

## SB200 INTRODUCED



1 SB200  
2 SLVGR55-1  
3 By Senators Smitherman, Coleman, Hatcher, Figures, Stewart  
4 RFD: State Governmental Affairs  
5 First Read: 21-Jan-26



SYNOPSIS:

Under existing law, there exists the Alabama Office of Minority Affairs.

This bill would rename the office the Alabama Office of Civic Engagement.

This bill would also make conforming changes.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Alabama Office of Minority Affairs; to amend Section 36-13-50, Code of Alabama 1975; to rename the Alabama Office of Minority Affairs the Alabama Office of Civic Engagement; to revise Sections 36-13-51, 36-13-53, 40-9F-38, and 41-1-93, Code of Alabama 1975, to make conforming changes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 36-13-50, Code of Alabama, is amended to read as follows:

"§36-13-50

There is established in state government the agency that shall be known as the Alabama Office of ~~Minority Affairs~~Civic Engagement, to advise the Governor on issues affecting minorities, including women, focusing on the



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improvement of the overall quality of life of minorities, specifically in the areas of education, health, economics, political participation and empowerment, housing, employment, civil rights, criminal justice, and race relations and to draft policy recommendations for addressing those issues."

Section 2. Sections 36-13-51, 36-13-53, 40-9F-38, and 41-1-93, Code of Alabama 1975, are amended to make conforming changes to read as follows:

"§36-13-51

(a) The office shall be managed by a Director of the Alabama Office of ~~Minority Affairs~~Civic Engagement, who shall be appointed by and serve at the pleasure of the Governor. The position of director shall be a Governor's cabinet position.

(b) The director may employ and prescribe the duties of employees for the office as he or she deems necessary to carry out the duties and functions of the office. All employees of the Governor who work in the ~~Governor's Office of Minority Affairs~~Alabama Office of Minority Affairs on ~~July 1, 2022~~October 1, 2026, shall be transferred to the Alabama Office of ~~Minority Affairs~~Civic Engagement with no loss of compensation or benefits. After ~~July 1, 2022~~October 1, 2026, the compensation of those employees shall be established by the director in an amount that does not exceed the amount of compensation paid to comparable state Merit System classifications. All other employees of the office shall be employed pursuant to the state Merit System.

(c) The director shall employ individuals in a manner to assure the office staff is inclusive and reflects the



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racial, gender, geographic, urban, rural, and economic diversity of the state."

"§36-13-53

The Advisory Committee on ~~Minority Affairs~~Civic Engagement is created to act as a resource for the director in an advisory capacity. The committee shall be comprised of representatives from various racial and ethnic communities, female representation, state government officials, and experts in education and work force. The committee shall be appointed by and serve at the pleasure of the Governor."

"§40-9F-38

(a) There is established the Historic Tax Credit Evaluating Committee, which shall review qualifying projects, approve credits for projects, and rank projects in the order in which the projects should receive tax credit reservations based on criteria established by the commission. The commission shall establish a review cycle for the committee beginning on January 1, 2018, provided that the committee shall meet at least quarterly unless no credits remain to be allocated. The Commissioner of Revenue shall be a nonvoting member of the committee and provide advisory and technical support. The committee shall consist of the following:

(1) The Director of the Alabama Office of ~~Minority Affairs~~Civic Engagement.

(2) The Executive Director of the Alabama Historical Commission.

(3) The Finance Director.

(4) The Director of the Alabama Department of Economic



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and Community Affairs.

(5) The Secretary of Commerce.

(6) Two members of the Alabama House of Representatives, at least one of whom shall be a member of the minority party, to be appointed by the Speaker of the House of Representatives.

(7) Two members of the Alabama Senate, at least one of whom shall be a member of the minority party, to be appointed by the President Pro Tempore of the Senate.

(8) The Chair of the Senate Finance Taxation Education Committee or his or her designee.

(9) The Chair of the House Ways and Means Education Committee or his or her designee.

(b)(1) The Alabama Historical Commission shall adopt rules that shall set forth guidelines to be used by the committee in determining the allocation of credits. The guidelines shall set forth factors to be considered by the committee including all of the following:

a. The relative value of the proposed project to the particular community, including the maintenance of the historic fabric of the community.

b. The possible return on investment for the community in which the proposed project is located.

c. The geographic distribution of projects.

d. The likelihood of the project proceeding without the historic tax credit authorized in this article.

e. The strength of local support for the proposed project.



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f. The leveraged investment ratio of the project, as determined by the total project investment divided by the amount of tax credits requested.

g. The number of net new jobs the project will create in the state.

h. The amount of overall project financing for which the applicant has firm, secured commitments prior to submitting its application.

(2) Included in the information to be required for the evaluation submitted in the application of any project shall be any additional tax credits or state, federal, or local government grants that the applicant expects to utilize for the construction of the project.

(3) The committee shall establish a minimum threshold that a project must exceed before the project may be funded by the committee.

(c) The committee may meet in person, remotely, or by using a hybrid model where some members attend in person and others attend remotely, pursuant to Section 36-25A-5.1."

"§41-1-93

Nothing in this article:

(1) Prevents student, staff, or faculty organizations or associations from hosting diversity, equity, and inclusion programs or discussions that may involve divisive concepts, provided that no state funds are used to sponsor these programs. If a student, staff, or faculty organization or association hosts an event pursuant to this subdivision, it shall identify the sponsor of the event at the event and in



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any advertisements relating to the event.

(2) Prevents an employee or a contractor of a state agency, local board of education, or public institution of higher education who provides, as part of his or her job duties, orientation, course work, or training from responding to questions that are raised by participants in the orientation, course work, or training and that pertain to divisive concepts or diversity, equity, and inclusion.

(3)a. Prohibits a public institution of higher education from providing any instruction or taking any action in furtherance of satisfying any accreditation standard or requirement.

b. Prohibits a public institution of higher education from authorizing the teaching or discussion of any divisive concept in an objective manner and without endorsement as part of a larger course of academic instruction, provided the institution and its employees do not compel assent to any divisive concept and otherwise comply with this article.

c. Prohibits the required collection or reporting of demographic data by public institutions of higher education.

(4) Prohibits the teaching of topics or historical events in a historically accurate context.

(5) Prohibits an institution of higher education from performing research, collecting data, engaging in recruiting and outreach programs, offering academic support services, engaging in clinical trials, or providing medical, mental, or any health care or clinical services targeted to support individuals of any specific demographic.



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(6) Prevents state agencies from promoting racial, cultural, or ethnic diversity or inclusiveness, provided these efforts are consistent with the requirements of this article.

(7) Prohibits a public institution of higher education from providing space or ancillary services to any student or employee on a non-discriminatory basis, including, but not limited to, support and guidance to ensure compliance with applicable university policies and laws, assistance with security needs, and registration of events.

(8) Prohibits housing, athletic programming, or social organizations that are segregated by sex. Each public institution of higher education shall ensure that every multiple occupancy restroom be designated for use by individuals based on their biological sex, as defined by Section 16-1-54.

(9) May be construed to inhibit or violate the First Amendment rights of any student or employee, or to undermine the duty of a public institution of higher education to protect, to the greatest degree, academic freedom, intellectual diversity, and free expression.

(10) Shall be deemed to affect or revise any provision in state law requiring that membership of a state board, commission, or authority be inclusive and reflect the racial, gender, geographic, urban, rural, and economic diversity of the state, nor impact any public official appointed to a state board, commission, or authority as of October 1, 2024.

(11) May be construed to affect or limit the activities of the Alabama Office of ~~Minority Affairs~~Civic Engagement."





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197                   Section 3. This act shall become effective on October  
198    1, 2026.