

1 HB530  
2 168407-4  
3 By Representatives Daniels, Williams (P), Patterson,  
4 Sanderford, Ball, Todd, Whorton (R), Hubbard, Gaston, Scott,  
5 Rogers, Knight, Rich, Robinson, Faust, Hall, McCampbell,  
6 Henry, Farley, Johnson (K), Collins, Harbison, Butler, Hill  
7 (M), Harper, Sessions, Weaver, Martin, Boothe, Black, Ford,  
8 Wingo, Fincher, McClammy, Drake, Williams (JW), Clouse,  
9 Chesteen, Garrett, Alexander, Coleman-Evans, Lee, McCutcheon  
10 and Hurst (Constitutional Amendment)  
11 RFD: Economic Development and Tourism  
12 First Read: 21-APR-15

1                                    ENGROSSED

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4                                    A BILL

5                                    TO BE ENTITLED

6                                    AN ACT

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8                                    Proposing an amendment to the Constitution of  
9 Alabama of 1901, as amended, to give any municipality or  
10 county, or governing body thereof, that has established a tax  
11 increment district within a Major 21st Century Manufacturing  
12 Zone the sole discretion to determine the amount and type of  
13 consideration to be received by such municipality or county  
14 for the redevelopment, rehabilitation, or conservation of  
15 property disposed of to or for the benefit of private interest  
16 with funds collected from such tax increment district and  
17 without regard to Sections 93 and 94 of the Constitution of  
18 Alabama of 1901, as amended, and to validate and confirm the  
19 Major 21st Century Manufacturing Zone Act.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21                                    Section 1. The following amendment to the  
22 Constitution of Alabama of 1901, as amended, is proposed and  
23 shall become valid as a part thereof when approved by a  
24 majority of the qualified electors of the State voting thereon  
25 at an election held in accordance with Sections 284, 285 and  
26 287 of the Constitution of Alabama of 1901, as amended:

27                                    PROPOSED AMENDMENT

1                   Notwithstanding any other provision of the  
2                   Constitution, public moneys, including ad valorem tax  
3                   revenues, collected within a tax increment district located  
4                   within a Major 21st Century Manufacturing Zone as defined by  
5                   law, and proceeds of obligations issued by the municipality or  
6                   county establishing the district for the purposes of  
7                   redevelopment or revitalization of property located therein,  
8                   may be expended for the acquisition of the property and the  
9                   redevelopment, rehabilitation, or conservation thereof, and  
10                  the moneys, property, and proceeds may be disposed of, whether  
11                  to or for the benefit of private interests or otherwise, for  
12                  such consideration as shall be determined in the discretion of  
13                  the governing body of the county or municipality, as the case  
14                  may be, that established the district and without regard to  
15                  Sections 93 and 94 of this Constitution. Any obligations of a  
16                  municipality or county issued for the purposes set forth above  
17                  shall not be chargeable against the constitutional debt limit  
18                  of the municipality or county. The exercise of any powers  
19                  granted in the Major 21st Century Manufacturing Zone Act, Act  
20                  2013-51, by any municipality or county, or the governing body  
21                  thereof, shall not be subject to those limitations or  
22                  restrictions that would otherwise have been applicable under  
23                  Section 93 or Section 94 of this Constitution. The Major 21st  
24                  Century Manufacturing Zone Act, Act 2013-51, is hereby  
25                  validated and confirmed.

26                  Section 2. An election upon the proposed amendment  
27                  shall be held in accordance with Sections 284 and 285 of the

1 of the Constitution of Alabama of 1901, as amended, and the  
2 election laws of this state.

3 Section 3. Notice of the election on the proposed  
4 amendment shall be given by proclamation of the Governor  
5 published in every county in the state for four successive  
6 weeks next preceding the date appointed for the election, such  
7 publication to be made once a week for four consecutive weeks  
8 next preceding the day so appointed, in a newspaper published  
9 in each such county; provided, that in any county in which  
10 there may be no newspaper published, the proclamation shall be  
11 published by posting, for a period of not less than four  
12 consecutive weeks next preceding the day so appointed, a copy  
13 of the said proclamation at each courthouse in the said  
14 county. A newspaper shall be deemed to be published in a  
15 county, within the meaning of this section, if its principal  
16 editorial office is located in that county.

17 Section 4. The appropriate election official shall  
18 assign a ballot number for the proposed constitutional  
19 amendment and shall set forth the following description of the  
20 substance or subject matter of the proposed constitutional  
21 amendment:

22 "Proposing an amendment to the Constitution of  
23 Alabama of 1901, as amended, to give the governing body of a  
24 municipality or county that has established a tax increment  
25 district within a Major 21st Century Manufacturing Zone the  
26 sole discretion to determine the amount and type of  
27 consideration to be received by the municipality or county for

1 the redevelopment, rehabilitation, or conservation of property  
2 disposed of to or for the benefit of private interest with  
3 funds collected from such tax increment district and without  
4 regard to Sections 93 and 94 of the Constitution of Alabama of  
5 1901, and to ratify, affirm, and validate the Major 21st  
6 Century Manufacturing Zone Act.

7 "Proposed by Act \_\_\_\_\_."

8 This description shall be followed by the following  
9 language:

10 "Yes ( ) No ( )."

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Economic Devel-  
opment and Tourism..... . . . . . 21-APR-15

Read for the second time and placed  
on the calendar with 1 substitute  
and..... . . . . . 30-APR-15

Read for the third time and passed  
as amended..... . . . . . 07-MAY-15

Yeas 95, Nays 0, Abstains 1

Jeff Woodard  
Clerk