

1 HB542  
2 158890-1  
3 By Representatives Sessions, Gaston and Wilcox (Constitutional  
4 Amendment)  
5 RFD: Mobile County Legislation  
6 First Read: 26-FEB-14

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8 SYNOPSIS: Under existing law, in Mobile County, the  
9 Office of the Revenue Commissioner and the Office  
10 of the License Commissioner function as separate  
11 offices.

12 This bill would propose an amendment to the  
13 Constitution of Alabama of 1901, abolishing the  
14 office of the license commissioner and transferring  
15 the duties, functions, equipment, funds, and  
16 employees of the office of the license commissioner  
17 to the office of the revenue commissioner. This  
18 bill would also provide for the salary and  
19 employees of the combined office.

20  
21 A BILL  
22 TO BE ENTITLED  
23 AN ACT  
24

25 Proposing an amendment to the Constitution of  
26 Alabama of 1901, relating to Mobile County; to abolish the  
27 office of the license commissioner and transfer the duties,

1 functions, equipment, funds, and employees of the office of  
2 the license commissioner to the office of the revenue  
3 commissioner; to provide that any special fees assessed and  
4 collected by the license commissioner shall continue to be  
5 assessed and collected by the revenue commissioner; to provide  
6 for the employees of the office; to provide for the salary of  
7 the office; to provide that the county commission shall  
8 provide adequate space for the expanded office; and to provide  
9 an effective date.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The following amendment to the  
12 Constitution of Alabama of 1901, is proposed and shall become  
13 valid as a part of the Constitution when all requirements of  
14 this act are fulfilled:

15 PROPOSED AMENDMENT

16 (a) Effective October 1, 2015, the office of the  
17 License Commissioner of Mobile County is abolished and all the  
18 duties, functions, equipment, and funds of the license  
19 commissioner are transferred to the revenue commissioner.

20 (b) All special fees paid to the license  
21 commissioner pursuant to any local act of the Legislature in  
22 effect before October 1, 2015, shall continue to be assessed  
23 and shall be paid to the revenue commissioner beginning on  
24 October 1, 2015.

25 (c) The position of secretary to the license  
26 commissioner, authorized to be employed pursuant to Act  
27 2010-266, 2010 Regular Session (Acts 2010, p. 487), to serve

1 as the secretary to the license commissioner, shall become an  
2 appointed position of the office of the revenue commissioner.  
3 The secretary shall be appointed by the revenue commissioner  
4 and serve at his or her pleasure. The salary of the secretary  
5 shall continue to be an amount that shall not exceed the  
6 salary of the secretaries of the Mobile County Commission. The  
7 secretary shall continue to be paid in the same manner as  
8 other employees of the office. Including the position  
9 specified above, the revenue commissioner may appoint up to  
10 six additional persons to serve as employees of the office in  
11 any capacity set forth by the revenue commissioner.

12 (d) The salary of the revenue commissioner shall be  
13 75 percent of the combined salaries of the license  
14 commissioner and revenue commissioner as paid immediately  
15 preceding October 1, 2015, as calculated pursuant to Act  
16 91-368, 1991 Regular Session (Acts 1991, p. 701), Act 91-370,  
17 1991 Regular Session (Acts 1991, p. 703), Act 97-606, 1997  
18 Regular Session (Acts 1997, p. 1070), Act 97-617, 1997 Regular  
19 Session (Acts 1997, p. 1084), and Chapter 2A of Title 11, Code  
20 of Alabama 1975.

21 (e) The county commissioner shall provide sufficient  
22 office space to accommodate the expanded functions of the  
23 office of revenue commissioner.

24 Section 2. An election upon the proposed amendment  
25 shall be held in accordance with Amendment 555 to the  
26 Constitution of Alabama of 1901, now appearing as Section  
27 284.01 of the Official Recompilation of the Constitution of

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

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

8 "Relating to Mobile County, proposing an amendment  
9 to the Constitution of Alabama of 1901, to abolish the office  
10 of the license commissioner in Mobile County and transfer the  
11 duties, functions, equipment, funds, and employees of that  
12 office to the office of the revenue commissioner and to  
13 provide for the salary of the revenue commissioner and the  
14 employees of the newly combined office.

15 "Proposed by Act \_\_\_\_\_."

16 This description shall be followed by the following  
17 language:

18 "Yes ( ) No ( )."