

1 HB246  
2 194803-3  
3 By Representatives Ellis, Fridy, Mooney, Carns, Drake, Farley  
4 and Weaver (Constitutional Amendment)  
5 RFD: Shelby County Legislation  
6 First Read: 20-MAR-19

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8 SYNOPSIS: This bill would propose a local  
9 constitutional amendment relating to Shelby County  
10 to provide that all allowances or amounts received  
11 by the Sheriff of Shelby 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 only for law enforcement purposes.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
20

21 To propose an amendment to the Constitution of  
22 Alabama of 1901, relating to Shelby County, to provide that  
23 all allowances received by the sheriff for feeding prisoners  
24 would be deposited in a special account and used for feeding  
25 of prisoners in the county jail and that any excess in the  
26 fund would be authorized to be used by the sheriff at his or  
27 her discretion only for law enforcement purposes.

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 Effective beginning the next term of office of the  
8 Sheriff of Shelby County after the ratification of this  
9 amendment, any allowances or other amounts received by the  
10 sheriff for feeding prisoners shall be deposited in a separate  
11 account in the county treasury to be known as the "Sheriff's  
12 Discretionary Fund" and shall be used by the sheriff for the  
13 feeding of prisoners in the county jail. Any funds in the  
14 Sheriff's Discretionary Fund over the amounts needed for  
15 feeding prisoners may be used by the sheriff at his or her  
16 discretion only for law enforcement purposes and the sheriff  
17 shall not be personally entitled to any portion thereof. Any  
18 funds in the Sheriff's Discretionary Fund shall be carried  
19 over from year to year. In the event additional amounts are  
20 needed by the sheriff for the feeding of prisoners, the  
21 amounts shall be paid by the sheriff from any other  
22 discretionary funds available for the operation of the office  
23 of the sheriff. The sheriff shall not be subject to the  
24 competitive bid law for the purchase of food or supplies used  
25 for feeding prisoners in the county jail.

26 Section 2. An election upon the proposed amendment  
27 shall be held in accordance with Section 284 and Section

1 284.01 of the Constitution of Alabama of 1901, now appearing  
2 as Section 284 and Section 284.01 of the Official  
3 Recompilation of the Constitution of Alabama of 1901, as  
4 amended, and the election laws of this state.

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

10 "Relating to Shelby County, proposing an amendment  
11 to the Constitution of Alabama of 1901, to provide that  
12 effective beginning the next term of office of the sheriff,  
13 all allowances or amounts received by the sheriff for feeding  
14 prisoners would be deposited in a special account and used for  
15 feeding prisoners in the county jail and any excess in the  
16 fund would be authorized to be used only for law enforcement  
17 purposes by the sheriff and the sheriff shall not be  
18 personally entitled to any portion thereof.

19 "Proposed by Act \_\_\_\_\_"

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

22 "Yes ( ) No ( )."