

1 HB318
2 182240-1
3 By Representative Gaston
4 RFD: State Government
5 First Read: 28-FEB-17

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8 SYNOPSIS: Under existing laws, 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 2015
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 2015
21 First Special Session, the 2015 Second Special
22 Session, and the 2016 Regular Session as contained
23 in the 2016 Cumulative Supplement to certain
24 volumes of the code and 2016 Replacement Volumes
25 15, 15A, 15B, and 17.

1 This bill would adopt and incorporate into
2 the Code of Alabama 1975, the 2016 supplements to
3 local law volumes.

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

7 This bill would specify that this adoption
8 and incorporation constitutes a continuous
9 systematic codification of the entire Code of
10 Alabama 1975, and would expressly provide that this
11 act does not affect 2016 Special Session or 2017
12 session statutes.

13 This bill would also specify the duties of
14 the Secretary of State regarding the custody of
15 these cumulative supplements, replacement volumes,
16 and initial volume.

17
18 A BILL
19 TO BE ENTITLED
20 AN ACT

21
22 To adopt and incorporate into the Code of Alabama
23 1975, those general and permanent laws of the state enacted
24 during the 2015 First Special Session, the 2015 Second Special
25 Session, and the 2016 Regular Session as contained in the 2016
26 Cumulative Supplement to certain volumes of the code and 2016
27 Replacement Volumes 15, 15A, 15B, and 17; to adopt and

1 incorporate into the Code of Alabama 1975, 2016 Cumulative
2 Supplements to local law volumes; to make certain corrections
3 in the replacement volumes and certain volumes of the
4 cumulative supplement; to specify that this adoption and
5 incorporation constitute a continuous systematic codification
6 of the entire Code of Alabama 1975, and that this act is a law
7 that adopts a code; to declare that the Code Publisher has
8 certified it has discharged its duties regarding the
9 replacement volumes; to expressly provide that this act does
10 not affect any 2016 Special Session or 2017 session statutes;
11 and to specify the duties of the Secretary of State regarding
12 the custody of these cumulative supplements, replacement
13 volumes, and initial volume.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. (a) Those general and permanent laws of
16 the state enacted during the 2015 First Special Session, the
17 2015 Second Special Session, and the 2016 Regular Session as
18 contained in the 2016 Cumulative Supplements to Volumes 3 to
19 14A, inclusive, Volumes 16 and 16A, and Volumes 17A to 22A,
20 inclusive, and the 2016 Replacement Volumes 15, 15A, 15B, and
21 17, and the additions and deletions made by the Code
22 Commissioner for editorial purposes, as edited and published
23 by Thomson Reuters, as the Code Publisher, which volumes of
24 the 2016 Cumulative Supplement and 2016 Replacement Volumes
25 are identified and authenticated by the Great Seal of the
26 State of Alabama placed upon the front and back of each of the
27 volumes of the cumulative supplement and upon the first inside

1 page and the last inside page of the replacement volume, are
2 adopted and incorporated into the Code of Alabama 1975.

3 (b) The following corrections are made:

4 (1) Section 13A-10-190, 2016 Cumulative Supplement
5 to Volume 12A, page 18. To reflect all of the code sections to
6 which the definitions apply per the original act and later
7 amendatory acts, in the opening sentence, delete "Act
8 2009-718" and insert in lieu thereof: "this article, Section
9 13A-11-11, and Section 36-19-2.1"

10 (2) Section 32-6-7.2, 2016 Cumulative Supplement to
11 Volume 17A, page 76. To correct a clerical error that resulted
12 in the inadvertent deletion of subdivision (1) of subsection
13 (g), in subsection (g), after the opening sentence, insert the
14 following subdivision:

15 "(1) Any resident of this state age 16 years and
16 over who is married or who is the head of a household."

17 (3) Section 32-9-20, 2016 Cumulative Supplement to
18 Volume 17A, p. 185, to correct a publishing error which
19 resulted in the inadvertent deletion of part of a mathematical
20 formula used to calculate gross weight of a vehicle, in the
21 formula set out in paragraph c. of subdivision (4) of
22 subsection (a), replace the number "3" with the number "36"

23 (4) Section 32-20-41, 2010 Replacement Volume 17A,
24 page 730. To correct a clerical error that resulted in an
25 erroneous internal citation, in subsection (a), delete
26 "Chapter 13" and insert in lieu thereof "Chapter 8"

1 (5) Section 41-22-22.1, 2016 Cumulative Supplement
2 to Volume 22, page 107. To correct an enrolling error, in the
3 fifth sentence of subsection (b), after "The committee" delete
4 "may conduct public hearings and solicit public comment" and
5 insert in lieu thereof: "shall conduct public hearings and
6 shall allow public comment"

7 Section 2. Those local and permanent laws of the
8 state previously enacted and contained in the local and
9 permanent laws pertaining to various counties enacted during
10 the 2015 First Special Session, the 2015 Second Special
11 Session, and the 2016 Regular Session as contained in the 2016
12 Cumulative Supplement to Volumes 22B, 22C, 22D, 22E, 22F, 22G,
13 22H, 22I, and 22J and the additions and deletions made by the
14 Code Commissioner for editorial purposes, as edited and
15 published by Thomson Reuters, as the Code Publisher, which
16 volumes of the 2016 Cumulative Supplement are identified and
17 authenticated by the Great Seal of the State of Alabama placed
18 upon the front and back of each of the volumes of the
19 cumulative supplement, are adopted and incorporated into the
20 Code of Alabama 1975.

21 Section 3. The adoption and incorporation of the
22 supplements and replacement volumes specified in this act
23 shall constitute a continuous systematic codification of the
24 entire Code of Alabama 1975, for purposes of Section 85 of the
25 Official Recompilation of the Constitution of Alabama of 1901,
26 as amended. This act is a law that adopts a code for the
27 purposes of Section 45 of the Official Recompilation of the

1 Constitution of Alabama of 1901, as amended. Notwithstanding
2 the foregoing, nothing in this act shall be deemed to codify
3 any provision of law that was adopted in violation of any
4 provision of the Constitution of Alabama of 1901, establishing
5 requirements for, or limitations on, the enactment of a law.

6 Section 4. It is declared that Thomson Reuters, as
7 the Code Publisher, has certified that it has discharged its
8 duties and responsibilities to edit and publish 2016
9 Replacement Volumes 15, 15A, 15B, and 17 of the Code of
10 Alabama 1975, by combining the material in the previous bound
11 volumes with the material contained in the cumulative
12 supplement without making substantive changes, but making,
13 under the supervision and pursuant to the direction of the
14 Code Commissioner, nonsubstantive changes and corrections as
15 may have resulted from changes in reference numbers, changes
16 of names and titles of governmental departments, agencies, and
17 officers, typographical errors, grammatical changes, and
18 misspellings.

19 Section 5. The adoption of this act shall not
20 repeal, supersede, amend, or in any other way affect any
21 statute enacted into law during any 2016 Special Session or
22 2017 session of the Legislature.

23 Section 6. Upon passage and approval of this act,
24 the duly authenticated volumes of the 2016 Cumulative
25 Supplements and the 2016 Replacement Volumes shall be
26 transmitted to the Secretary of State, who shall file the
27 volumes of the supplements and the replacement volumes in that

1 office. The volumes of the supplements and replacement volumes
2 shall not be removed from the office of the Secretary of
3 State, but the Secretary of State, upon request, under proper
4 certificate and seal of that office, shall certify any part or
5 parts thereof upon payment of the fee specified by law for
6 similar services.

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