

2022

ALABAMA
COUNTY
PLATFORM

Allowing All **67 Counties** to Speak with
ONE Voice on Policy Issues in 2022

ACCA Legislative Committee Approval | Oct. 14, 2021
ACCA Board of Directors Approval | Nov. 17, 2021
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ALABAMA COUNTY FOUNDATION PRINCIPLES

The 11 Foundation Principles of the Association of County Commissions of Alabama (“Association”) were established by the Association’s membership to promote the core values and positions of Alabama’s 67 county governments. These foundation principles form the cornerstone from which all county policy positions, legislative priorities and general legislative advocacy are derived in order to promote the improvement of the State of Alabama and its instrumentalities.

Alabama Governmental Structure

Foundation Principle: *The relationship between Alabama counties and the Alabama Legislature is established in constitutional and statutory law. The preservation of a constitutional relationship between the State of Alabama and its counties as well as a workable and productive statutory allocation of responsibilities between the state and the counties is essential to the delivery of services. Therefore, Alabama counties encourage the Alabama Legislature to fully fund state agencies and opposes the shifting of costs and administrative responsibility of state functions to the local level through the state budget process.*

Mandated and Unfunded Legislation

Foundation Principle: *Without the authority to levy taxes or even collect fees for services, Alabama counties constantly struggle to provide an adequate level of services to ensure health, safety and prosperity of local citizens. Alabama’s constitution provides protection from the enactment of mandated and unfunded responsibilities onto county government to ensure the financial integrity of the commission. The Association strongly supports the intent of Alabama’s constitutional language prohibiting the enactment of unfunded mandates and opposes the establishment of such mandates through federal or state administrative actions.*

Revenue Protection

Foundation Principle: *Counties are partners with the State of Alabama in the collection of revenue and the delivery of services funded by the collection of such revenue. Many taxes collected by the counties as well as the state are earmarked for distribution between the two levels of government to ensure the provision of services. Likewise, the Legislature considers the abatement or exemption of many taxes levied by or on behalf of the county commission. County services cannot be funded during either the short- or long-term if the necessary revenue is interrupted. The Association opposes mandated abatement or exemption of the local proceeds of any taxes as well as the alteration of the allocation formula used to distribute tax proceeds between the state and its counties.*

ALABAMA COUNTY FOUNDATION PRINCIPLES

County Operations and Budget Authority

Foundation Principle: *The county governing body serves as both the legislative and administrative branch of government at the local level – carrying out both budgetary duties as well as providing administrative leadership for many functions. The budgetary, personnel and administrative functions carried out by the county commission are essential to the financial and operational health of county government in Alabama. The Association opposes any efforts that will obstruct the county commission’s ability to effectively govern and to maintain the administrative and financial well-being of the services delivered by the county commission.*

County Expenditures for Compensation and Benefits

Foundation Principle: *The county commission is charged with making budgeting decisions within the revenue available to provide the most effective and efficient services to the citizens in each of the 67 counties. Legislatively- mandated adjustments in salaries and benefits pose a threat to the delivery of such services. For this reason, the Association opposes any legislation which mandates any expenditure of county revenues for the payment of compensation, salary supplements, expense allowances, or benefits for current or former government officials or employees.*

Economic Development and the Alabama Trust Fund

Foundation Principle: *Alabama counties play an ever-growing and vital role in the state’s economic development efforts; providing services, financial support and community leadership necessary to attract and retain important employers. Counties must be able to access the revenue necessary to carry out this function and must be included in any reforms and initiatives that alter Alabama’s law regarding economic incentives and requirements. Revenue from the Alabama Trust Fund is essential to meeting these goals and must be protected from unnecessary raids and expenditures. The Association will actively oppose any removal of revenue from the Alabama Trust Fund and seeks to be a partner in those economic development efforts that emphasize a partnership between the state and its counties.*

Election Administration

Foundation Principle: *Alabama’s election laws must maintain an unquestioned level of integrity and objectivity while avoiding the wasteful spending of limited local and state resources. Likewise, the reporting and disclosure requirements placed on candidates serve only to bolster such efforts to garner public confidence in the election process. The Association supports efforts to eliminate many of the unenforceable and overbroad provisions of Alabama’s election law while not generating additional unnecessary costs or burdens at the local level.*

ALABAMA COUNTY FOUNDATION PRINCIPLES

Alabama's Prisons and County Jails

Foundation Principle: Alabama's prison system faces a crisis not unlike the crisis duplicated on a daily basis in each of the 67 county jails. The watchful eye of the federal courts, the never-ending expense of providing jail services, the growing costs of health care and the training and compensation for officers presents a challenge well beyond the reach of a county commission devoid of revenue-generating powers. On the other hand, an efficient local law enforcement agency and jail is necessary to maintain order and to ensure the safety of all Alabamians. The Association is gravely concerned that all reform efforts, statutory changes or administrative rules be considered only in light of direct, indirect and unintended consequences generated at the county level.

Justice and Public Safety

Foundation Principle: The State of Alabama is responsible for administration of state courts and public safety agencies and for providing public health and mental health services for the citizens of this state. The Association believes the Alabama Legislature should adequately fund each state agency responsible for delivery of these critical government services and opposes any legislative or administrative efforts that mandate counties to assume any responsibility for these state functions or that force county government to assume state functions due to the state's failure to adequately meet its financial or administrative responsibilities. Additionally, since local government plays an important role in providing emergency services at the local level, the Association urges the Legislature to ensure there is adequate funding for local programs and that state and local agencies work in partnership for the safety and well-being of all citizens of this state.

Environment, Land Use, and Public Works

Foundation Principle: County government's role in the effective administration and enforcement of Alabama's law affecting environmental issues, land use, and public works administration is often confusing. Counties lack land-use authority, but are required to grant initial approval for landfills. Counties seek to enhance the delivery of services by improving their public facilities and programs, but often are impeded by federal and state regulations, inspections, and prohibitions that do not serve the public's best interests. The exercise of extra-jurisdictional powers by municipalities further clouds the role of county government. The Association seeks legislative and administrative solutions to these conflicts and encourages all related agencies to interact with counties to ensure the proper delivery of services and the enforcement of requirements and regulations.

ALABAMA COUNTY FOUNDATION PRINCIPLES

Rural Transportation

Foundation Principle: *The county commission is responsible for proper construction, maintenance, and repair of all roads and bridges in the county road system. The Association believes it is essential that the county commission have adequate federal, state, and/or local funding to meet the many needs of its rural transportation system. Additionally, the Association believes that, in order to keep roads and bridges properly maintained for the safety and well-being of the traveling public, the county commission must have broad regulatory authority related to the use of county-maintained roads and bridges, including the ability to collect reimbursement from persons or entities causing damage to those roads and bridges.*

ALABAMA COUNTY QUADRENNIAL GOALS

With the start of each quadrennium, the Association membership and its affiliate organizations come together to analyze the global state of county governments in Alabama. The results of this collaborative effort are compiled into the Quadrennial Goals set out below. Throughout the four years of the quadrennium, the membership will prioritize and advocate for legislation to achieve each of these goals. As the quadrennium progresses, the membership may elect to add, amend or update these goals to ensure they adequately reflect the needs and condition of Alabama's 67 county governments.

Alabama Governmental Structure

To improve the performance of county government through the modernization of operations to efficiently and effectively deliver vital public services.

To shift the statutorily-required publication of legal notices from a "newspaper" to publication on a website maintained by the state or by each individual county.

To provide a constitutional amendment to authorize open debate of local legislation.

Mandated and Unfunded Legislation

To amend the unfunded mandate constitutional amendment to provide that the exemption for defining crimes apply only to provisions of the law defining or amending a crime.

Revenue Protection

To modernize the business licensing process provided it does not result in a loss of state or local revenue or repeal existing local business licensing laws.

To provide for the State of Alabama to use American Rescue Plan Act funds for the benefit of county governments following the State's abrupt redirection of \$26 million previously allocated to counties by the State with funds provided under the Coronavirus Aid, Relief and Economic Security Act of 2020.

To help county governments maximize local dollars by allowing for the county investment of excess, non-obligated funds into secure interests approved by the State Treasurer.

ALABAMA COUNTY QUADRENNIAL GOALS

Revenue Protection (Continued)

To establish workable solutions between local officials and the Alabama Department of Revenue to ensure the application of efficient and effective tax administration processes and procedures at the local level.

To authorize county tax assessing officials to act in their own names and in the capacity of their office in property valuations appealed from the county Board of Equalization.

County Operations and Budget Authority

To provide that the county commission sets the hours of operation of county offices.

To clarify statutory language related to use of county warrants and bonds.

To grant county commissions the authority to utilize excess funds in the county's unclaimed fund account toward lawful purposes in the best interest of the county.

To require municipalities to provide animal control services within its jurisdictional limits or contribute a pro rata share of services provided by the county.

County Expenditures for Compensation and Benefits

To repeal the so-called revolving door provision of the Alabama Ethics law for public employees who become employed by other public employers.

Economic Development and the Alabama Trust Fund

To allow for the creation of local programs that facilitate the expansion of high-speed internet broadband services in the underserved unincorporated areas of counties.

To shift 20 percent of the corpus and future oil lease and royalty payments of the Alabama Trust Fund into the County and Municipal Government Trust Fund which would thereafter operate as a separately-maintained Trust Fund for counties and municipalities.

To provide for a State of Alabama matching program enabling local governments to maximize their American Rescue Plan Act allocations and subsequently maximize the benefit to Alabama citizens to implement much-needed initiatives and projects approved by U.S. Department of the Treasury guidelines.

ALABAMA COUNTY QUADRENNIAL GOALS

Election Administration

To eliminate the requirement that the county commission set and fund school tax elections for municipal school systems.

To amend Alabama law reforming the current Board of Registrars system to ensure appointments fairly reflect the demographic makeup of each county, as well as to provide increased accountability, local notification and communication, state and local oversight, and minimum qualifications for appointments.

To allow the county commission, in its discretion, to assume responsibility for the absentee election function when there is a change in the office of circuit clerk.

To remove the authority for the Secretary of State to decertify poll books being used by county election officials, if such equipment was approved at the time of purchase.

Alabama's Prisons and County Jails

To provide for the retroactive reimbursement to counties for the extended care of State-responsible inmates throughout the COVID-19 pandemic.

To grant approved law enforcement officers the authority to connect an individual believed to be suffering from mental illness and posing an immediate threat to the public with necessary evaluation and treatment by a professional medical facility.

To clarify that participants in diversion programs are legally and financially state inmates for all purposes even when held for temporary confinement in the county jail or awaiting hearing or transfer to a state facility.

To amend Alabama law to limit the medical service costs for an individual in county custody at an amount not exceeding Alabama's Medicaid rates and fees.

ALABAMA COUNTY QUADRENNIAL GOALS

Justice and Public Safety

To improve and expand spay-neuter services throughout the state, provided there is no requirement that counties fund such services.

To amend current Alabama law to create a more equitable financial allocation between local and state governments for the housing, medical care, and transportation of juveniles participating in the juvenile justice system.

To clarify that juveniles held in regional detention facilities awaiting court ordered transfers to local or state diversion or treatment programs are the legal and financial responsibility of the State.

To properly fund the Alabama Disaster Recovery Program to provide direct financial assistance to counties and municipalities following certain disasters and assistance for certain pre-disaster event protective measures.

To authorize Emergency Management Agency vehicles to utilize emergency lights and sirens in accordance with emergency vehicle standards.

To recognize the essential role emergency management personnel and public safety telecommunicators play in public safety response.

Environment, Land Use, and Public Works

To remove any liability from the county commission in the event that the public utility-locating process for a county construction project is not fully and sensibly completed within a reasonable amount of time.

Rural Transportation

To require any municipal government wishing to alter the speed limit on a county-owned road inside city limits to acquire professional safety research and data to support such a change and to receive the approval of the local county commission.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

The Public Policy Positions of the Association of County Commissions of Alabama, established by the membership, direct the Association in advocacy efforts in supporting or opposing any policy decisions affecting Alabama's county governments. These Policy Positions, derived from the 11 Foundation Principles, address numerous issues from the relationship between state and local governments to the day-to-day operations of the county commissions.

Alabama Governmental Structure

Belief that the existing Public Records Law adequately protects a citizen's right to access of public documents and any reforms should come only after comprehensive input from county government to specifically address key areas of concern — such as reasonable response deadlines for records requests; handling and accounting of electronic requests; accurate accounting of staff time, creation and duplication fees to be charged to a requester; enforcement on the state level; and omission of an ombudsman component.

Opposition to removing or impeding local control of the county department of human resources.

Support for continued application of current constitutional and statutory provisions providing that elected officials can be removed from office only through the process of impeachment.

Support for Alabama's current structure for enacting or amending state general or local laws and belief that no provision allowing for citizen referendum should be enacted.

Belief that individual property rights must be balanced with adequate means to protect the health, safety, and welfare of all citizens.

Belief that any additional restrictions on the use of constitutional and statutory procedures for condemnation of private property for necessary governmental purposes will serve to harm the collective well-being of all citizens.

Belief that counties should receive a portion of proceeds resulting from the enactment of legislation establishing a state lottery, gaming, or sports betting systems and including subsequent expansion of those systems.

Opposition to restricting or limiting a county commission's authority to make independent decisions related to county property and rights-of-way.

Opposition to shifting the control of county property to the oversight of a legislatively-established committee or state agency.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Mandated and Unfunded Legislation

Opposition to federal and state efforts to require county government to assume any financial or programmatic responsibilities that are currently financed and/or administered at the federal or state level.

Opposition to any mandated and unfunded requirement that counties assume new programs established by the federal or state government.

Opposition to any federal or state legislative, administrative, or regulatory directives requiring county government to assume inspection, public safety, permitting responsibilities or other duties currently performed by the state or federal agency.

Opposition to any legislative or regulatory directives requiring counties to provide housing, supplies, equipment or other expenses for a county coroner or other county officers.

Opposition to state agencies administratively eliminating state services within a county for budgetary or other reasons without legislative approval.

Revenue Protection

Opposition to the State of Alabama settling tax litigation cases without the consent of counties when doing so creates long-lasting and negative impacts on a county's ability to efficiently and effectively provide services to local taxpayers.

Opposition to altering the current interest rate on tax sale proceeds unless such change will not result in a decrease in purchaser participation in tax sales or reduction in tax sale proceeds paid to counties.

Support for advancements toward streamlining the process by which county governments sell real estate property to recoup delinquent taxes, as long as such advancements do not negatively alter county revenue.

Support for apportioning the full ad valorem tax collection costs among all entities entitled to a portion of the proceeds of the tax.

Opposition to authorizing a local legislative delegation or legislatively-created committees to direct how local revenues should be distributed or to redirect funds allocated to local governments.

Support for the principles of the Streamlined Sales and Use Tax Agreement provided there is no future effort to repeal or restrict counties' authority to collect, audit and/or enforce local taxes.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Revenue Protection (Continued)

Support for removing any defects in state tax laws resulting in a discriminatory tax structure provided that the removal eliminates discrimination without creating new or expanding exemptions or tax credits.

Support for creating a fair and equitable ad valorem tax system provided it does not eliminate annual reappraisal, reduce tax revenues or increase current exemptions.

Support for amending the Taxpayer Bill of Rights to provide that following an audit that uncovers that taxes were wrongly paid to another entity, the auditing entity may take action against the other entity if the wrongly-paid tax is not refunded within six months.

Support for revisions of the definition of tangible personal property to ensure that goods delivered digitally are subject to sales or use tax collections.

Opposition to legislation that would allow income producing properties to be treated as residential housing for the purpose of ad valorem taxation.

Belief that local governments should incur no costs for use of the ONE SPOT sales tax remittance system.

Opposition to any proposed amendments to the Alabama Simplified Sellers Use Tax Act, whether by local or statewide legislation, that would alter the program's existing distribution formula or the revenue allocated to county governments under general law.

Opposition to the Alabama Legislature granting exemptions from taxes that fund county government operations and services without the consent of the county commission.

Belief that county governments should be exempt from payment of utility taxes.

Belief that local governments should have access to the same investment opportunities available to the State of Alabama.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

County Operations and Budget Authority

Support for the protection of counties, officials, employees, or agents against liability for official actions provided there is no change in the statutory damage cap for awards against counties.

Opposition to any efforts to require counties to pay the attorney fees of those filing actions against county governments, its officials, or employees.

Support for the county commission role in adopting and enforcing the county budget and opposition to any efforts to weaken or direct the county commission's exercise of this legislative authority.

Opposition to any legislation requiring the county commission to vote or take action on a particular measure or issue.

Support for limiting use of out-of-state cooperative programs for purchases available on the Alabama County Joint Bid list.

Support for legislation allowing individuals to petition the court for clear and merchantable title of tax sale properties, provided it does not increase counties' administrative burden.

Opposition to restricting a county employee's ability to voluntarily notify its employer of updates involving his or her health and to placing any liability on the employer as a result of receiving such information.

County Expenditures for Compensation and Benefits

Support for the Omnibus Pay Act in its current form and opposition to any requirement to provide or increase compensation, benefits, or county-paid salary supplements for state or local officials.

Opposition to mandated and unfunded requirements to provide or increase compensation or benefits for any county-paid personnel or volunteers.

Opposition to shifting responsibility for the payment of the employee-share of retirement contributions for probate judges to the counties.

Support for the elimination of all supernumerary programs and opposition to any mandated and unfunded increases in payments made under existing programs.

Support for authorizing cost of living increases for state and local retirees provided such legislation only applies to retirees in a particular county if approved by the county commission.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

County Expenditures for Compensation and Benefits (Continued)

Belief that any retirement program changes should not apply to local participants without approval of the county commission.

Support for authorizing counties to establish civil service systems provided that the creation of such systems do not provide for collective bargaining.

Belief that workers' compensation benefits should be uniform for all workers, and special benefits should not be established for segments of the county workforce; and as an alternative, that short-term mental health benefits should be made available to first responders under specific circumstances.

Support the consideration of modifications to the current Employees' Retirement System to help public employers recruit a qualified workforce and retain experienced employees.

Economic Development and the Alabama Trust Fund

Support for the expansion of high-speed internet services to the underserved unincorporated areas of counties, whether through partnership with the State of Alabama, tax incentives and abatements, or local programs.

Opposition to the withdrawal or diversion of money currently earmarked for Alabama Trust Fund.

Opposition to any economic development legislation or programs that mandate the expenditure of county revenues or abatement of county taxes without the consent of the county commission.

Opposition to changes in existing law that would alter or amend current restrictions on a county commission's ability to grant a thing of value to an individual or corporation.

Support efforts of the Alabama Legislature to evaluate existing incentive programs to ensure they are cost effective and beneficial to local economies.

Support for incentives and reforms that will enhance the delivery of healthcare services to underserved communities.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Election Administration

Encourage the Alabama Legislature to reject changes to any election laws without the Legislature closely reviewing, considering and debating the financial and administrative impact on county government.

Opposition to eliminating a runoff election except in the most extreme circumstances where the outcome of the primary is inevitable.

Support for any legislative or administrative efforts aimed at eliminating waste and reducing state and county election expenses provided such efforts maintain the integrity of the election process.

Support for authorizing counties to satisfy election-related publication requirements by posting information on a public website and making copies available at the courthouse.

Opposition to any legislation requiring county governments or county personnel to provide services or assume responsibility for any portion of municipal elections.

Support for legislative changes that will increase voter participation while ensuring fair and honest elections.

Support legislation including all expenditures for electronic poll books and training for absentee election managers in the items eligible for reimbursement by the State of Alabama.

Support legislation including all expenditures for electronic poll books and training for absentee election managers in the items eligible for reimbursement by the State of Alabama.

Encourage the State of Alabama to provide funding for the replacement of handicap-accessible voting equipment in use at the county level.

Belief that if the State of Alabama establishes an early voting process, all costs should be paid by the State of Alabama.

Belief that individuals designated by the State of Alabama to administer a county's voter registration process both possess the professional qualifications necessary to fulfill the duties of their position and be representative of the demographic diversity of the county's residents.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Alabama's Prisons and County Jails

Opposition to requiring mandatory training for sheriffs, sheriffs' deputies, or other county employees without county commission approval.

Opposition to any prison reform implementation activities that significantly increase costs of or create unsafe conditions in the county jail.

Opposition to any sentencing reform legislation or State-level decisions resulting in the diversion of inmates, probationers or parolees into Alabama's county jails without full reimbursement of all costs resulting from such diversion.

Support for the Alabama Legislature to fully fund the reforms of 2015 by providing counties with the necessary revenue to address the unfunded mandates resulting from the 2015 Alabama Prison Reform Act.

Opposition to pleading down individuals charged with a Class D Felony to a misdemeanor status for the purposes of those convicted persons serving time in county jails rather than a state prison.

Support for providing that non-indigents serving sentences in the county jail be required to pay a portion of the cost of incarceration, including medical expenses.

Opposition to any requirement that county government pay for the use of state inmate labor.

Opposition to imposing mandated and unfunded jail standards or other procedures.

Opposition to legislative or administrative efforts to put reserve deputies in regular law enforcement positions.

Opposition to amending Alabama's work release law to allow wages paid to the county to be expended for purposes other than the costs of the individual inmate's incarceration.

Support for comprehensive legislation to clarify and/or implement procedures for county inmates working outside of the jail through either work release or other programs.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Justice and Public Safety

Opposition to any juvenile justice reform efforts that would result in increased cost or administrative responsibility on a county without the county commissions consent.

Support for legislative or administrative procedures to reduce or eliminate county costs for transportation of individuals with mental health issues.

Opposition to prohibiting state law enforcement officers from conducting investigations or providing other services on county roads.

Support for providing adequate funding to ensure that ambulance services are available throughout the county.

Support for protecting the county commission against the payment of any costs or penalties issued as a result of any local elected official's defying a validly-issued court order.

Opposition to any legislation authorizing a person to carry a firearm in a vehicle without a valid pistol permit.

Opposition to repealing the courthouse annex exemption from those locations where individuals are authorized to carry a firearm.

Support for shifting regulation of certain prefabricated storm shelters from the Department of Finance to the Alabama Manufactured Housing Commission.

Belief that the statewide 911 Board should conduct only those activities delegated by the Legislature.

Belief that 911 services are best provided through locally operated and administered boards without statewide coordination and encouraging the statewide 911 Board to seek meaningful input from existing 911 district boards and personnel in developing any proposed reforms or initiatives.

Support for restoring state EMA revenues in the state general fund budget to ensure both state and county EMA programs receive proper funding.

Support for the State of Alabama's continued complete funding of an Emergency Notification System for use by every Alabama local government to warn and update citizens during times of crisis and disaster.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Justice and Public Safety (Continued)

Support for adequate funding of state supplements paid to counties with a certified county EMA director.

Support ensuring the State has sufficient resources to assist county governments with the protection of the public's health and safety in the event of an environmental emergency.

Support for legislative and administrative efforts to implement state-funded video conferencing for certain court appearances and to expand the use of video court proceedings in the state.

Support for legislation to clarify that the County Commission is not liable for the improper expenditures of funds authorized by law to be expended at the "sole discretion" of a particular elected official.

Support for legislation amending Alabama law to remove the requirement that the sheriff must be appointed conservator or guardianship of an incapacitated person if no other suitable person qualifies as general conservator.

Support for legislation imposing an express duty to require service providers to collect and remit the monthly statewide 911 fee from all of their applicable customers, and further authorize the statewide 911 Board to take audit and collection actions, as necessary, to enforce such collections.

Support for the delivery of comprehensive voluntary statewide training for 911 dispatchers and similar personnel.

Support for statewide efforts and legislative measures to provide access to effective mental health services at the local level.

Environment, Land Use, and Public Works

Support for limiting the exercise of municipal powers or taxation outside the jurisdiction's corporate limits.

Opposition to municipalities using local law for the annexation of property noncontiguous with the municipality, except for purposes involving significant economic development initiatives.

Belief that any alterations to existing subdivision regulations should come only after comprehensive input from county government.

Opposition to any statutory or administrative increase in fees charged by a state agency if such increases will be paid by county government or county-established agencies.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Environment, Land Use, and Public Works (Continued)

Belief that debris placed on the right-of-way of a state road following a disaster event is the State of Alabama's responsibility and should be removed at state expense.

Support for sufficient funding and administrative expertise for flood plain management and geospatial services at the state level to ensure more effective implementation by all counties.

Opposition to municipalities using unconventional annexation procedures to avoid the legal responsibility to maintain public roads included in newly-annexed areas.

Support for increasing the minimum cost of a construction project amount which requires the county to employ the services of a licensed general contractor or architect.

Opposition to allowing a project manager to approve construction contract changes without approval of the governing body and/or compliance with the public works law.

Support for requiring the Forever Wild Board to make annual payments from its Stewardship Account in an amount equal to the ad valorem taxes lost by the purchase of lands previously held by private ownership.

Support for amendments to the existing Alabama Memorial Preservation Act to allow county government to directly control the circumstances under which historical monuments may be removed from county property.

Opposition to excessive indemnification requirements placed on county governments through contracts with the Alabama Department of Transportation.

Opposition to counties assuming responsibility for any legal, financial or operational liabilities resulting from an entity's public utility-locating error or failure.

Opposition to any changes in Alabama law that would shift existing civil liabilities for contractors to local governments.

ALABAMA COUNTY PUBLIC POLICY POSITIONS

Rural Transportation

Support for allowing the county commission to call a local referendum to impose a renewable temporary local gasoline and motor fuel tax to fund specified local road and bridge projects.

Opposition to any measures, including budget appropriations, which would divert taxes currently earmarked for roads and bridges to other state functions.

Opposition to altering the allocation formula for any gasoline and diesel fuel tax levy proceeds, if such changes would disproportionately benefit funding for municipal projects at the expense of funding for county roads and bridges.

Opposition to weakening Alabama's law related to weight or axle-spacing restrictions on state and county roads or to add new exemptions to such laws.

Support for providing that fines collected from persons convicted of driving overweight vehicles on county roads and bridges be distributed to the county's road and bridge fund.

Opposition to establishing a commission to administer the Alabama Department of Transportation.

Opposition to any changes to current law setting speed limits on unposted county roads.

Belief that the county commission should be consulted and its approval granted for any changes proposed by municipal, state or federal entities involving county-owned transportation infrastructure, especially if such changes would alter the integrity or life expectancy of the infrastructure and, therefore, impact safety standards for public use.

Support for amending Alabama's severance tax law to ensure that counties receive proceeds sufficient to ensure proper maintenance and repair of roads and bridges utilized for the transportation of materials severed within the county.

Support for amending the Alabama Public Works Law to exempt the awarding of annual in-place contracts for the paving and resurfacing of county roads.

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ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

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2019 LEGISLATIVE SESSION

Act 2019-2 | Improving County Infrastructure Through Increased Fuel Taxes

This law increased Alabama’s gasoline and diesel fuel taxes by 10 cents per gallon. Under the new law, counties also became able to save time and stretch their dollars by swapping their federal funds for \$400,000 in state funds — and participating in a \$10-million local government grant program and a \$30-million to \$50-million, pay-as-you-go ATRIP-II program.

Act 2019-70 | Utilizing Next-Generation 9-1-1 Technology

This law granted clear statutory authority to the State 9-1-1 Board to administer the Alabama Next Generation Emergency Network (ANGEN), which is a communication technology system that streamlined the routing process for 9-1-1 calls, reduced costs for 9-1-1 districts, and improved accuracy and redundancy issues associated with the previous system. The law also made a number of technical amendments to the general powers of the Board, enabling it to more effectively provide critical services and support to the state’s 9-1-1 districts.

Act 2019-132 | Offering Better Local Retirement Benefits

Under this law, local government entities participating in the Employees’ Retirement System (ERS) were granted the option to shift their existing Tier II employees to the more attractive benefits package afforded to local employees hired prior to 2013. The optional change allowed local entities to remain competitive in the job market and retain talented employees.

Act 2019-133 | Adjusting Sheriffs’ Feeding Accounts

This law established a statewide process to ensure all feeding monies are treated as public funds and to clarify the sheriff is not personally responsible for any shortfall in the feeding account. The law created a Prisoner Feeding Fund in each sheriff’s office and requires feeding monies to be received and disbursed separately from the other office funds. Among other changes, the law also increased the state’s portion of the county inmate feeding allowance from \$1.75 to \$2.25 per prisoner per day.

Act 2019-184 | Amending the County Debt Set-Off Program

The enactment of this law ensured county healthcare authorities could continue to participate in the County Debt Set-Off Program, even if a healthcare authority contracts with an outside entity to provide financial or administrative management assistance.

ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

2019 LEGISLATIVE SESSION (CONTINUED)

Act 2019-234 | Reinstating Right-of-Way Waiver Valuations

This amendment to the statutory provisions permitted the use of waiver valuations if (1) the property owner is donating the property and releases the state or political subdivision from its appraisal obligations or (2) the state or political subdivision, with the written consent of the property owner, determines an appraisal is not necessary and the anticipated property value is equal to or less than the amount in the applicable federal regulation — which was \$10,000 at the date of this law’s enactment. Under this law, counties can continue utilizing this process that has saved them much time and money over the years.

Act 2019-382 | Updating the Simplified Sellers Use Tax Program

This act amended Alabama law to expand protection from class action lawsuits involving claims for Simplified Sellers Use Tax (SSUT) refunds. The law also provided tax amnesty for online sellers for tax periods prior to October 1, 2019, and prohibited the collection of the SSUT on vehicles for which state and local taxes are required to be collected at the time of the vehicle’s registration.

ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

2020 LEGISLATIVE SESSION

Act 2020-67 | Reauthorizing the Alabama 9-1-1 Board & Its Functions

An Alabama sunset law, this act authorized the Alabama 9-1-1 Board and its functions to continue until October 1, 2024. Under state law, the 9-1-1 Board remains subject to evaluation and review by the Alabama Legislature. Continuation of the 9-1-1 Board is required to be considered by state legislators every four years.

Act 2020-85 | Creating a Statewide Emergency Notification System

This law allowed for the creation of a Statewide Emergency Notification System, to be made available for use by every Alabama county and municipality for warning and updating citizens on disasters. The Notification System was designed to be funded by state dollars through the Alabama Disaster Recovery Fund, overseen by the Alabama Disaster Recovery Program Committee, and its requirements and specifications established by the collaborative efforts of the Alabama Emergency Management Agency and the Recovery Program Committee.

Act 2020-168 | Expanding Alabama's Stepping Up Initiative

This act appropriated \$1,829,250 of the 2020-2021 General Fund budget to the expansion of Alabama's Stepping Up Initiative, a nationwide initiative promoted by the National Association of Counties to reduce the number of people with mental illnesses in county jails and a program administered at the state level by the Alabama Department of Mental Health. Counties and regional mental health centers are eligible for funds to implement the program at the local level in an effort to reduce recidivism in county jails for individuals with mental health conditions and to provide them with the resources for appropriate treatment. Counties participating in the program have experienced a reduction of individuals with mental illnesses in their county jail populations.

Act 2020-168 | Funding Mental Health Regional Crisis Diversion Centers

This act appropriated \$18,000,000 of the 2020-2021 General Fund budget to the Alabama Department of Mental Health for establishment of crisis diversion centers in various regions of the state. Amid the closing of state mental health hospitals, county jails became the default holding facilities for individuals with mental illnesses. The establishment of regional crisis diversion centers is intended to provide individuals with mental illness proper facilities to receive stabilization, evaluation, and psychiatric and mental health services.

Act 2020-199 | Securing Reimbursement of County COVID-19 Expenses

This act addressed the Coronavirus Relief Fund dollars provided by Congress to the State of Alabama to combat the COVID-19 pandemic. The act appropriated relief funds to the Department of Finance to be used for reimbursement of expenditures to various state agencies, local governments, healthcare institutions, the Department of Corrections and additional public entities. Specifically, this act appropriated up to \$250,000,000 to be used to reimburse county and municipal governments for expenditures directly related to the coronavirus crisis.

ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

2021 LEGISLATIVE SESSION

Act 2021-4 | Protecting County Governments Amid COVID-19 Service

This law provided civil immunity for counties, as well as other entities, from claims by individuals alleging they contracted or were exposed to the coronavirus through interaction with the county or the receipt of county services.

Act 2021-146 | Expanding Advertising Options for County Road & Bridge Projects

This act authorized counties to utilize the Rebuild Alabama bidding procedures approved by the Alabama Department of Examiners of Public Accounts for all road and bridge projects.

Act 2021-165 | Allowing for the Establishment of “Safer Places” Statewide

This act established a process for property owners to volunteer structures to be utilized as “Safer Places” to provide temporary cover to individuals during severe weather events. Specifically, this act required the Alabama Emergency Management Agency and the Alabama Association of Emergency Managers to create uniform guidelines for identifying these Safer Places and establish an application for those wishing to volunteer structures; created a process for local emergency managers to notify the community regarding their area’s Safer Places; and established procedures, criteria and additional guidelines to further carry out the implementation of designated Safer Places.

Act 2021-173 | Creating New Efficiencies for County Boards of Equalization

This law streamlined the nomination process for county Boards of Equalization and provided a reasonable increase in compensation in order to attract persons willing to serve on the Board. Specifically, this act allowed the Alabama Department of Revenue to appoint Board members to vacant seats on short notice to help fill unexpected vacancies, which previously could take as long as two months.

Act 2021-175 | Protecting the Validity of Past & Future County Tax Sales

Enacted in reaction to a ruling of the Alabama Supreme Court that would have voided the sale of property for unpaid taxes that occurred anywhere other than “in front of the door of the courthouse,” this act allowed such sales to occur anywhere on the courthouse property. The act also validated previous sales that were held in other locations.

ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

2021 LEGISLATIVE SESSION (CONTINUED)

Act 2021-249 | Alleviating the “Dips & Dunks” Burdens Placed on County Jails

This law largely took aim at the “dips and dunks” process and made substantive revisions that will allow for long overdue operational and financial relief for county jails. The act specifically reduces the number of days a parole or probation violator can be “dipped” from 18 total days to nine total days and requires “dunked” individuals to serve their time in either a volunteering county jail or a residential transition facility established by the Alabama Bureau of Pardons and Paroles. The act establishes a payment of \$28 per day per inmate for the counties that volunteer to hold probation violators; requires the Alabama Department of Corrections to assume the costs of transporting violators; and clarifies that the medical expenses shall be the responsibility of the state. Further, the new law streamlines the process for the receipt of the “transcript” for those persons convicted of felonies and sentenced to the custody of the state, thereby reducing the time such inmates will spend awaiting transfer. And the new law clearly states that after the expiration of the 30-day transfer period, Alabama sheriffs are directed to transfer physical custody of the inmate to the Department of Corrections without being required to await state approval of the transfer.

Act 2021-297 | Resolving Local Jurisdiction Confusion

This act made significant changes in the operation and exercise of extra-jurisdictional powers by city governments. Specifically, this act repealed previous laws allowing for cities to expand their police jurisdictions as they annexed new property; restricted the use of taxing and regulatory powers in the police jurisdiction areas; clarified the circumstances under which city or county subdivision regulations apply outside city boundaries; and established a phase-in period for many of these changes.

Act 2021-348 | Expanding the Use of County Solid Waste Funds

Prior to the enactment of this law, solid waste funds could only be expended on solid waste activities and services. This act allowed local governments to establish a \$1 million reserve account for such expenses and then utilize additional solid waste revenue above the \$1 million threshold for other county operating expenses.

Act 2021-390 | Strengthening the Local Government Voice on Statewide Retirement Issues

This act added two local government seats – one county-elected board position and one at-large local position – to the Board of Control of the Employees’ Retirement System of Alabama, creating a 15-member Board with 5 seats filled by local government representatives. After a phase-in period, the five local government seats shall be designated to the following: a local government retiree; an active county employee; an active city employee; an active employee of a local entity other than a city or county; and an at-large seat voted on by all local government employees and retirees.

ALABAMA COUNTY QUADRENNIAL ACCOMPLISHMENTS

2021 LEGISLATIVE SESSION (CONTINUED)

Act 2021-479 | Securing Funding for a Statewide Emergency Notification System

This act appropriated \$1,600,000 of the 2021-2022 General Fund budget to the Alabama Emergency Management Agency (EMA) for the establishment of a Statewide Emergency Notification System, which will be available for use by every Alabama county and municipality for warning and updating citizens on disasters and other crisis-related events. In accordance with Act 2020-85, the Notification System will be overseen by the Alabama Disaster Recovery Committee and its requirements and specifications established by the collaborative efforts of Alabama EMA and the Recovery Program Committee.