

2015 FINAL LEGISLATIVE REPORT

Friday, June 19, 2015

The Association of County Commissions of Alabama (ACCA) has once again had a very productive legislative year. Six bills identified as ACCA bills have now become law—two of which are proposed constitutional amendments that are expected to be on either the March or November 2016 ballot. Many more bills that could have negatively impacted county government failed to pass before the legislative session came to an end, and with the help of county officials and employees, the ACCA staff was able to amend several dozen bills to protect or benefit counties in small and significant ways.

While the regular legislative session came to somewhat of an abrupt end due to disputes over the budget, Governor Bentley is expected to call a special legislative session in mid-August. Clearly, the General Fund Budget will be the primary topic of discussion, but several other bills are also expected to come back up during the special session. The ACCA staff will keep county officials and employees updated about the upcoming special session and any new bills that might have an impact on county government.

In the meantime, please take a moment to review the Association's Final Legislative Report of the 2015 Regular Session, which is divided into three sections:

- 1) [ACCA Bills That Have Become Law](#) (page 2)
- 2) [New Laws Impacting Counties](#) (page 4)
- 3) [Bills that DID NOT Become Law](#) (page 15)

NOTE: A full breakdown of Local Bills that passed this legislative session will be emailed to ACCA members on Monday. This report will be available via the ACCA website next week, and will include links to the full text of all of the legislation discussed in this report.

The ACCA staff thanks all county officials, employees, and affiliate organization members that participated in this year's legislative advocacy efforts. Please don't hesitate to contact a member of the staff with any questions about the contents of this report.

ACCA Bills That Have Become Law

County Modernization

Act No. [2015-53](#) (SB 96 by Sen. Clyde Chambliss and Rep. Richard Lindsey)

This act modernizes the administration of county government by revising several outdated sections of Alabama law, and clarifying existing language related to counties. Specifically, this act does the following:

- 1) Allows counties general authority to contract with municipalities,
- 2) Clarifies Alabama's law related to county commissioner conflicts of interest,
- 3) Authorizes counties to create a self-funded property insurance program,
- 4) Clarifies bonding requirements for 9-1-1 Board members and employees, and
- 5) Prevents the annexing of county-maintained roads along emergency evacuation routes.

The Board of Trustees of the ACCA Liability Self-Insurance Program is already actively engaged in the steps necessary to provide property insurance to counties and county-entities as authorized in this act. More details will be available at the ACCA Convention.

Many thanks to Sen. Chambliss and Rep. Lindsey for their leadership on this bill! This act will go into effect on July 1, 2015.

County Decision-Making

Act No. [2015-220](#) (HB 193 by Rep. Randy Davis and Sen. Del Marsh)

This act is a proposed constitutional amendment that would give county government limited decision-making authority to carry out management and administrative activities without the need for the passage of future local laws. Specifically, it would provide county commissions the ability to carry out management and administrative activities in the following areas:

- 1) County personnel programs, policies, and procedures,
- 2) Community programs for litter-free roadways, public facilities, and public property,
- 3) Public transportation,
- 4) Operation of county offices, and
- 5) Emergency assistance programs.

This act would not supersede general or local laws, and the county commission cannot use these powers to change the salary of other elected officials, or in any way alter or interfere with the duties of other elected officials.

Much appreciation to Rep. Davis and Sen. Marsh for their commitment to this issue! As a constitutional amendment, this measure must be approved by the voters of Alabama. It is expected to appear on the statewide ballot in either March or November of 2016.

Local Constitutional Amendments

Act No. [2015-44](#) (SB 30 by Sen. Linda Coleman and Rep. Rod Scott)

This act creates a two-step process for passing local constitutional amendments that would make it more likely that proposed local constitutional amendments would not face a statewide referendum. Currently, if a constitutional amendment applying to only one county receives a single dissenting vote in the legislature, it is subject to a statewide vote—often creating a situations where voters outside a county effectively trump the voice of citizens within the affected county. The two-step process proposed by this act sets up a separate vote in both the House and Senate on the question of whether the proposed amendment will face “local only” or a statewide referendum. In addition, should the amendment be subject to a statewide referendum, the measure would automatically fail if local voters failed to provide approval.

Many thanks to Sen. Coleman and Rep. Scott for getting an early start on this important constitutional reform measure! Sen. Coleman has championed this issue for the last decade. This measure would not have passed without her long-term dedication to this issue! This act must receive a favorable vote by the citizens of Alabama in order to go into effect. This measure is expected to be on the statewide ballot in either March or November of 2016.

Local Bidder Preference

Act No. [2015-293](#) (HB 264 by Rep. Steve McMillan)

This permissive act increases the existing local preference for those companies within the county from three percent to five percent—now allowing counties to award contracts to local companies that are within five percent of lowest responsible bidder. This preference will apply to purchases of personal property and services.

It also authorizes counties to use in-state companies owned by identified disadvantaged businesses if their bids are no more than 10 percent higher than the lowest bidder in cases when the lowest bidder is from outside the state of Alabama.

Much appreciation to Rep. Steve McMillan for working to pass this bill to provide counties additional opportunities to do business with local vendors! Appreciation is also extended to Sen. Quinton Ross for getting the bill in position to pass in the Senate and to Sen. Greg Albritton for handling the bill on the Senate floor. This act will go into effect on August 1, 2015.

Illegal Drag-Racing

Act No. [2015-318](#) (SB 321 by Sen. Bobby Singleton and Rep. AJ McCampbell)

This act increases the penalties faced by illegal drag-racers, race organizers, and spectators if convicted of the offense. It also includes provisions for impounding a vehicle that has been involved in illegal drag-racing activities. The following penalties are imposed on persons convicted of illegal drag-racing under this act:

- For the first conviction: A fine of \$500.00 and up to 90 days suspended sentence substituted with 30 days probation;
- For the second conviction: A fine of \$3,000.00 and up to six months suspended sentence substituted with six months probation;

- For the third, and any subsequent conviction: A fine of \$6,000.00 and up to 1 year suspended sentence, substituted with 1 year probation.

Many thanks to Sen. Singleton and Rep. McCampbell for their commitment to this important public safety measure. Special appreciation to Rep. Chris England, who handled the bill on the House floor. This act went into immediate effect when it was signed by Governor Bentley on June 3, 2015.

Simplified Sellers Use Tax Remittance

Act No. [2015-448](#) (SB 437 by Sen. Trip Pittman and Rep. Rod Scott)

This act is designed to entice those out-of-state retailers (primarily internet-based companies) to voluntarily collect a substitute sales tax of eight percent on all items delivered into the state. By agreeing to collect the tax, the businesses will be subject to requirements established by the act but will also be granted advantages in Alabama should a federal law be enacted requiring the collection of the exact sales tax due in every jurisdiction in Alabama.

One-half of the substitute eight-percent tax will be distributed to the state, with counties and cities each receiving two percent. The county portion will be allocated to each county based on the county's population.

The collection and remittance of the use tax will relieve both the seller and purchaser from the application of all state and local sales and use taxes on transactions. From participating in the program, eligible sellers will be offered several protections, including protection from audits by local governments based on this remittance, and assurance that use of the new system will not trigger any additional taxes or fees.

Much appreciation to Sen. Pittman and Rep. Scott for ensuring this bill made its way through the legislative process at the tail-end of the legislative session! This act will go into effect on October 1, 2015.

New Laws Impacting Counties

The Association staff monitors hundreds of bills each legislative session. By working directly with bill sponsors and committee chairs, the staff is often able to resolve concerns about proposed legislation that could have an impact on counties. Many of the Acts listed below were amended at some point during the legislative process to address ACCA concerns, and numerous other bills that would have negatively affected counties were opposed by the ACCA and did not become law.

Amendments to Gun Laws

Act No. [2015-341](#) (HB 47 by Rep. Chris England)

This act makes changes to the comprehensive gun legislation passed in 2012. Specifically, it allows a minor to be in possession of a handgun if he or she has permission from a parent or guardian and is

attending a hunter education course, practicing at a firing range, participating in a shooting competition, hunting or fishing, a member of the military, on the property under the control of his or her parent, or traveling by automobile to any of the above listed activities. Further, the act allows handguns to be in vehicles in employee parking lots (at secure buildings where firearms are otherwise permitted) as long as they are unloaded and locked away, and would also allow handguns on the premises of a mental health facility, but not in the building.

While the act does expand gun rights, its original intent was to provide a process for previously-convicted persons to regain the ability to own certain firearms. A provision in the act aligns Alabama law with federal guidelines on the restoration of rights for persons who are not currently allowed to possess a handgun. The Association worked in concert with Alabama Sheriffs on this legislation to ensure changes that protect both counties and law enforcement. Special appreciation is expressed to Rep. England for his strong support of the issues raised by counties and sheriffs.

This act goes into effect on September 1, 2015.

Open Meetings Act

Act No. [2015-340](#) (SB 21 by Sen. Cam Ward)

This act amends the Open Meetings Act to define and prohibit so-called serial meetings between members of a board or committee who gather prior to a public meeting in order to determine how the body will act on a specific matter. The Association worked directly with the Alabama Press Association on the provisions of the new act which directly impact county commissions. The Association is confident that county commissions can comply with the new requirements and will discuss the changes in detail at the ACCA Convention in August—prior to the act becoming effective.

This act goes into effect on September 1, 2015.

Local Lodging Taxes Remitted Through ONE SPOT

Act No. [2015-52](#) (SB 130 by Sen. Paul Sanford)

Taxpayers have been able to file and remit all local sales, use, and rental taxes through the Department of Revenue's ONE SPOT Program since September 2013. This act adds local lodgings taxes to the list of available local taxes that may be filed and remitted through ONE SPOT. Additionally, this act clarifies that localities shall pay no fees for use of ONE SPOT and establishes a uniform due date for all taxes paid through the system.

This act goes into effect on October 1, 2016.

Police Jurisdictions Annexations

Act No. [2015-361](#) (HB 377 by Rep. Ron Johnson)

This act addresses some of the confusion associated with municipal annexations by narrowing a municipality's use of municipal powers outside its own city limits and establishing effective dates for implementation of municipal taxes or regulation. The act only allows alteration of police jurisdiction and planning commission lines to take effect on January 1 of each year—with the adjustment accounting for

any annexations (or deannexations) taking place by or before the preceding October 1. It also imposes a 30-day notice requirement before a municipality can enforce ordinances, or assess taxes or fees in a police jurisdiction. Under this act, municipalities have the option of whether or not to exercise jurisdiction or authority over noncontiguous property annexed into its police jurisdiction—including the assessment of any tax.

Additionally, the act requires each municipality to prepare an annual report accounting for all license revenues collected in the expanded police jurisdiction and a list of the municipal services and service providers within the police jurisdiction. The report must be completed within 90 days of the close of the fiscal year.

This act goes into effect on September 1, 2015.

PRISON LEGISLATION

Prison Reform

Act No. [2015-185](#) (SB 67 by Sen. Cam Ward)

The comprehensive prison reform legislation dominated much of the Association's legislative activities during the first half the session. The act makes substantial changes to the punishment for burglary, to the services provided by community corrections programs, to the treatment and services provided to persons on parole and probation, to the relationship between law enforcement and victims, and it also establishes several new task forces to work on additional reforms.

Specifically, the act downgrades certain non-violent offenses from a Class C to a newly-established Class D felony offense with time to be served only at the county-level in programs such as community corrections and drug court. In addition, the act uses the county jail as a tool to provide intermediate sanctions to persons who are on probation and parole, but commit actions that are not considered significant enough to warrant the repeal of probation or parole.

The Association, sheriffs and county officials initially offered strong opposition to the legislation because of fears that the program would simply shift costs from the state down to the counties. Many changes were secured that will provide sheriffs with tools to remove or reject parole and probation violators that might otherwise be stagnant in the county jails. A Senate-approved amendment by the ACCA would have required the state to also reimburse the counties for the cost of medical care for the parole and probation violators stranded in county jails, but the House Judiciary Committee (and ultimately both the House and Senate) gave final approval to the act WITHOUT the Association's medical care language. Those supporting the legislation have pledged to revisit the issue should the new law add to county costs in this area.

This act goes into effect on January 30, 2016 if the Director of Finance certifies that specific funding is available to implement the provisions in this act. Currently, the prison reform legislation does not have a dedicated funding source.

Alabama Corrections Institute Finance Authority

Act No. [2015-295](#) (HB 420 by Rep. Mike Jones)

This act allows the Alabama Corrections Institute Finance Authority to sell and issue up to \$60 million in bonds to construct a new prison facility in Alabama. The act amends existing law that provided for this bond issue to purchase the private prison that was constructed several years ago in Perry County. The change is part of the prison reform effort.

This act goes into effect on September 1, 2015.

ECONOMIC DEVELOPMENT INCENTIVES

Alabama Veterans and Targeted Counties Act

Act No. [2015-41](#) (HB 57 by Rep. Elaine Beech)

The “Alabama Veterans and Targeted Counties Act” provides greater incentives under the provisions of the “Alabama Jobs Act” (see Act No. 2015-27 below) to companies located in targeted rural counties and to companies that employ veterans. Among those incentives, a qualifying project in a rural county would only have to employ a minimum of 25 new employees, rather than the minimum number of 50 new employees in other counties. Additionally, the job credit for a qualifying project in a rural county would be 4% of wages paid to eligible employees, as opposed to a 3% credit for projects in other counties.

For purposes of this act, a ‘targeted county’ is defined as any Alabama county with a population of 25,000 or less, as determined on January 1 of each year using the most current data from the U.S. Departments of Labor or Commerce, the U.S. Census Bureau, or any other federal or state agency.

Additionally, the act provides a process for State Industrial Development Authority to make loans to certain local entities under circumstances provided for in the act.

This act became effective on August 6, 2015, the same day as Act No. 2015-27, discussed below.

Alabama Jobs Act

Act No. [2015-27](#) (HB 58 by Rep. Alan Baker)

The “Alabama Jobs Act” creates two distinct tax credits which are available to qualifying projects on a discretionary basis, as set out in the act. The first is a jobs credit of up to 3 percent of the previous year’s annual wages of eligible employees. The second is a capital investment credit of up to 1.5 percent of qualified annual capital investment. Each credit is available for up to the first 10 years of a project. Qualifying projects can claim one or both of the credits upon the recommendation of the Department of Commerce and acceptance by the Governor.

This act goes into effect on August 6, 2015.

Alabama Reinvestment and Abatements Act

Act No. [2015-24](#) (HB 59 by Rep. Paul Lee)

The “Alabama Reinvestment and Abatements Act” creates reinvestment incentives for Alabama-based facilities that are refurbished, upgraded, or placed back in service. Qualifying projects are eligible to receive abatements of construction-related transaction taxes, non-educational property tax incremental increases, and a rebate of incremental increases in utility taxes for up to 10 years.

The act also amends the state’s 1992 abatement law to allow abatements of construction related transaction taxes and non-educational property taxes to be granted for up to 20 years, which is an additional 10 years over the current abatement period allowed by law. For ad valorem abatements longer than 10 years, county and municipal non-educational taxes may be abated only with the consent of the county or municipality, and state taxes may only be abated with the consent of the Governor. Abatements will end if the facility or property is not used for 6 months for its approved purpose.

This act goes into effect on June 24, 2015.

ALCOHOL SALES IN MUNICIPALITIES

Municipal Option Elections

Act No. [2015-1](#) and Act [2015-2](#) (HB 72 and HB 73 by Rep. James Martin)

These two acts were enacted to address problems with a 2009 act (Act 2009-546) authorizing certain smaller municipalities to conduct wet/dry elections. After several eligible municipalities passed referendums and businesses began selling alcohol as provided in the law, the Alabama Supreme Court ruled that the elections held were invalid. Act 2015-1 ratifies and confirms the previously held elections as well as any taxes or licenses levied and collected and any administration or regulatory actions taken pursuant to 2009-546. And Act 2015-2 re-enacts the law struck down by the appellate court, providing that any municipality with a population of 1,000 or more could hold a municipal option election under the procedures set out in the new law.

Both of these acts took effect on March 12, 2015.

LEGISLATION IMPACTING STATE AGENCIES

Administrative Procedures Act

Act No. [2015-291](#) (HB 210 by Rep. Mike Ball)

This act amends the Administrative Procedures Act to increase the effective date of a certified rule from 35 days to 45 days after filing with the Legislative Reference Service. It also provides that an agency can appeal the disapproval of a rule to the Lieutenant Governor. If the Lieutenant Governor approves the rule, the Legislature may adopt a joint resolution overruling the Lieutenant Governor’s approval.

Jurisdiction of Circuit Courts

Act No. [2015-224](#) (HB 232 by Rep. Jack (JD) Williams)

This act extends circuit court's jurisdiction to all civil actions in which the controversy exceeds \$6,000.00. The district court will exercise exclusive jurisdiction over all civil actions where the matter in controversy does not exceed \$6,000.00.

LFO to Distribute Tax Expenditure Report

Act No. [2015-237](#) (SB 119 by Sen. Bill Hightower)

This act requires the Legislative Fiscal Office (LFO) to prepare and distribute a tax expenditure report for the Legislature at the same time the Governor is required to submit his or her budget to the Legislature. The report shall include each tax exemption and its constitutional and/or statutory source and an estimate of the revenue loss caused by each tax expenditures for the most recently completed fiscal year. The LFO will start submitting the report in the 2017 Regular Legislative Session.

Secretary of State to Maintain Database of Homeowners' Associations

Act No. [2015-292](#) (HB 241 by Rep. McCutcheon)

This act requires homeowner's associations to file certain association documents with the Secretary of State, and requires the Secretary of State to implement and maintain a public searchable database of association filings. It also gives certain associations the option to organize under the Alabama Nonprofit Corporation Act. This act was conceived after numerous complaints from new homeowners, who had no knowledge that their homeownership bound them to all the covenants and fees imposed by the homeowner's association.

This act goes into effect on January 1, 2016.

State Agencies Authorized to Increase Fee

Act No. [2015-441](#) (SB 216 by Sen. Gerald Dial)

This act allows state agencies to request periodic increases in authorized fees based on a percentage increase in the Consumer Price Index—either since the last fee adjustment or over the preceding ten-year period, whichever is shorter. The increase must be approved through the Administrative Procedures Act process. The adjustment may not exceed an increase of 2% per year, and the agency may repeat this process every five years.

This act went into immediate effect after it was signed by Governor Bentley on June 9, 2015.

Transfer Programs to the Department of Commerce

Act No. [2015-450](#) (HB 554 by Rep. Alan Baker)

This act transfers the Workforce Development Division and the Workforce Investment Division of the Department of Economic and Community Affairs (ADECA) to the Department of Commerce. It also reorganizes the Department of Commerce into two divisions: the Business Development Division and the Workforce Development Division. Additionally, the act creates a 22 member Alabama Small Business

Commission and at least a nine member Alabama Small Business Advisory Committee—which will have county representation.

Many counties work closely with ADECA on a variety of community projects including workforce development. The Association encourages county officials to speak with contacts at ADECA to see if this act might impact any projects that are currently underway.

This act went into immediate effect upon signage by Governor Robert Bentley on June 6, 2015. The transfers set out in the act will be fully operable no later than October 1, 2016.

Distribution of Petroleum Products

Act No. [2015-54](#) (SB 133 by Sen. Tom Whatley)

This act transfers the administrative obligations and collection of inspection fees duties on gasoline, dyed diesel fuel, dyed kerosene, and lubricating oil from the Department of Agriculture to the Department of Revenue. The act does not alter the current distribution of the inspection fee proceeds, therefore the bill should not provide for a significant increase in gasoline tax revenues at the county level. However, it does alter the expenditure restrictions on this revenue by providing that the funds will now be deposited in each county's RRR Fund and expended as those funds can be expended under the law.

While certain technical portions of this act will go into effect on or prior to October 1, 2015; most provisions of this act will not go into effect until October 1, 2016.

ELECTIONS

Alabama Presidential Primary Date

Act No. [2015-239](#) (SB 240 by Sen. Quinton Ross)

This act moves the date of primary elections during Presidential election years to the first Tuesday in March, beginning in the 2016 election. This legislation will affect all county officials on the ballot in 2016 because it will move the deadline for qualifying back to 116 days prior to the date of the primary election on March 1, 2016.

Purging Voter Lists

Act No. [2015-367](#) (HB 323 by Rep. Randy Davis)

This act aims to ensure that the computerized statewide voter registration list is regularly maintained and updated by creating a procedure for county boards of registrars to investigate the death or non-residency of a registered voter and a process for family members or certain government officials to provide the board of registrars with a written report outlining why he or she believes a person is deceased or a nonresident. The county board of registrars will then investigate those claims under procedures set out in the new law.

This bill goes into effect on October 3, 2015.

Elderly and Disabled Voters

Act No. [2015-288](#) (HB 41 by Rep. David Standridge)

This act requires election officials to allow mobility-disabled voters and voters over the age of 70 to move to the front of the line at polling locations, if requested. It also requires election officials to post public notices at each polling location alerting voters of this allowance.

This act goes into effect on August 1, 2015.

EXEMPTIONS, ABATEMENTS, ETC.

Axle Spacing Requirements

Act No. [2015-325](#) (SB 458 by Sen. Trip Pittman)

This act grants an exemption allowing asphalt delivery trucks within 50 miles of their home base to exceed the maximum axle weight. Concrete trucks enjoy this exemption today. The ACCA staff expressed concern about the bill and secured an amendment allowing the axle exemption to apply only if the truck does not exceed the gross weight.

This act goes into effect on September 1, 2015.

Farm Tags

Act No. [2015-499](#) (HB 217 by Rep. Alan Boothe)

In its final form, this new law allows farmers to purchase up to four reduced-price tags for truck tractors. Current law allows only one such lower-priced tag per farmer. As amended by the Senate, the bill establishes a definition of 'farmer' and specifically excludes the reduced rate tags on trucks and trailers used 'for hire'. While the Association did not remove its objections to the passage of the bill in its final form, the staff did not actively oppose the measure after the Senate amendments were attached.

The measure has only a nominal financial impact on the state and counties. However, the passage of this kind of legislation, during a year when the State is seeking to avoid a budget collapse, is another example of why Alabama desperately needs a comprehensive policy on tax exemptions.

This act went into immediate effect when it was signed by Governor Bentley on June 12, 2015.

Tax Exemptions for Medicaid RCOs

Act No. [2015-349](#) (HB 630 by Rep. Weaver)

This new law grants an exemption from all state, county, and municipal license taxes and fees to the newly-created regional care organizations providing Medicaid services throughout the state on a regional basis. The exemptions do not apply to individual health care providers who are members of a regional care organization. This exemption was pursued because the operation funds of these non-profit programs is Medicaid revenue, and the payment of business license taxes and fees was an additional charge against the financially-struggling program. The original bill exempted payment of all taxes, but ACCA was able to

negotiate for limiting the exemption to business licenses, since it appeared that the greatest added cost for the regional care organizations came from municipal business license fees being assessed against some of these organizations.

This act went into immediate effect after it was signed by Governor Bentley on June 5, 2015.

TRANSPORTATION AND INFRASTRUCTURE

One Call Notification Excavations

Act No. [2015-363](#) (HB 62 by Rep. Lynn Greer)

This act further clarifies the definition of 'excavation' projects as it relates to the one-call notification system, which is used to deliver statewide notifications of any planned excavations or demolition activities. The act includes agreed-to language providing that 'excavation' does not include routine roadway maintenance activities carried out by those responsible for publicly-maintained roadways -- a provision that ensures counties can perform these functions as necessary without delay.

Many thanks is extended to the 811 community for working with counties and the Alabama Department of Transportation on language that would protect routine maintenance activities from being subject to the law's notification requirements.

This act goes into effect on September 1, 2015.

Funding Agreements with the Highway Authority

Act No. [2015-212](#) (SB 320 by Sen. Bobby Singleton)

This act authorizes the Alabama Highway Authority to enter into contracts with private, public, or governmental entities, including counties, to receive funds pledged for specific road and bridge projects that will be used as security for issuing bonds for those projects. The act also removes language that ties the Authority's ability to issue bonds with limitations based on the proceeds of the gasoline excise tax and changes the maximum maturity date on any bonds issued by the Authority from 20 to 30 years.

Alabama Transportation Infrastructure Bank

Act No. [2015-50](#) (SB 111 by Sen. Arthur Orr)

This act creates the Alabama Transportation Infrastructure Bank for the purpose of assisting certain government entities, including counties, in the financing of transportation projects—whether through loans or other financial assistance. The act specifies the membership, powers, duties, terms, and sources for capitalization and liability of the bank. In order to qualify for the program, the total cost of the project must exceed \$5 million, and the project must be selected by the bank to receive a loan or other financial assistance.

The bank is capitalized under the act with an amount equal to one-cent of the state's gasoline tax (estimated at \$25 million per year) along with the state's portion of the license taxes and registration fees on trucks and truck tractors (estimated at \$21 million per year).

This act goes into effect on July 1, 2015.

RETIREMENT SYSTEM & EMPLOYEE BENEFITS

Lump-Sum Bonus to Retirees

Act No. [2015-444](#) (SB 298 by Sen. Del Marsh)

This act extends the provisions of Act 2014-429, which granted counties the authority to provide a one-time lump-sum bonus to their Employees' Retirement System (ERS) retirees. Counties that did not provide the bonus during the period provided in the 2014 act now have until September 30, 2015 to grant the bonus. The formula for calculating the lump-sum payment is either two dollars (\$2) per month for each year of service attained by the retiree or \$300.00—whichever is greater.

This act went into immediate effect after it was signed by Governor Bentley on June 9, 2015.

Increase RSA Part-Time Pay

Act No. [2015-410](#) (HB 562 by Rep. Ron Johnson)

This act increases the maximum compensation that a TRS or ERS retiree may earn through working part-time or as an independent contractor with any employer participating in the systems to \$30,000 per year. This act also provides that the maximum amount earnable by retirees will continue to be adjusted each year to reflect increases in the Consumer Price Index.

This act may also impact county commissioners who are retirees from the TRS or ERS in those counties that have constitutional amendments providing for the commissioners to participate in the ERS.

This act goes into effect on September 1, 2015.

Reduction of Unemployment Benefits Due to Pension

Act No. [2015-472](#) (HB 506 by Rep. Napoleon Bracy)

This act clarifies that a person's unemployment compensation benefits can only be reduced based on his or her pension or similar retirement payment if: 1) the payment is made under a plan that is maintained or contributed to by a base period employer, 2) the payment is 100 percent employer-financed, and 3) the worker does not contribute to the payment.

This act goes into effect on September 1, 2015.

Deferred Compensation

Act No. [2015-83](#) (SB 136 by Sen. Phil Williams)

This act allows county employees to participate in the State Personnel Board's deferred compensation program. The act also requires that any employee electing to participate in the State's deferred compensation program must first get approval from the county commission.

The Association initially opposed this legislation because Alabama counties have a long-standing relationship with the National Association of Counties' Deferred Compensation program, which is experienced in servicing the needs of county employees and is a nationally-backed program. The Association removed its objections since the bill included a provision requiring the county commission to first approve employee participation in the program.

The Association staff continues to have serious concerns about county participation in this program, which is administered by the State Personnel Board. Counties or county entities which are considering taking action necessary to allow their employees to participate may wish to speak with a member of the ACCA staff.

This act went into immediate effect when it was signed by Governor Bentley on April 24, 2015.

Unemployment Benefits

Act No. [2015-157](#) (HB 19 by Rep. Jack Williams)

This act alters the formula for calculating the individual weekly benefit payment for unemployment compensation. Any person eligible for unemployment compensation, whether unemployed or partially unemployed, will receive his or her weekly benefit amount **minus** any wages paid to that individuals for the week that are in excess of one-third of the weekly benefit amount.

This act will go into effect on August 1, 2015.

RSA Service for Worker's Comp Leave

Act No. [2015-256](#) (HB 29 by Rep. Randy Wood)

This act allows members of the Employees' Retirement System of Alabama (RSA) who are away from work due to a job-related injury and are also receiving workers' compensation benefits to purchase up to two years of service credit for the time they were receiving workers' compensation benefits. This act is conditioned on the RSA member returning to work with the covered employer within one year of the cessation of the workers' compensation benefits. The act also requires the employee to pay the full cost of this service, including the portion that would have been paid by the employer.

This act will go into effect on August 1, 2015.

Death Benefits to Firefighters and Peace Officers

Act No. [2015-257](#) (HB 30 by Rep. Allen Treadaway)

This act amends the existing program that provides the families of firefighters or law enforcement officers who die from an occupational disease a pathway to receive the same death benefits provided for those who die in the line of duty. Many safeguards exist in the law today that were written by the ACCA in a previous legislative session.

This new act simply authorizes those who previously served and were denied a six-month reconsideration period for such benefits.

This act went into immediate effect when it was signed by Governor Bentley on May 27, 2015.

MISCELLANEOUS

Employer Liable for Child Support Debt

Act No. [2015-365](#) (HB 222 by Rep. Nordgren)

This act provides that an employer who protects the wages of an employee against a child support order for garnishment or withholding can be held personally liable for the child support that could have been garnished or withheld. The act is only applicable if one can prove—by clear and convincing evidence—that the employer’s intent was to protect the wages of the employee.

This act goes into effect on September 1, 2015.

Eminent Domain

Act No. [2015-39](#) (SB 83 by Sen. Jimmy Holley)

This act prohibits governmental entities in Alabama from using eminent domain to acquire mortgages or deeds of trust. It does not appear that governmental entities in Alabama currently has the authority to acquire mortgages or deeds of trust through eminent domain. However, supporters of the legislation pushed for passage as a precautionary measure in response to issues that have arisen in other states.

This act goes into effect on July 1, 2015.

Voluntary Contribution to Alabama Rescue Squads

Act No. [2015-208](#) (SB 177 by Sen. Rusty Glover)

This act establishes a \$3 minimum voluntary contribution to the Alabama Association of Rescue Squads through a check-off box on the annual ad valorem tax statement.

This act goes into effect on October 1, 2015.

Bills That DID NOT Become Law

Construction Manager At-Risk

[HB 275](#) by Rep. Mark Tuggle

This bill would have allowed governmental entities planning public works projects in excess of \$25 million to utilize the construction manager/general contractor or design-build method of selecting primary and subcontractors for the project instead of complying with the bidding requirements of the public works law. The Association has historically been leery of this proposal because it largely “overrides” the public works law’s competitive bid process and gives much of the decision-making authority to the construction manager instead of the contracting entity.

While this year's version would have had little application to county government because it exempted road construction projects from utilizing this process, the Association monitored the legislation very closely to ensure it would not negatively-impact county government. This legislation has been a priority for many large contractors in the state for the last few years and it is anticipated that some version of this legislation will be introduced again in an upcoming session.

Rescue Squad Association Exemption

[HB 289](#) by Rep. Danny Garrett and [SB 217](#) by Sen. Steve Livingston

This bill would have exempted the Alabama Association of Rescue Squads (and its members in good standing) from any and all state, county, and municipal sales, use, and lodging taxes. While the Association typically opposes all tax exemptions, this bill is particularly disturbing because it would have provided an exemption, not only to rescue squads, but to the association for this group. This clearly would set a very dangerous precedent. This bill has been introduced for the last several years and will most likely come up again in a future session.

Probate Judge Pay Raise

[SB 369](#) by Sen. Tom Whatley and [HB 447](#) by Rep. Matt Fridy

This bill proposed to increase the base salary of probate judges AND provide them a 1.25% annual step increase based on the probate judge's years of service on the bench. If this bill had passed, it would have cost counties across the state approximately \$1.3 million each year. While legislators on both sides of the aisle adamantly opposed the formula presented in the bill, there was some discussion about finding a way to ensure probate judges received regular pay increases.

The Association staff anticipates the Probate Judge Association will introduce a revised version of this bill next legislative session.

Probate Judge Retirement

[SB 448](#) by Sen. Shay Shelnett

This bill would have transferred responsibility for the employer contribution for probate judges' retirement to the county commission. Currently, the employer contribution is paid by the State, while counties are responsible for all other aspects of maintaining the county probate office, including salaries, supplies, and training costs. If this bill had passed, it would have cost counties across the state approximately \$2.5 million each year.

The Association was able to keep this bill from being considered on the Senate floor only because of the flood of calls senators received from county officials and administrators. As the Legislature looks everywhere for solutions to the state general fund woes, it is very possible this legislation could return during the special session or an upcoming general session. If that happens, counties will be called on to repeat their efforts to educate legislators about the dangers of this legislation.

Prohibit Local Vehicle Tax [HB 268](#) by Rep. Steve Clouse

This bill would have changed the rates for motor vehicle sales and use tax from two percent to three percent and prohibited local sales and use tax on motor vehicle purchases. An increase in the state tax on motor vehicles is very likely to be pursued in the special session as a possible revenue source for the state general fund. It will be important for counties to work against efforts to prohibit local taxes in exchange for an increase in the state tax rate on motor vehicles.

APOST Continuing Education [HB 653](#) by Rep. Connie Rowe

Under existing law, officers employed by a sheriff's department are only required to complete annual continuing education if their county commission requires the training. This bill would have mandated this training for county law enforcement officers.

This bill would have been an unfunded mandate since counties would have been required to fund the training as well as all associated travel and overtime costs. Additionally, it would have raised liability concerns in the event a deputy involved in an incident failed to obtain the required training. While counties make every effort to ensure that county law enforcement officers receive ongoing and updated training, the mandated provision would have been costly and unnecessary.

This bill was introduced late in the session and it is unclear whether it will be re-introduced next year. However, counties should watch for and be prepared to lobby against this mandated approach to training.

No Permits for Guns in Vehicles [SB 14](#) by Sen. Gerald Allen

This bill would have allowed persons to have loaded and concealed handguns in their vehicles WITHOUT going through the background checks and reviews necessary to secure a pistol permit. The Association worked closely with the Sheriffs and others in law enforcement to oppose this legislation, which played a significant role in the bill stalling. However, this legislation has strong support among several gun rights' advocates, so it is likely to reappear in a later legislative session.

Counties Pay for Audits [SB 498](#) by Sen. Steve Livingston

Currently, the costs associated with county audits and examinations performed by the Department of Examiners is absorbed by the state. This bill would have required counties and other governmental entities to pay the costs of all audits, with fees collected deposited into the State General Fund.

This proposal has been introduced in past sessions where the state has faced revenue crises such as the current one, and for this reason, the Association staff anticipates this bill may be introduced again in the upcoming special session or in another regular legislative session in the future.

Zoning in Police Jurisdiction

[HB 370](#) by Rep. Reed Ingram and [SB 309](#) by Sen. Dick Brewbaker

This bill would have authorized a municipality to exercise zoning authority in its police jurisdiction if that municipality is in a county in which another municipality located in the county already has zoning authority outside its corporate limits. Although the bill was intended to have limited applicability, the Association expressed concerns about expanding the authority granted to any municipality in the unincorporated areas of the county. It is unclear whether this proposal will be re-introduced in a future session, but the Association staff will monitor closely for legislation granting this authority on a limited or statewide basis.

Municipality Taking Over County Road

[HB 422](#) by Rep. Kerry Rich and [SB 394](#) by Sen. Cam Ward

Current law provides that a municipality automatically assumes responsibility for a county road annexed into the corporate limits of a municipality—by operation of law. This bill would have required the county to take affirmative action “approving” the transfer, reversing a county-supported law passed twenty years ago. Both counties and municipalities opposed this measure in House and Senate committees, and the bill received little legislative support; however, it appears the supporters of this proposal may return with similar legislation during the next legislative session.

Initiative and Referendum

[HB 78](#) by Rep. Mike Ball and [SB 73](#) by Sen. Dick Brewbaker

This proposed constitutional amendment, which is introduced during almost every legislative session, would have authorized a process whereby citizens of Alabama could propose the enactment of general laws and constitutional amendments by an initiative measure. This dangerous proposal could result in citizens requiring legislation affecting the operation of state or local government and has been actively opposed by the Association in every session when introduced.

Lubricating Oil Excise Tax

[HB 587](#) by Rep. Terri Collins

This bill, as introduced, would have eliminated the excise tax on lubricating oil currently distributed pursuant to the gas tax formula and replaced that tax with a sales and use tax earmarked for education. Last year alone, approximately \$800,000 in lubricating oil excise tax proceeds were distributed to counties for road and bridge projects. Following a committee hearing, a substitute was proposed that would have distributed a portion of the sales tax to counties pursuant to the current gas tax formula. However, counties would have been prohibited from collecting any local sales tax on lubricating oil.

The bill was proposed as part of the House Republican Caucus’s budget proposal, but along with other measures in that package, was removed from the slate of proposed legislation after it became clear that none of the proposals in the package had adequate legislative support to pass.

Local Bills that Passed This Session

AUTAUGA

Regulation of Alcohol Sales

Act No. [2015-5](#) (HB 20 by Rep. Paul Beckman) and Act No. [2015-17](#) (SB 42 by Sen. Dick Brewbaker)

These acts authorize the Millbrook city council to regulate and permit the sale of draft beer and the sale of alcoholic beverages on Sundays.

These acts went into effect upon signage by Governor Bentley.

Sheriff May Participate in ERS

Act No. [2015-218](#) (SB 469 by Sen. Clyde Chambliss)

This act is a proposed local constitutional amendment prohibiting the Sheriff of Autauga county from participating in the county supernumerary program, but allowing the sheriff to participate in the Employees' Retirement System.

This act must receive a favorable vote by the citizens of Autauga County before going into effect.

BALDWIN

Mayors May Participate in ERS

Act No. [2015-338](#) (HB 31 by Rep. Joe Faust)

This act is a proposed constitutional amendment that would allow mayors of municipalities in Baldwin County to participate in the Employees' Retirement System of Alabama.

This act must receive a favorable vote by the citizens of Baldwin County before going into effect.

Membership of Bay Minette Municipal Planning Commission

Act No. [2015-126](#) (HB 136 by Rep. Harry Shiver)

This act is a proposed local constitutional amendment allowing the Mayor of Bay Minette to appoint up to two additional members to the Bay Minette Municipal Planning Commission.

This act must receive a favorable vote by the citizens of Bay Minette before going into effect.

Regulation of Sunday Alcohol Sales

Act No. [2015-176](#) (HB 137 by Rep. Harry Shiver)

This act authorizes the City of Bay Minette to hold elections to determine whether alcohol can be sold on Sundays for on premise consumption.

This act must receive a favorable vote by the citizens of Bay Minette before going into effect.

Bay Minette Boundary Lines

Act No. [2015-177](#) (HB 138 by Rep. Harry Shiver)

This act extends the boundary lines and corporate limits of the city of Bay Minette.

This act goes into effect on August 1, 2015.

Fort Morgan Planning and Zoning Advisory Committee

Act No. [2015-411](#) (HB 605 by Rep. Steve McMillan)

This act establishes the Fort Morgan Planning and Zoning Advisory Committee.

This act went into effect upon signage by the Governor.

Additional Court Fees

Act No. [2015-415](#) (HB 674 by Rep. Steve McMillan)

This act authorizes additional court costs, not to exceed \$15.00, within Baldwin County.

This act went into effect upon signage by the Governor.

Baldwin County Personnel Merit System

Act No. [2015-416](#) (HB 675 by Rep. Steve McMillan)

Relating to the personnel merit system for Baldwin county employees, this act deletes the requirement that appeals from the Personnel Appeals Board to the circuit court be conducted de novo.

This act goes into effect on September 1, 2015.

Baldwin County Privilege License Tax

Act No. [2015-417](#) (HB 676 by Rep. Steve McMillan)

This act amends the distribution of the proceeds from the Baldwin County privilege license tax. In part, it appropriates \$150,000 into an account to be used for the operation of the Baldwin County Legislative Office. It also provides monies to the newly established Baldwin County Community Capital Fund.

This act goes into effect on October 1, 2015.

Volunteer Fire Department and Rescue Squads

Act No. [2015-418](#) (HB 677 by Rep. Steve McMillan)

This act requires volunteer fire departments and rescue squads operating within Baldwin County to keep accurate accounting books and records and sets the proper procedure for audits.

This act goes into effect on September 1, 2015.

City of Spanish Fort Boundary Lines

Act No. [2015-420](#) (HB 687 by Rep. Randy Davis)

This act alters and rearranges the boundary lines and corporate limits of the City of Spanish Fort in Baldwin County.

This act went into effect upon signage by Governor Bentley.

BARBOUR

Ad Valorem Tax

Act No. [2015-389](#) (SB 488 by Sen. Billy Beasley)

This act authorizes a referendum allowing the Barbour County Commission to levy an additional ad valorem tax.

This act must receive a favorable vote by the citizens of Barbour County before going into effect.

BIBB

Bibb County Sheriff Requirements and Compensation

Act No. [2015-323](#) (SB 435 by Sen. Cam Ward)

This act establishes requirements, continuing education, and a compensation and expense allowance for the office of the Bibb County Sheriff.

This act went into effect upon signage by Governor Bentley.

BLOUNT

Boundary Lines of Hayden

Act No. [2015-25](#) (HB 87 by Rep. David Standridge)

This act extends the boundary lines and corporate limits of Hayden, Alabama.

This act goes into effect on August 1, 2015.

Regulation of Alcohol Sales

Act No. [2015-193](#) (SB 340 by Sen. Shay Shelnett)

This act allows city councils of municipalities located in Blount county to authorize the distribution of draft beer.

This act went into effect upon signage by Governor Bentley.

BULLOCK

Tag Issuance Fee

Act No. [2015-196](#) (HB 539 by Rep. Berry Forte) and Act No. 2015-194 (SB 356 by Sen. Billy Beasley)

This act places a recording and tag issuance fee to be charged and collected by the Bullock County probate judge.

This act goes into effect on August 1, 2015.

Duties of Revenue Commissioner and Judge of Probate

Act No. [2015-388](#) (SB 485 by Sen. Billy Beasley)

This act transfers all duties of motor vehicle ad valorem tax assessment and collection from the Bullock County Revenue Commissioner to the Bullock County Judge of Probate and also transfers all duties regarding real estate sales for failure to pay fines from the judge of probate to the revenue commissioner.

This act went into effect upon signage by Governor Bentley.

CALHOUN

Regulation of Alcohol Sales

Act No. [2015-221](#) (HB 89 by Rep. Randy Wood)

This act levies a sales tax on all wine and spirits sold within Calhoun County.

This act goes into effect on August 1, 2015.

City of Jacksonville Boundary Lines

Act No. [2015-332](#) (HB 512 by Rep. K.L. Brown)

This act extends the boundary lines and corporate limits of the City of Jacksonville in Calhoun County.

This act goes into effect on August 1, 2015.

City of Oxford Civil Service Board

Act No. [2015-336](#) (HB 628 by Rep. K.L. Brown)

This act further provide for employees, appointed employees, and vacancies of appointed positions in the Civil Service Board of the City of Oxford in Calhoun County, Cleburne County, and Talladega County.

This act went into effect upon signage by the Governor.

City of Anniston Accountant

Act No. [2015-214](#) (SB 404 by Sen. Del Marsh)

Relating to the selection of an accountant for the City of Anniston in Calhoun County; this act deletes the restriction on using the same accountant for more than three years.

This act went into effect upon signage by the Governor.

CHAMBERS**Regulation of Alcohol Sales for City of Valley**

Act No. [2015-178](#) (HB 479 by Rep. Isaac Whorton)

This act authorizes the sale of alcoholic beverages on Sunday in the City of Valley in Calhoun County.

This act went into effect upon signage by the Governor.

CHEROKEE**Cherokee County Detention Center Booking Fee**

Act No. [2015-268](#) (HB 488 by Rep. Richard Lindsey)

This act imposes a booking fee on persons booked in the Cherokee County Detention Center and subsequently convicted of a crime.

This act went into effect upon signage by the Governor.

County Officials Mileage Allowance

Act No. [2015-182](#) (HB 534 by Rep. Richard Lindsey)

This act amends the Cherokee County mileage allowance for county officials to the same as the state mileage allowance.

This act goes into effect on August 1, 2015.

Probate Judge Recording Fee

Act No. [2015-270](#) (HB 535 by Rep. Richard Lindsey)

This act authorizes the county commission to increase the recording fee for all documents filed for record in the office of the probate judge.

This act goes into effect on August 1, 2015.

Compensation for Poll Workers

Act No. [2015-183](#) (HB 536 by Rep. Richard Lindsey)

This act authorizes Cherokee County Commission to increase compensation for poll workers.

This act goes into effect on August 1, 2015.

CHILTON

Revenue Commissioner and Probate Judge Duties

Act No. [2015-371](#) (HB 511 by Rep. James Martin)

This act transfers all duties regarding real estate sales for failure to pay taxes and subsequent redemptions from the Chilton County Probate Judge to the Revenue Commissioner.

This act goes into effect on immediately following the Chilton County Revenue Commissioner taking office in October 2015.

Regulation of Alcohol

Act No. [2015-350](#) (HB 647 by Rep. James Martin)

This act authorizes a referendum to allow the sale of alcoholic beverages within Chilton County on any day except Sunday.

This act goes into effect on August 1, 2015.

CLEBURNE

Regulation of Alcohol for City of Heflin

Act No. [2015-296](#) (HB 546 by Rep. Richard Lindsey)

This act allows the sale of draft beer within the City of Heflin in Cleburne County.

This act went into effect upon signage by the Governor.

Fire Protection Fee

Act No. [2015-333](#) (HB 557 by Rep. Richard Lindsey)

This act creates a fire protection service fee for owners of dwellings, commercial buildings and agriculture buildings in Cleburne County.

This act went into effect upon signage by the Governor.

COVINGTON

Lodging Tax

Act No. [2015-272](#) (HB 607 by Rep. Mike Jones)

This act increases the lodging tax in Covington County.

This act goes into effect on August 1, 2015.

Board of Equalization Expense Allowance

Act No. [2015-273](#) (HB 608 by Rep. Mike Jones)

This act increases the expense allowance of the Covington county board of equalization.

This act goes into effect on August 1, 2015.

CRENSHAW

Automated Traffic Enforcement for City of Brantley

Act No. [2015-20](#) (SB 155 by Sen. Dick Brewbaker)

This act authorizes automated photographic traffic enforcement equipment and procedures in the city of Brantley.

This act went into effect upon signage by the Governor.

CULLMAN

Fundraising for Sheriff's Office

Act No. [2015-355](#) (HB 671 by Rep. Corey Harbison)

This act authorizes the Sheriff of Cullman County to conduct fund raising events for operation of sheriff's office.

This act went into effect upon signage by the Governor.

County Park Fee Collection

Act No. [2015-287](#) (SB 439 by Sen. Paul Bussman)

This act allows the Cullman County Commission to collect fees at any park owned by the County.

This act went into effect upon signage by the Governor.

Cullman County Community Development Commission

Act No. [2015-243](#) (SB 443 by Sen. Paul Bussman)

This act changes the member appointment procedures of the Cullman County Community Development Commission.

This act goes into effect on August 1, 2015.

DALE

Probate Judge Salary

Act No. [2015-184](#) (HB 480 by Rep. Steve Clouse)

This act provides for an annual salary for the Dale County Probate Judge and mandates the probate judge receive the same cost of living or other uniform increase in compensation given to county employees.

This act goes into effect on June 1, 2015.

DALLAS

Regulation of Alcohol

Act No. [2015-335](#) (HB 623 by Rep. Darrio Melton)

This act authorizes the sale of draft and keg beer within Dallas County and allows municipalities to authorize by ordinance.

This act went into effect upon signage by Governor Bentley.

DEKALB

Regulation of Alcohol for the City of Fort Payne

Act No. [2015-56](#) (HB 223 by Rep. Nathaniel Ledbetter)

This act allows the city of Fort Payne to authorize the sale of alcoholic beverages through the adoption of city ordinance.

This act went into effect upon signage by Governor Bentley.

Regulation of Alcohol for the Town of Collinsville

Act No. [2015-180](#) (HB 489 by Rep. Richard Lindsey)

This act allows the town of Collinsville to authorize the sale of alcoholic beverages through the adoption of city ordinance.

This act went into effect upon signage by Governor Bentley.

Wind Energy Conversion System

Act No. [2015-348](#) (HB 629 by Rep. Nathaniel Ledbetter) and Act No. [2015-387](#) (SB 459 by Sen. Steve Livingston)

This act requires a permit to install, operate or remove a wind energy conversion system in DeKalb county.

This act goes into effect on September 1, 2015.

ELMORE

Regulation of Alcohol in the City of Millbrook

Act No. [2015-5](#) (HB 20 by Rep. Paul Beckman) and Act No. [2015-17](#) (SB 42 by Sen. Dick Brewbaker)

This act allows the city of Millbrook to authorize the sale of alcoholic beverages on Sundays and the sale of draft beer.

This act went into effect upon signage by Governor Bentley.

Regulation of Sunday Alcohol Sales in the City of Wetumpka

Act No. [2015-7](#) (HB 81 by Rep. Mike Holmes) and Act No. [2015-18](#) (SB 47 by Sen. Clyde Chambliss)

This act allows the city of Wetumpka to authorize the sale of alcoholic beverages on Sundays.

This act went into effect upon signage by Governor Bentley.

Regulation of Alcohol in City of Wetumpka

Act No. [2015-6](#) (HB 82 by Rep. Mike Holmes)

This act allows the city of Wetumpka to authorize the sale of draft beer.

This act went into effect upon signage by Governor Bentley.

ETOWAH

Sheriff Employees Personnel Board

Act No. [2015-97](#) (HB 459 by Rep. Mack Butler)

This proposed constitutional amendment provides certain employees of the Etowah County Sheriff's office be placed under the authority of Personnel Board of the Office of the Sheriff of Etowah County.

This act must receive a favorable vote by the citizens of Etowah County before going into effect.

County Sales Tax Distribution

Act No. [2015-412](#) (HB 631 by Rep. Craig Ford) and Act No. [2015-324](#) (SB 447 by Sen. Phil Williams)

This act changes the distribution of funds received by the one-cent sales tax within Etowah County.

This act went into effect upon signage by Governor Bentley.

Sheriff Employees Personnel Board

Act No. [2015-351](#) (HB 650 by Rep. Mack Butler)

This act provides for the creation of a personnel board to oversee employees of the Etowah County sheriff's office and is funded through the county commission.

This act went into effect upon signage by Governor Bentley.

Etowah County Sports Complex Authority

Act No. [2015-346](#) (HB 658 by Rep. Craig Ford)

This act provides for the creation of the Etowah County Sports Complex Authority and establish the membership and duties of the Authority.

This act went into effect upon signage by Governor Bentley.

FAYETTE

Regulation of Alcohol in the City of Fayette

Act No. [2015-298](#) (HB 625 by Rep. Kyle South)

This act allows the city of Fayette to authorize the sale of draft or keg beer or malt beverages.

This act went into effect upon signage by Governor Bentley.

HENRY

Probate Judge Age Qualification

Act No. [2015-128](#) (HB 358 by Rep. Dexter Grimsley)

This proposed constitutional amendment extends the age limit of qualifying for Henry County probate judge to age 72.

This act must receive a favorable vote by the citizens of Henry County before going into effect.

HOUSTON

Probate Judge Jurisdiction

Act No. [2015-46](#) (HB 51 by Rep. Paul Lee)

This proposed constitutional amendment allows the Houston County probate judge equity jurisdiction if the judge is licensed to practice law in the State of Alabama.

This act must receive a favorable vote by the citizens of Houston County before going into effect.

Regulation of Sunday Alcohol Sales Referendum

Act No. [2015-117](#) (HB 308 by Rep. Steve Clouse)

This act authorizes a referendum for Houston County to allow alcohol sales on Sunday; the City of Dothan may opt out.

This act must receive a favorable vote by the citizens of Houston County before going into effect.

Sheriff Processing Fee

Act No. [2015-205](#) (HB 349 by Rep. Paul Lee)

This act establishes a fee for the processing of documents by the Houston County Sheriff's office.

This act goes into effect on August 1, 2015.

911 Enhancement Board

Act No. [2015-347](#) (HB 621 by Rep. Paul Lee)

This act establishes the procedure for appointing and operation of a 911 enhancement board for the city of Dothan and Houston County.

This act goes into effect on August 1, 2015.

JACKSON

Regulation of Sunday Alcohol Sales in City of Scottsboro

Act No. [2015-55](#) (HB 219 by Rep. James Hanes)

This act allows the City of Scottsboro to authorize the sale of alcohol on Sunday.

This act went into effect upon signage by Governor Bentley.

Inmate Trust Fund Account Purposes

Act No. [2015-118](#) (HB 351 by Rep. James Hanes) and

This act mandates all interest earned on the Inmate Trust Fund Account be used by the sheriff for law enforcement purposes.

This act became effective June 1, 2015.

Warrant Issuance Fee

Act No. [2015-75](#) (HB 361 by Rep. Ritchie Whorton) and Act No. 2015-90 (SB 304 by Sen. Steve Livingston)

This act creates an additional fee for persons who fail to appear in court and a warrant is issued.

This act goes into effect on July 1, 2015.

Abandoned or Stolen Firearms Sheriff Auction

Act No. [2015-76](#) (HB 362 by Rep. Ritchie Whorton) and Act No. [2015-91](#) (SB 305 by Sen. Steve Livingston)

This act authorizes the Sheriff of Jackson County to sell abandoned or stolen firearms to the highest bidder.

This act goes into effect on July 1, 2015.

Domestic Violence Court Fees Distributed to Domestic Violence Shelters

Act No. [2015-119](#) (HB 419 by Rep. James Hanes)

This act creates an additional court cost for all domestic violence cases and distributes the proceeds to domestic violence shelters.

This act went into effect upon signage by Governor Bentley.

Sales and Use Tax Referendum

Act No. [2015-269](#) (HB 523 by Rep. James Hanes) and Act No. [2015-191](#) (SB 396 by Sen. Steve Livingston)

This act authorizes the Jackson County Commission to hold a referendum to levy an additional sales and use tax.

This act goes into effect on October 1, 2015.

Municipality of Section Corporate Limits and Boundary Line

Act No. [2015-337](#) (HB 637 by Rep. James Hanes)

This act extends the boundary lines and corporate limits of the municipality of Section in Jackson County.

This act goes into effect on August 1, 2015.

JEFFERSON

Sheriff Annual Salary and Expense Allowance

Act No. [2015-469](#) (HB 406 by Rep. Jack Williams)

This act provides for an additional expense allowance of \$45,000 dollars per year and establishes an annual salary of \$160,000 for the Sheriff of Jefferson County.

This act goes into effect on July 1, 2015.

Vestavia Hills Warrant Recall Fee

Act No. [2015-266](#) (HB 445 by Rep. Jack Williams)

This act establishes a warrant recall fee for the City of Vestavia Hills.

This act went into effect upon signage by Governor Bentley.

Hoover and Vestavia Hills Entertainment District

Act No. [2015-267](#) (HB 446 by Rep. Jack Williams)

This act authorizes the cities of Hoover and Vestavia Hills to establish entertainment districts for the purpose of regulating the sale and consumption of alcohol.

This act went into effect upon signage by Governor Bentley.

Birmingham Retirement and Relief System

Act No. [2015-370](#) (HB 492 by Rep. Allen Treadaway)

This act amends the investment powers of the Board of Managers of the city of Birmingham Retirement and Relief System.

This act went into effect upon signage by Governor Bentley.

Sales and Use Tax

Act No. [2015-226](#) (HB 573 by Rep. Oliver Robinson)

This act authorizes the Jefferson County Commission to levy a sales and use tax not exceeding 1%.

This act went into effect upon signage by Governor Bentley.

Residential Garbage Pick-Up Fee

Act No. [2015-339](#) (HB 602 by Rep. Allen Farley)

This proposed constitutional amendment specifies tenants in Jefferson County who receive residential garbage service from a government entity to be solely responsible for garbage pick-up fee.

This act must receive a favorable vote by the citizens of Jefferson County before going into effect.

Constable Processing Fee

Act No. [2015-352](#) (HB 655 by Rep. Jack Williams)

This act increases the fees for the service of process by constables in Jefferson County.

This act goes into effect on September 1, 2015.

Pension Board of the County General Retirement System

Act No. [2015-211](#) (SB 300 by Sen. Shay Shelnett)

This act requires the fourth member of the Pension Board of the General Retirement System for Employees of Jefferson County be a member of the System.

This act went into effect upon signage by Governor Bentley.

Civic Center Authority Board Membership

Act No. [2015-213](#) (SB 337 by Sen. J.T. Waggoner)

This act establishes the procedure for selecting members of the board of the civic center authority in Jefferson County.

This act went into effect upon signage by Governor Bentley.

Motor Vehicle Registration

Act No. [2015-241](#) (SB 374 by Sen. J.T. Waggoner)

This act authorizes designated city officers or city employees in Jefferson County to issue motor vehicle registrations.

This act is retroactively effective to April 1, 2014.

LAMAR

Employees' Retirement System

Act No. [2015-26](#) (SB 035 by Sen. Gerald Allen)

This proposed constitutional amendment allows certain elected or appointed officials in Lamar County to participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

This act must receive a favorable vote by the citizens of Lamar County before going into effect.

LAUDERDALE

Regulation of Alcohol in the Town of Rogersville

Act No. [2015-329](#) (HB 280 by Rep. Lynn Greer)

This act allows the sale of alcoholic beverages, draft or keg beer, or malt beverages in the town of Rogersville each day of the week except Sunday.

This act went into effect upon signage by Governor Bentley.

LEE

Sheriff Administrative Fees

Act No. [2015-369](#) (HB 436 by Rep. Mike Hubbard)

This act authorizes fees for certain administrative services by the sheriff and provides for the distribution of the revenue.

This act went into effect upon signage by Governor Bentley.

Sheriff Annual Salary

Act No. [2015-491](#) (HB 457 by Rep. Pebblin Warren)

This act provides for the annual salary of the sheriff (\$100,700) and requires the payment be made in the same manner and time as other county employees.

This act went into effect upon signage by Governor Bentley.

LIMESTONE

City of Athens Ad Valorem Tax

Act No. [2015-162](#) (HB 306 by Rep. Dan Williams)

This act authorizes the city of Athens to increase the rate of special ad valorem taxes by a referendum.

This act went into effect upon signage by Governor Bentley.

City of Athens Beautification

Act No. [2015-35](#) (SB 84 by Sen. Tim Melson)

This act provides for the abatement of weeds that become a nuisance within the city of Athens.

This act went into effect upon signage by Governor Bentley.

MACON

County Commission Terms

Act No. [2015-71](#) (HB 244 by Rep. Pebblin Warren)

This act staggers the terms of members of the county commission.

This act went into effect upon signage by Governor Bentley.

Gasoline Tax

Act No. [2015-414](#) (HB 672 by Rep. Pebblin Warren) and Act No. [2015-449](#) (SB 486 by Sen. Billy Beasley)

This act authorizes the Macon County Commission to impose an excise tax on gasoline in an amount not more than two cents per gallon.

This act went into effect upon signage by Governor Bentley.

MADISON

Commemorative Badge/Firearm for Retiring Detention Officer

Act No. [2015-373](#) (HB 598 by Rep. Mac McCutcheon)

This act authorizes the Sheriff of Madison County to provide a retiring detention officer with a commemorative badge or a firearm.

This act went into effect upon signage by Governor Bentley.

MARENGO

Regulation of Alcohol in Demopolis

Act No. [2015-490](#) (HB 601 by Rep. Artis McCampbell)

This act authorizes the sale of alcoholic beverages within the city of Demopolis for on-premises and off-premises

consumption in addition to Sunday sales.

This act went into effect upon signage by Governor Bentley.

MARSHALL

City of Guntersville

Act No. [2015-353](#) (HB 662 by Rep. Will Ainsworth)

This act validates prior annexations by the city of Guntersville.

This act goes into effect on September 1, 2015.

Regulation of Alcohol within Municipalities

Act No. [2015-422](#) (HB 692 by Rep. Will Ainsworth)

This act authorizes each city council of each municipality in Marshall County to regulate the sale of all alcoholic beverages and requires a referendum within each municipality to allow Sunday alcohol sales.

This act went into effect upon signage by Governor Bentley.

MOBILE

Revenue Commissioner Administration

Act No. [2015-204](#) (HB 146 by Rep. Adline Clark)

This act provides for the electronic filing of business personal property tax returns in the office of the Mobile County Revenue Commissioner and authorizes the Revenue commissioner to establish procedures for filing of the returns.

This act went into effect upon signage by Governor Bentley.

North Mobile County Volunteer Fire Department Board

Act No. [2015-258](#) (HB 206 by Rep. Napoleon Bracy)

Relating to Mobile County Commission District 1, this act authorizes the Mobile County Commission to create a North Mobile County Volunteer Fire Department Board and to assess and implement a fire protection plan and service fee on certain owners of dwellings and commercial buildings within District 1.

This act went into effect upon signage by Governor Bentley.

Tree Commission Membership

Act No. [2015-116](#) (HB 207 by Rep. Chris Pringle)

This act provides that the number of members on the Tree Commission in a Class 2 municipality be the same as the

number of members of the city council and that the members of the Tree Commission be appointed by the city council.

This act went into effect upon signage by Governor Bentley.

Mobile County School Bus Safety Act

Act No. [2015-330](#) (HB 376 by Rep. Margie Wilcox)

The “Mobile County School Bus Safety Act” authorizes a county or city board of education to authorize the use of electronic devices and a process of civil enforcement regarding school bus violations.

This act went into effect upon signage by Governor Bentley.

Probate Judge and Revenue Commissioner Duties

Act No. [2015-265](#) (HB 383 by Rep. Jack Williams)

This act transfers all duties regarding real estate sales for failure to pay taxes and any subsequent redemptions from the Mobile County Probate Judge to the Revenue Commissioner.

This act shall be effective August 1, 2015.

MONROE

Tobacco Tax Referendum

Act No. [2015-127](#) (HB 184 by Rep. Harry Shiver)

This proposed constitutional Amendment that would levy a tax on tobacco products within Monroe County.

This act must receive a favorable vote by the citizens of Monroe County before going into effect.

MONTGOMERY

Sheriff Annual Salary and Expense Allowance

Act No. [2015-263](#) (HB 366 by Rep. Reed Ingram)

This act cuts the expense allowance by \$10,000 and establishes an annual salary of \$135,000 for the Montgomery County Sheriff.

This act became effective June 1, 2015.

Court Processing Fee

Act No. [2015-264](#) (HB 367 by Rep. Reed Ingram)

This act provides for a \$30 one-time service of process fee of documents in both the civil and criminal courts of

Montgomery County.

This act shall go into effect August 1, 2015.

MORGAN

City of Hartselle Ad Valorem Tax Referendum

Act No. [2015-271](#) (HB 558 by Rep. Ed Henry)

This act authorizes a referendum to allow the City of Hartselle to increase ad valorem taxation.

This act went into effect upon signage by Governor Bentley.

Jurisdiction of Industrial Park and Economic Development Cooperative District

Act No. [2015-36](#) (SB 176 by Sen. Arthur Orr)

This act provides for the distribution of certain payments made in lieu of taxes by the TVA and expands the jurisdiction of the Morgan County Industrial Park and Economic Development Cooperative District to the entire county.

This act went into effect upon signage by Governor Bentley.

PIKE

Lodging Tax

Act No. [2015-421](#) (HB 691 by Rep. Alan Boothe)

This act levies a 4% lodging tax within Pike County while providing for exemptions and the distribution of the proceeds from the tax.

This act goes into effect on September 1, 2015.

RUSSELL

Motor Vehicle Registration Issuance Fee

Act No. [2015-334](#) (HB 566 by Rep. George Bandy) and Act No. 2015-242 (SB 399 by Sen. Tom Whatley)

This act authorizes the Russell County Commission to levy an additional issuance fee on motor vehicle registration and provides that 40% of the proceeds will be deposited into the general fund of the City of Phenix City and 60% of the proceeds will be deposited into the county general fund.

This act goes into effect on January 1, 2016.

SHELBY

Property Tax Commissioner Salary

Act No. [2015-57](#) (HB 300 by Rep. Mike Hill)

This act establishes the annual salary of the Shelby county property Tax Commissioner at \$110,000.

This act went into effect upon signage by Governor Bentley.

Referendum for Sunday Sales of Alcohol

Act No. [2015-43](#) (HB 301 by Rep. Mike Hill)

This act is a proposed local constitutional amendment to authorize the sale of alcoholic beverages on Sunday within Shelby County.

This act must receive a favorable vote by the citizens of Shelby County before going into effect.

Warrant Recall Fee

Act No. [2015-266](#) (HB 445 by Rep. Jack Williams)

This act establishes a warrant recall fee for the City of Vestavia Hills.

This act went into effect upon signage by Governor Bentley.

County Law Enforcement Personnel Board

Act No. [2015-343](#) (HB 502 by Rep. Mike Hill)

This act establishes a personnel board for employees of county law enforcement officers and provides for certain exemptions.

This act went into effect upon signage by Governor Bentley.

County Civil Service System

Act No. [2015-243](#) (HB 543 by Rep. Arnold Mooney)

This act further provides for the categories of employees in the Civil Service System of Shelby County.

This act goes into effect on September 1, 2015.

County Jail Booking and Administration Fee

Act No. [2015-345](#) (HB 549 by Rep. Mike Hill)

This act establishes a booking and administration fee in certain cases if the defendant is booked or incarcerated in

the Shelby County Jail.

This act goes into effect on September 1, 2015.

City of Pelham Civil Service System and Personnel Board

Act No. [2015-419](#) (HB 683 by Rep. Matt Fridy)

This act establishes a civil service system and personnel board for the City of Pelham.

This act went into effect upon signage by Governor Bentley.

Probate Judge Vacancy Procedure

Act No. [2015-198](#) (SB 70 by Sen. Cam Ward)

This act is a proposed constitutional amendment providing the procedure of filling vacancies in the office of judge of probate of Shelby County.

This act must receive a favorable vote by the citizens of Shelby County before going into effect.

ST. CLAIR

County Jail Booking Fee

Act No. [2015-260](#) (HB 347 by Rep. Jim Hill) and Act No. [2015-93](#) (SB 312 by Sen. Jim McClendon)

This act provides for a booking fee to be assessed as court costs in certain cases where the defendant is booked or incarcerated in any county jail in St. Clair County.

This act must receive a favorable vote by the citizens of St. Clair County before going into effect.

Regulation of Sunday Alcohol Sales

Act No. [2015-45](#) (SB 259 by Sen. Jim McClendon)

This act authorizes elections within municipalities and unincorporated areas of St. Clair County to allow Sunday alcohol sales.

This act went into effect upon signage by Governor Bentley.

SUMTER

Waste Disposal Fees

Act No. [2015-274](#) (HB 616 by Rep. A.J. McCampbell)

This act levies fees on the disposal of certain wastes and further provides for the distribution of the proceeds from the fees.

This act went into effect on June 1, 2015.

TALLADEGA

Regulation of Sunday Alcohol Sales in Sylacauga

Act No. [2015-158](#) (HB 124 by Rep. Ronald Johnson)

This act authorizes the sale of alcoholic beverages on Sundays within the City of Sylacauga.

This act went into effect upon signage by Governor Bentley.

Regulation of Sunday Alcohol Sales in Oak Grove

Act No. [2015-328](#) (HB 125 by Rep. Ronald Johnson)

This act authorizes the sale of alcoholic beverages on Sundays within the City of Oak Grove.

This act went into effect upon signage by Governor Bentley.

City of Lincoln Corporate Limits

Act No. [2015-413](#) (HB 635 by Rep. Ronald Johnson)

This act removes certain property from the corporate limits of the City of Lincoln.

This act went into effect upon signage by Governor Bentley.

TALLAPOOSA

Alexander City Boundary Lines and Corporate Limits

Act No. [2015-72](#) (HB 291 by Rep. Mark Tuggle)

This act alters and rearranges the boundary lines and corporate limits of the City of Alexander City.

This act went into effect upon signage by Governor Bentley.

Sheriff Annual Salary and Expense Allowance

Act No. [2015-73](#) (HB 325 by Rep. Mark Tuggle) and Act No. [2015-285](#) (SB 293 by Rep. Tom Whatley)

This act establishes an additional expense allowance (\$1,000) for the Sheriff of Tallapoosa County and provides for an increase in annual salary (\$12,000) to be paid by the general fund of the county.

This act went into effect upon signage by Governor Bentley.

TUSCALOOSA

City of Northport Civil Service System

Act No. [2015-23](#) (HB 55 by Rep. Bill Poole)

This act establishes a civil service system for the City of Northport and provides for the position of attorneys rendering legal services to be included in the classified service by deleting the positions from the exempt service.

This act went into effect upon signage by Governor Bentley.

Local Election Date

Act No. [2015-201](#) (HB 484 by Rep. Chris England)

This act provides the election of mayor, members of the city council and members of the Board of Education of the City of Tuscaloosa be held on the first Tuesday in March and every four years thereafter.

This act went into effect upon signage by Governor Bentley.

Fire and Law Enforcement Retirement System

Act No. [2015-331](#) (HB 510 by Rep. Bill Poole)

This act provides for a retirement system for police officers and firefighters and requirements of participation.

This act goes into effect on August 1, 2015.

Tuscaloosa County Road Improvement Commission

Act No. [2015-202](#) (HB 600 by Rep. Bill Poole)

This act increases and changes the distribution of certain sales and use taxes within Tuscaloosa County and creates the Tuscaloosa County Road Improvement Commission.

This act goes into effect on January 1, 2016.

WALKER

City of Jasper Entertainment District

Act No. [2015-297](#) (HB 620 by Rep. Connie Rowe)

This act authorizes the City of Jasper to establish entertainment districts and allow the Alabama Alcoholic Beverage Control Board to permit and regulate the sale and consumption of alcoholic beverages within the entertainment districts.

This act went into effect upon signage by Governor Bentley.

WASHINGTON

Law Enforcement Retirement Benefit

Act No. [2015-179](#) (HB 483 by Rep. Elaine Beech)

This act provides that upon retirement a certified law enforcement officer may receive his or her badge and duty weapon as part of his or her retirement benefit.

This act goes into effect on August 1, 2015.

Probate Judge Recording Fee

Act No. [2015-181](#) (HB 497 by Rep. Elaine Beech)

This act creates an additional fee on all documents submitted for recording in the office of the judge of probate and creates the Washington County Probate Judge Fund.

This act went into effect upon signage by Governor Bentley.

WILCOX

Lodging Tax

Act No. [2015-77](#) (HB 378 by Rep. Kelvin Lawrence)

This act levies a lodging tax within Wilcox County and provides for the distribution of the proceeds from the tax.

This act became effective June 1, 2015.

WINSTON

County Board of Education Authority

Act No. [2015-219](#) (HB 594 by Rep. Tim Wadsworth)

This act is a proposed constitutional amendment that transfers the authority to manage, control, and lease school lands within Winston County from the Commissioner of Conservation and Natural Resources to the Winston County Board of Education.

This act must receive a favorable vote by the citizens of Winston County before going into effect.