

1 SB339
2 117417-1
3 By Senator Beason (Constitutional Amendment)
4 RFD: Governmental Affairs
5 First Read: 02-FEB-10

SYNOPSIS: Existing law allows a municipality to impose taxes or regulatory authority within its corporate limits or police jurisdiction.

This bill would propose a local constitutional amendment to the Constitution of Alabama of 1901, relating to Blount County, to prohibit any municipality not located entirely in Blount County from imposing any municipal ordinance or regulation, including, but not limited to, any tax, zoning, planning, or sanitation regulations, and any inspection service in its police jurisdiction located in Blount County and to provide that a municipality prohibited from imposing any tax or regulation under this amendment shall not provide any regulatory function or police or fire protection services in its police jurisdiction located in Blount County, other than public safety mutual aid.

A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 Proposing a local constitutional amendment to the
5 Constitution of Alabama of 1901, relating to Blount County, to
6 prohibit any municipality not located entirely in Blount
7 County from imposing any municipal ordinance or regulation,
8 including, but not limited to, any tax, zoning, planning, or
9 sanitation regulations, and any inspection service in its
10 police jurisdiction located in Blount County; and to provide
11 that a municipality prohibited from imposing any tax or
12 regulation under this amendment shall not provide any
13 regulatory function or police or fire protection services in
14 its police jurisdiction located in Blount County, other than
15 public safety mutual aid.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. The following amendment to the
18 Constitution of Alabama of 1901, is proposed and shall become
19 valid as a part of the Constitution when all requirements of
20 this act are fulfilled:

21 PROPOSED AMENDMENT

22 A municipality not located entirely in Blount County
23 is prohibited from imposing any municipal ordinance or
24 regulation, including, but not limited to, any tax, zoning,
25 planning, or sanitation regulations, and any inspection
26 service in its police jurisdiction located in Blount County. A
27 municipality prohibited from imposing any tax or regulation

1 under this amendment shall not provide any regulatory function
2 or police or fire protection services in its police
3 jurisdiction located in Blount County, other than public
4 safety mutual aid.

5 Section 2. An election upon the proposed amendment
6 shall be held in accordance with Amendment 555 to the
7 Constitution of Alabama of 1901, now appearing as Section
8 284.01 of the Official ReCompilation of the Constitution of
9 Alabama of 1901, as amended, and the election laws of this
10 state.

11 Section 3. The appropriate election official shall
12 assign a ballot number for the proposed constitutional
13 amendment on the election ballot and shall set forth the
14 following description of the substance or subject matter of
15 the proposed constitutional amendment:

16 "Relating to Blount County, proposing an amendment
17 to the Constitution of Alabama of 1901, to prohibit any
18 municipality not located entirely in Blount County from
19 imposing any municipal ordinance or regulation, including, but
20 not limited to any tax, zoning, planning, or sanitation
21 regulations, and any inspection service in its police
22 jurisdiction located in Blount County and to provide that a
23 municipality prohibited from imposing any tax or regulation
24 under this amendment shall not provide any regulatory function
25 or police or fire protection services in its police
26 jurisdiction located in Blount County, other than public
27 safety mutual aid.

1 "Proposed by Act _____"
2 This description shall be followed by the following
3 language:
4 "Yes () No ()."