

1 HB618  
2 138609-2  
3 By Representative McMillan  
4 RFD: Commerce and Small Business  
5 First Read: 03-APR-12

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8 SYNOPSIS: Under existing law, the state, subject to  
9 certain federal laws or rules, has the right to  
10 develop its environmental and developmental  
11 policies.

12 This bill would prohibit the State of  
13 Alabama and its political subdivisions from  
14 adopting and developing environmental and  
15 developmental policies that, without due process,  
16 would infringe or restrict the private property  
17 rights of the owner of the property.

18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT  
22

23 Relating to due process; to prohibit the State of  
24 Alabama and its political subdivisions from adopting and  
25 developing environmental and developmental policies that,  
26 without due process, would infringe or restrict the private  
27 property rights of the owner of the property.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. (a) As used in this section, "political  
3 subdivisions" means all state, county, incorporated city,  
4 unincorporated city, public local entity, public-private  
5 partnership, and any other public entity of the state, a  
6 county, or city.

7 (b) The State of Alabama and all political  
8 subdivisions may not adopt or implement policy recommendations  
9 that deliberately or inadvertently infringe or restrict  
10 private property rights without due process, as may be  
11 required by policy recommendations originating in, or  
12 traceable to "Agenda 21," adopted by the United Nations in  
13 1992 at its Conference on Environment and Development or any  
14 other international law or ancillary plan of action that  
15 contravenes the Constitution of the United States or the  
16 Constitution of the State of Alabama.

17 (c) Since the United Nations has accredited and  
18 enlisted numerous non-governmental and inter-governmental  
19 organizations to assist in the implementation of its policies  
20 relative to Agenda 21 around the world, the State of Alabama  
21 and all political subdivisions may not enter into any  
22 agreement, expend any sum of money, or receive funds  
23 contracting services, or giving financial aid to or from those  
24 non-governmental and inter-governmental organizations as  
25 defined in Agenda 21.

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