

1 HB597
2 164901-1
3 By Representatives McCutcheon, Sanderford, Patterson, Ball and
4 Williams (P) (N & P)
5 RFD: Madison County Legislation
6 First Read: 05-MAY-15

2
3
4
5
6
7
8
9 A BILL
10 TO BE ENTITLED
11 AN ACT
12

13 Relating to Madison County; authorizing the Madison
14 County Commission to levy, assess, and collect a one-half of
15 one percent sales and use tax in the unincorporated area of
16 Madison County in order to raise funds for law enforcement
17 activities within the unincorporated area of Madison County,
18 including the employment, training, and equipping of
19 additional deputy sheriffs and school resource officers;
20 creating a three-member board to determine the use of the
21 funds; prohibiting the use of the funds for the care of
22 inmates at the Madison County Detention Facility; providing
23 that when certain criteria are met, excess monies collected
24 from the tax shall be paid into the county general fund to be
25 appropriated by the Madison County Commission; and providing
26 for a referendum on the tax.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. In order to provide funds for law
2 enforcement activities within the unincorporated area of
3 Madison County, including the employment, training, and
4 equipping of additional deputy sheriffs and school resource
5 officers, the Madison County Commission may levy and provide
6 for the collection of a one-half of one percent sales and use
7 tax within the unincorporated area of Madison County which
8 shall be in addition to any and all other county taxes
9 heretofore or hereafter authorized by law in the
10 unincorporated area of Madison County. The Madison County
11 Commission shall submit the question of levying any tax to a
12 vote of the qualified electors in the unincorporated area of
13 Madison County, and give notice of the election and for
14 holding and canvassing the returns of the election.

15 Section 2. The proceeds of the tax shall be used to
16 employ additional deputy sheriffs in law enforcement
17 activities within the unincorporated area of Madison County
18 and school resource officers in Madison County schools and to
19 provide for the training and equipping of these deputy
20 sheriffs and school resource officers. The expenditure of the
21 proceeds of the tax shall be approved by a three-member board;
22 one member of the board shall be selected by the presiding
23 Circuit Court Judge of the Twenty-third Judicial Circuit; one
24 member of the board shall be elected by the Madison County
25 Board of Education and one member of the board shall be
26 selected by the Sheriff of Madison County. The members of the
27 board shall serve four-year terms and shall serve no more than

1 a total of eight years. The Sheriff of Madison County shall
2 submit to the board for its approval his or her requests for
3 expenditures of the proceeds of the tax.

4 Section 3. The proceeds of the tax may not be used
5 for the care of inmates in the Madison County Detention
6 Facility.

7 Section 4. At such times as the staffing levels of
8 the deputy sheriffs in the Madison County Sheriff's
9 Department, excluding administrative personnel and employees
10 at the Madison County Detention Facility, reach a level of 1.8
11 deputies per 1,000 residents in the unincorporated area of
12 Madison County according to the last decennial census and the
13 salaries of Madison County deputy sheriffs, based upon length
14 of service and rank, are equal to an average of the salaries
15 of police officers of the City of Huntsville and the City of
16 Madison, of the same length of service and rank, and there are
17 sufficient funds to continue to train, update, and equip all
18 Madison County deputy sheriffs, excluding administrative
19 personnel and staff employed at the Madison County Detention
20 Facility, any excess funds from the tax shall be deposited in
21 the Madison County General Fund to be appropriated by the
22 Madison County Commission. The three-member board created in
23 Section 2 shall determine when the criteria in this section
24 have been met and shall certify that fact to the Sheriff of
25 Madison County and the Madison County Commission.

26 Section 5. The sales and use tax and the provisions
27 of this act shall be come effective and operable only if

1 approved by a majority of the voters of Madison County
2 residing in the unincorporated area of Madison County and
3 voting thereon in an election held for those purposes. If a
4 majority of the aforementioned electors vote no, the sales and
5 use tax and the provisions of this act shall have no legal
6 force or effect.

7 Section 6. All laws or parts of laws which conflict
8 with this act are repealed.

9 Section 7. The provisions of this act are severable.
10 If any part of this act is declared invalid or
11 unconstitutional, that declaration shall not affect the part
12 which remains.

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