

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



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4 SYNOPSIS:

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

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

9 This bill would also make conforming changes.

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12 A BILL

13 TO BE ENTITLED

14 AN ACT

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

21 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

24 "§36-13-50

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

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

34 Section 2. Sections 36-13-51, 36-13-53, 40-9F-38, and
35 41-1-93, Code of Alabama 1975, are amended to make conforming
36 changes to read as follows:

37 "§36-13-51

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

42 (b) The director may employ and prescribe the duties of
43 employees for the office as he or she deems necessary to carry
44 out the duties and functions of the office. All employees of
45 the Governor who work in the ~~Governor's Office of Minority~~
46 ~~Affairs~~Alabama Office of Minority Affairs on ~~July 1,~~
47 ~~2022~~October 1, 2026, shall be transferred to the Alabama
48 Office of ~~Minority Affairs~~Civic Engagement with no loss of
49 compensation or benefits. After ~~July 1, 2022~~October 1, 2026,
50 the compensation of those employees shall be established by
51 the director in an amount that does not exceed the amount of
52 compensation paid to comparable state Merit System
53 classifications. All other employees of the office shall be
54 employed pursuant to the state Merit System.

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

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

59 "§36-13-53

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

67 "§40-9F-38

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

79 (1) The Director of the Alabama Office of ~~Minority~~
80 AffairsCivic Engagement.

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

83 (3) The Finance Director.

84 (4) The Director of the Alabama Department of Economic

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85 and Community Affairs.

86 (5) The Secretary of Commerce.

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

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

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

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

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

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

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

108 c. The geographic distribution of projects.

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

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



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

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

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

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

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

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

132 "§41-1-93

133 Nothing in this article:

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

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141 any advertisements relating to the event.

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

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

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

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

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

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



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

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

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

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

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

195 (11) May be construed to affect or limit the activities
196 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.