

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

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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.

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25 A BILL
26 TO BE ENTITLED
27 AN ACT

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

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

13 PROPOSED AMENDMENT

14 (a) The amount of funds in excess of the amount of
15 funds utilized for the jail pursuant to Act 92-565 of the 1992
16 Regular Session (Acts 1992, p. 1177), authorizing the Hale
17 County Commission to levy an additional ad valorem tax in the
18 amount of three mills pursuant to subsection (f) of Amendment
19 373 to the Constitution of Alabama of 1901, shall be deposited
20 in the Hale County General Fund and distributed for law
21 enforcement purposes only.

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

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

3 Section 2. An election upon the proposed amendment
4 shall be held during a special election to be held in the
5 summer of 2011 in Hale County following the passage of the
6 proposed amendment, and in accordance with Amendment 555 to
7 the 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 Hale County, proposing an amendment to
17 the Constitution of Alabama of 1901, to allow the funds
18 collected from an ad valorem tax for the Hale County Jail in
19 excess of the amount utilized for the new jail to be deposited
20 in the Hale County General Fund and expended for law
21 enforcement purposes; to provide for the continuation of the
22 collection of the tax; and to provide for retroactive effect.

23 "Proposed by Act _____"

24 This description shall be followed by the following
25 language:

26 "Yes () No ()."