 the governing body of St. Clair County to levy and collect a
15 special public school district ad valorem tax in each school
16 district in the county, as defined in the amendment, subject
17 to an election in the school district; and to provide for the
18 use of the proceeds for public school purposes in the district
19 where levied."

20 "Proposed by Act _____"

21 This description shall be followed by the following
22 language:

23 "Yes () No ()."