

1                   HB148  
2                   124639-1  
3                   By Representative Howard (Constitutional Amendment)  
4                   RFD: Local Legislation  
5                   First Read: 03-MAR-11

8 SYNOPSIS: Under existing law, the County Commission of  
9 Hale County is authorized to levy an additional ad  
10 valorem tax to be used exclusively for payment of  
11 the cost of planning, constructing, and equipping a  
12 new county jail, or for the payment of the  
13 principal of and interest on any bonds, warrants,  
14 or other obligations issued to finance the cost of  
15 the new jail.

16 This bill would propose an amendment to the  
17 Constitution of Alabama of 1901, to provide that  
18 the amount of funds collected in excess of the  
19 amount of funds utilized for the jail must be  
20 deposited in the Hale County General Fund to be  
21 used for law enforcement purposes only; to provide  
22 for the continuation of the collection of the tax;  
23 and to provide for retroactive effect.

24  
25 A BILL  
26  
27 TO BE ENTITLED  
AN ACT

To propose an amendment to the Constitution of Alabama of 1901, to provide for the deposit of the amount of funds collected in excess of the amount of funds utilized for the new jail in the Hale County General Fund; to provide for the continuance of the collection of the tax; and to provide for retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

## PROPOSED AMENDMENT

(a) The amount of funds in excess of the amount of funds utilized for the jail pursuant to Act 92-565 of the 1992 Regular Session (Acts 1992, p. 1177), authorizing the Hale County Commission to levy an additional ad valorem tax in the amount of three mills pursuant to subsection (f) of Amendment 373 to the Constitution of Alabama of 1901, shall be deposited in the Hale County General Fund and distributed for law enforcement purposes only.

(b) After the costs of planning, constructing, and equipping a new county jail are fully paid or when all bonds, warrants, or other obligations have been retired pursuant to Act 92-565, the additional ad valorem tax in the amount of three mills shall continue to be collected and distributed pursuant to subsection (a).

(c) This constitutional amendment shall have retroactive effect to May 21, 1992.

Section 2. An election upon the proposed amendment shall be held during a special election to be held in the summer of 2011 in Hale County following the passage of the proposed amendment, and in accordance with Amendment 555 to the Constitution of Alabama of 1901, now appearing as Section 284.01 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, and the election laws of this state.

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

"Relating to Hale County, proposing an amendment to the Constitution of Alabama of 1901, to allow the funds collected from an ad valorem tax for the Hale County Jail in excess of the amount utilized for the new jail to be deposited in the Hale County General Fund and expended for law enforcement purposes; to provide for the continuation of the collection of the tax; and to provide for retroactive effect.

"Proposed by Act "

This description shall be followed by the following language:

"Yes ( ) No ( ) ."