

1 SB137
2 172925-1
3 By Senators Singleton, Dunn, Smitherman, Figures, Beasley,
4 Ross, Coleman-Madison and Sanders
5 RFD: Fiscal Responsibility and Economic Development
6 First Read: 03-FEB-16

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8 SYNOPSIS: This bill would provide that as a condition
9 of receiving a grant, loan, performance-based
10 incentive, or other economic development incentive
11 from the Department of Commerce, an employer's
12 workforce may not have more than five percent
13 temporary employee positions.

14 This bill would prohibit any noncompliant
15 employer from obtaining a future award for at least
16 three years after repayment.

17 This bill would also provide for notice of
18 noncompliance and for a hearing before the Alabama
19 Department of Commerce to establish compliance.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT

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25 To add Section 41-29-2.1 to the Code of Alabama
26 1975, relating to the Alabama Department of Commerce; to
27 provide that as a condition of receiving a grant, loan,

1 performance-based incentive, or other economic development
2 incentive from the department an employer's workforce may not
3 have more than five percent temporary employee positions; to
4 prohibit any noncompliant employer from obtaining a future
5 award for at least three years after determination of
6 noncompliance; and to provide for a hearing.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 41-29-2.1 is added to the Code of
9 Alabama 1975, to read as follows:

10 §41-29-2.1.

11 (a) As a condition of receiving a grant, loan,
12 performance-based incentive, or other economic development
13 incentive from the department workforce, an employer's
14 workforce may not have more than five percent temporary
15 employee positions.

16 (b) If the department determines that an employer
17 receiving an economic development incentive pursuant to this
18 article is not in compliance with subsection (a), it shall
19 notify the employer, by certified mail, of the determination
20 of noncompliance. An employer that has been issued a notice of
21 noncompliance shall be ineligible to qualify for any other
22 grant, loan, performance-based incentive, or other economic
23 development incentive awarded by the department pursuant to
24 this article for at least three years after the date of a
25 determination of noncompliance. Any employer that is
26 determined to be ineligible to receive an economic development
27 incentive pursuant to this section may request and appear at a

1 hearing before the department to offer proof of compliance.
2 The department shall satisfy the requirements of this
3 subsection within existing resources.

4 (c) This section shall apply to any grant, loan,
5 performance-based incentive, or other economic development
6 incentive awarded by the department on or after the effective
7 date of the act adding this section.

8 Section 2. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.