

SB192 INTRODUCED



1 SB192
2 LRG7YWY-1
3 By Senator Givhan
4 RFD: Judiciary
5 First Read: 05-Mar-24



4 SYNOPSIS:

5 Under existing law, the general and permanent
6 laws of the State of Alabama enacted subsequent to the
7 adoption and enactment of the Code of Alabama 1975,
8 including acts of the 1976 Regular Session of the
9 Legislature through the 2022 Regular Session as
10 contained in the respective annual cumulative
11 supplements and replacement volumes to the code, have
12 been adopted and incorporated in a continuous and
13 systematic manner into the Code of Alabama 1975.

14 This bill would adopt and incorporate into the
15 Code of Alabama 1975, those general and permanent laws
16 of the state enacted during the 2023 First Special
17 Session, the 2023 Regular Session, and the 2023 Second
18 Special Session as contained in the 2023 Cumulative
19 Supplements to certain volumes of the code and 2024
20 Replacement Volumes 16, 21, and 21A.

21 This bill would adopt and incorporate into the
22 Code of Alabama 1975, the 2023 supplements to local law
23 volumes.

24 This bill would make certain corrections to the
25 replacement volumes and volumes of the cumulative
26 supplements.

27 This bill would specify that this adoption and
28 incorporation constitute a continuous systematic



SB192 INTRODUCED

codification of the entire Code of Alabama 1975, and would expressly provide that this act does not affect 2024 session statutes.

This bill would also specify the duties of the Secretary of State regarding the custody of the cumulative supplements and replacement volumes.

A BILL
TO BE ENTITLED
AN ACT

To adopt and incorporate into the Code of Alabama 1975, those general and permanent laws of the state enacted during the 2023 First Special Session, the 2023 Regular Session, and the 2023 Second Special Session as contained in the 2023 Cumulative Supplements to certain volumes of the code and 2024 Replacement Volumes 16, 21, and 21A; and to adopt and incorporate into the Code of Alabama 1975, the 2023 Cumulative Supplements to local law volumes; to make corrections in certain volumes of the cumulative supplements and replacement volumes; to specify that this adoption and incorporation 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 that it has discharged its duties regarding the replacement volumes; to expressly provide that this act does not affect any 2024



SB192 INTRODUCED

session statutes; and to specify the duties of the Secretary of State regarding the custody of the 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 2023 First Special Session, the 2023 Regular Session, and the 2023 Second Special Session as contained in the 2023 Cumulative Supplements to Volumes 3 to 15B, inclusive, Volumes 16A to 20, inclusive, and Volumes 22 to 22A, inclusive, and the 2023 Replacement Volumes 16, 21, and 21A, 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 2023 Cumulative Supplements and 2023 Replacement Volumes 16, 21, and 21A 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 22-24-12, 2015 Replacement Volume 14A, page 802. To delete Section 22-24-12 in its entirety, as this section was repealed by implication in Sections 3 and 4 of Act 2023-444.

(2) Section 27-17A-2, 2024 Replacement Volume 16, pages 463 to 468, inclusive. To delete Section 27-17A-2 in its entirety, as this section was retained in the Code of Alabama



SB192 INTRODUCED

1975, due to a scrivener's error in Act 2023-94.

(3) Section 26-10E-19, 2023 Cumulative Supplement to Volume 15B, page 56. To correct a scrivener's error and conform the language in subdivision (a)(2) to the federal act referenced in the subdivision, replace "for five years or more." with "in the preceding five years."

(4) Section 45-22-100.07, 2023 Cumulative Supplement to Volume 22E, page 55. To redesignate Section 45-22-100.07 as Section 45-22A-40.

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 2023 First Special Session, the 2023 Regular Session, and the 2023 Second Special Session, as contained in the 2023 Cumulative Supplements to Volumes 22B, 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, and 22M 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 2023 Cumulative Supplements 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, 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 Constitution of Alabama of 2022. This act is a law that adopts



SB192 INTRODUCED

a code for the purposes of Section 45 of the Constitution of Alabama of 2022. Notwithstanding the foregoing, nothing in this act shall be deemed to codify any provision of law that was adopted in violation of any provision of the Constitution of Alabama of 2022, establishing requirements for, or limitations on, the enactment of a law.

Section 4. It is declared that Thomson Reuters, as the Code Publisher, has certified that it has discharged its duties and responsibilities to edit and publish 2024 Replacement Volumes 16, 21, and 21A of the Code of Alabama 1975, by combining the material in the previous bound volumes with the material contained in the cumulative supplements without making substantive changes, but making, under the supervision and pursuant to the direction of the Code Commissioner, nonsubstantive changes and corrections as may have resulted from changes in reference numbers, changes of names and titles of governmental departments, agencies, and officers, typographical errors, grammatical changes, and misspellings.

Section 5. The adoption of this act shall not repeal, supersede, amend, or in any other way affect any statute enacted into law during any 2024 session of the Legislature.

Section 6. Upon passage and approval of this act, the duly authenticated volumes of the 2023 Cumulative Supplements and the 2024 Replacement Volumes 16, 21, and 21A shall be transmitted to the Secretary of State, who shall file the volumes of the supplements and the replacement volumes in that office. The volumes of the supplements and replacement volumes



SB192 INTRODUCED

141 shall not be removed from the office of the Secretary of
142 State, but the Secretary of State, upon request, under proper
143 certificate and seal of that office, shall certify any part or
144 parts thereof upon payment of the fee specified by law for
145 similar services.

146 Section 7. This act shall become effective immediately.