

1 SB395
2 199044-1
3 By Senator Orr
4 RFD: Governmental Affairs
5 First Read: 09-MAY-19

8 SYNOPSIS: Under existing law, the general and
9 permanent laws of the State of Alabama enacted
10 subsequent to the adoption and enactment of the
11 Code of Alabama 1975, including acts of the 1976
12 Regular Session of the Legislature through the 2017
13 Regular Session as contained in the respective
14 annual cumulative supplements and replacement
15 volumes to the code, have been adopted and
16 incorporated in a continuous and systematic manner
17 into the Code of Alabama 1975.

18 This bill would adopt and incorporate into
19 the Code of Alabama 1975, those general and
20 permanent laws of the state enacted during the 2018
21 Regular Session as contained in the 2018 Cumulative
22 Supplement to certain volumes of the code and 2018
23 Replacement Volumes 7, 7A, and 12B.

24 This bill would adopt and incorporate into
25 the Code of Alabama 1975, the 2018 supplements to
26 local law volumes.

1 This bill would make certain corrections to
2 the replacement volumes and volumes of the
3 cumulative supplement.

4 This bill would specify that this adoption
5 and incorporation constitutes a continuous
6 systematic codification of the entire Code of
7 Alabama 1975, and would expressly provide that this
8 act does not affect 2019 session statutes.

9 This bill would also specify the duties of
10 the Secretary of State regarding the custody of
11 these cumulative supplements and replacement
12 volumes.

13

14 A BILL

15 TO BE ENTITLED

16 AN ACT

17

18 To adopt and incorporate into the Code of Alabama
19 1975, those general and permanent laws of the state enacted
20 during the 2018 Regular Session as contained in the 2018
21 Cumulative Supplement to certain volumes of the code and 2018
22 Replacement Volumes 7, 7A, and 12B; to adopt and incorporate
23 into the Code of Alabama 1975, 2018 Cumulative Supplements to
24 local law volumes; to make certain corrections in the
25 replacement volumes and certain volumes of the cumulative
26 supplement; to specify that this adoption and incorporation
27 constitute a continuous systematic codification of the entire

Code of Alabama 1975, and that this act is a law that adopts a code; to declare that the Code Publisher has certified it has discharged its duties regarding the replacement volumes; to expressly provide that this act does not affect any 2019 session statutes; and to specify the duties of the Secretary of State regarding the custody of these cumulative supplements and replacement volumes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Those general and permanent laws of the state enacted during the 2018 Regular Session as contained in the 2018 Cumulative Supplements to Volumes 3 to 6B, inclusive, Volumes 8 to 12A, inclusive, Volumes 13 to 22A, inclusive, and the 2018 Replacement Volumes 7, 7A, and 12B, and the additions and deletions made by the Code Commissioner for editorial purposes, as edited and published by Thomson Reuters, as the Code Publisher, which volumes of the 2018 Cumulative Supplement and 2018 Replacement Volumes are identified and authenticated by the Great Seal of the State of Alabama placed upon the front and back of each of the volumes of the cumulative supplements and upon the first inside page and the last inside page of the replacement volumes, are adopted and incorporated into the Code of Alabama 1975.

(b) The following corrections are made:

(1) Section 13A-8-14, 2015 Replacement Volume 12A, p. 143. To renumber an internal citation in subsection (a) to reflect the renumbering of hierarchy units in Section 13A-8-1

by Act 2016-109, replace the language "paragraphs (13)a or (13)c" with "paragraphs (14)a or (14)c"

(2) Section 13A-8-15, 2015 Replacement Volume 12A, p. 143. To renumber internal citations in subsections (a) and (b) to reflect the renumbering of hierarchy units in Section 13A-8-1 by Act 2016-109, in subsection (a), replace the language "paragraphs (13)b or (13)d through (13)k" with "paragraphs (14)b. or (14)d. through (14)k." and in subsection (b), replace the language "paragraph (13)e" with "paragraph (14)e."

(3) Section 13A-9-13.1, 2015 Replacement Volume 12A, p. 294. To renumber an internal citation in subsection (f) to reflect the renumbering of hierarchy units within Section 7-1-201 by Act 2004-524, replace the language "Section 7-1-201(14)" with "Section 7-1-201"

(4) Section 13A-9-46, 2015 Replacement Volume 12A, p. 326. To renumber an internal citation in subsection (b) to reflect the renumbering of hierarchy units within Section 7-1-201 by Act 2004-524, replace the language "Section 7-1-201(37)" with "Section 7-1-201"

(5) Section 45-18-110.20, 2009 Volume 22E, p. 46. To renumber Section 45-18-110.20 as Section 45-18-111 for purposes of consistency and to conform to code style.

(6) Section 45-37A-52.58, 2014 Volume 221, p. 442.
To correct a clerical error that occurred during the initial codification of this section, delete all of the language in this section and replace it with:

"Vacancies in the council shall be filled by the council at the next regular meeting or any subsequent meeting of the council, the person so elected to hold office only until the next election of any kind in which the voters of the city to which this section applies are qualified electors, at which time the unexpired terms shall be filled by the electors in accordance with all provisions of law applicable to such city; in any event, the person elected shall hold office until a successor is elected and qualified."

Section 2. Those local and permanent laws of the state previously enacted and contained in the local and permanent laws pertaining to various counties enacted during the 2018 Regular Session as contained in the 2018 Cumulative Supplement to Volumes 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, and 22K, and the additions and deletions made by the Code Commissioner for editorial purposes, as edited and published by Thomson Reuters, as the Code Publisher, which volumes of the 2018 Cumulative Supplement are identified and authenticated by the Great Seal of the State of Alabama placed upon the front and back of each of the volumes of the cumulative supplement, are adopted and incorporated into the Code of Alabama 1975.

Section 3. The adoption and incorporation of the supplements and replacement volumes specified in this act shall constitute a continuous systematic codification of the entire Code of Alabama 1975, for purposes of Section 85 of the Official Recompilation of the Constitution of Alabama of 1901,

1 as amended. This act is a law that adopts a code for the
2 purposes of Section 45 of the Official Recompilation of the
3 Constitution of Alabama of 1901, as amended. Notwithstanding
4 the foregoing, nothing in this act shall be deemed to codify
5 any provision of law that was adopted in violation of any
6 provision of the Constitution of Alabama of 1901, establishing
7 requirements for, or limitations on, the enactment of a law.

8 Section 4. It is declared that Thomson Reuters, as
9 the Code Publisher, has certified that it has discharged its
10 duties and responsibilities to edit and publish 2018
11 Replacement Volumes 7, 7A, and 12B of the Code of Alabama
12 1975, by combining the material in the previous bound volumes
13 with the material contained in the cumulative supplement
14 without making substantive changes, but making, under the
15 supervision and pursuant to the direction of the Code
16 Commissioner, nonsubstantive changes and corrections as may
17 have resulted from changes in reference numbers, changes of
18 names and titles of governmental departments, agencies, and
19 officers, typographical errors, grammatical changes, and
20 misspellings.

21 Section 5. The adoption of this act shall not
22 repeal, supersede, amend, or in any other way affect any
23 statute enacted into law during any 2019 session of the
24 Legislature.

25 Section 6. Upon passage and approval of this act,
26 the duly authenticated volumes of the 2018 Cumulative
27 Supplements and the 2018 Replacement Volumes shall be

1 transmitted to the Secretary of State, who shall file the
2 volumes of the supplements and the replacement volumes in that
3 office. The volumes of the supplements and replacement volumes
4 shall not be removed from the office of the Secretary of
5 State, but the Secretary of State, upon request, under proper
6 certificate and seal of that office, shall certify any part or
7 parts thereof upon payment of the fee specified by law for
8 similar services.

9 Section 7. This act shall become effective
10 immediately following its passage and approval by the
11 Governor, or its otherwise becoming law.