

1 HB397  
2 128089-1  
3 By Representatives Clouse, Chesteen and Grimsley (N & P)  
4 RFD: Local Legislation  
5 First Read: 31-MAR-11

2  
3  
4  
5  
6  
7  
8  
9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
12

13 Relating to the City of Dothan; to approve a  
14 proposed increase in ad valorem taxation to be levied by the  
15 City Council of Dothan, Alabama, in an amount not exceeding  
16 one and one-half percent (15 mills) that is in addition to the  
17 current one-half of one percent (5 mills) for a combined total  
18 amount not exceeding two percent (20 mills), subject to  
19 approval by a majority vote of the qualified electors residing  
20 in the City of Dothan to vote in a special municipal election  
21 to be held not later than October 1, 2013; and to provide for  
22 the distribution of any additional net ad valorem tax  
23 revenues.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. (a) Pursuant to Section 216 of the  
26 Constitution of Alabama of 1901, as amended, the City of  
27 Dothan currently levies ad valorem taxes on property situated

1       therein at the rate of one-half of one percent (5 mills) of  
2       the assessed value of such property, which tax revenues are  
3       authorized to be used for general municipal purposes.

4               (b) Pursuant to Amendment 373(f) of the Constitution  
5       of Alabama of 1901, now appearing as Section 217(f) of the  
6       Official Recompilation of the Constitution of Alabama of 1901,  
7       as amended, the governing body of the City of Dothan has duly  
8       proposed, after a public hearing on such proposal, that the  
9       City Council of Dothan be authorized to increase the rate at  
10      which the City of Dothan's municipal ad valorem taxes are  
11      levied on property situated therein by up to an additional one  
12      and one-half percent (15 mills) of the assessed value of such  
13      property, and has further proposed that such additional net ad  
14      valorem tax revenues, net of the cost of collection, be  
15      distributed as follows: (i) thirteen-fifteenths of any  
16      additional revenues shall be distributed to the Dothan City  
17      Board of Education to be used exclusively for public school  
18      purposes and (ii) the remainder of any additional revenues  
19      shall be distributed to the Houston-Love Memorial Library  
20      Board to be used exclusively for the improvement, operation,  
21      and maintenance of public libraries within the City of Dothan.

22              (c) The governing body of the City of Dothan has  
23      requested that the Legislature approves the proposed  
24      authorization for the City Council of the City of Dothan to  
25      increase the ad valorem tax, as provided in Amendment 217(f)  
26      subject to approval by majority vote of the qualified electors  
27      residing in the City of Dothan who vote on the proposal at a

1 special municipal election called and held for such purpose  
2 not later than October 1, 2013.

3 (d) Notice of the intention to propose this act has  
4 been published, without cost to the State of Alabama, in the  
5 counties wherein the City of Dothan is situated, namely,  
6 Houston County, Dale County, and Henry County, in accordance  
7 with the requirements set forth in Section 106 of the  
8 Constitution of Alabama of 1901, as amended.

9 Section 2. The Legislature does hereby approve a  
10 proposed increase of up to one and one-half percent (15 mills)  
11 in the rate of ad valorem taxes which may be levied by the  
12 City Council of the City of Dothan after the electors of the  
13 City of Dothan approve of the increase at a referendum on  
14 property situated in the City of Dothan from the current  
15 one-half of one percent (5 mills) to an amount not exceeding a  
16 total of two percent (20 mills) of the assessed value of such  
17 property, such additional net tax revenues, net of cost of  
18 collection, to be distributed as follows: Thirteen-fifteenths  
19 of any net additional ad valorem tax revenues shall be  
20 distributed to the Dothan City Board of Education to be used  
21 exclusively for public school purposes and, the remainder of  
22 any additional ad valorem tax revenues shall be distributed to  
23 Houston-Love Memorial Library Board to be used exclusively for  
24 the improvement, operation, and maintenance of public  
25 libraries within the City of Dothan. No increase shall take  
26 effect until it has been approved by majority vote of the  
27 qualified electors residing in the City of Dothan who vote on

1 the proposal at a special municipal election held in the City  
2 of Dothan not later than October 1, 2013. Following approval  
3 in the municipal election, the tax increase shall become  
4 effective in the tax year specified on the ballot.

5 Section 3. All matters relating to the assessment of  
6 property and collection of ad valorem taxes in the City of  
7 Dothan shall be unaffected by this act. The additional tax  
8 revenues approved pursuant to this act shall be assessed and  
9 collected in the same manner as existing municipal ad valorem  
10 taxes are assessed and collected.

11 Section 4. In the event any section, sentence,  
12 clause, or provision of this act shall be declared invalid by  
13 a court of competent jurisdiction, that action shall not  
14 affect the validity of the remaining sections, sentences,  
15 clauses, or provisions of this act, which shall continue  
16 effective.

17 Section 5. This act shall become effective  
18 immediately following its passage and approval by the  
19 Governor, or its otherwise becoming law.