



Legislative Report

Association of County Commissions of Alabama
100 N. Jackson Street • Montgomery, Ala. 36104
(334) 263-7594 • Fax (334) 263-7678 • www.acca-online.org

Legislative Report for Days 1-7 of the 2008 Alabama Regular Session

The 2008 Regular Session of the Alabama Legislature is now in full swing. The House of Representatives has moved quickly in the first few weeks to pass several bills related to ethics and campaign practices – and has given priority to a package of bills dealing with the promotion of energy efficient programs and alternative fuels research and use. The Senate, once again, has taken up stalling tactics, which have prevented much from passing thus far. One bright spot, however, was the passage of a resolution in the first days of the session creating a Litter Enforcement Study Commission to look at ways to improve enforcement of Alabama's litter laws. You will recall that this item was identified as a priority for the Association, and we are excited that this measure was one of the first to be enacted this year.

As is always the case, there have been almost 1,000 bills introduced in the first seven days of the Session. ACCA staff is monitoring about half of these bills to make sure that legislation passed does not negatively impact the efficient operation of county government.

This report identifies ACCA, Danger and Other Bills of Interest to Counties that have been introduced thus far. Please carefully review this report and contact the ACCA office with any questions you may have. You can also track the progress of ACCA and Danger Bills, along with your local bills, by following the links under "Legislative News" online at www.acca-online.org.

Please check the ACCA web site daily for time-sensitive information related to pending legislation and for regu-

lar updates. You should also carefully review the *Weekly Updates* sent from the ACCA office each Friday.

ACCA BILLS

All of ACCA's priority bills for the 2008 Regular Session have now been introduced. Additionally, a couple of bills on the longer "wish list" of ACCA bills have been introduced by legislators interested in the issue. An overview of all 13 ACCA bills — and their status — is set out below.

Act No. 2008-25 Litter Enforcement Study Commission

In an effort to emphasize this important issue and generate interest from other state and local groups to make litter enforcement a priority, this resolution establishes a litter enforcement study commission to offer suggested legislative or administrative changes and/or community-based programs to strengthen Alabama's litter laws and enforcement efforts. The commission will begin its work shortly after the close of this Legislative Session, and make its initial report to the Legislature during the 2009 Legislative Session.

STATUS: This resolution has been enacted. Much appreciation is given to all members of the Alabama Legislature for making this a priority in the 2008 Session.

HB100 by Rep. Warren SB53 by Sen. Denton Bid Law Amendments

This bill makes three simple changes in the portion of Alabama's bid law that applies to local governments: (1) increase the local preference from 3 to 5 percent; (2) eliminate any requirement for a bid bond; and (3)

allow counties to move to the second-lowest bidder meeting bid specs when the original successful bidder refuses to comply with the requirements of the bid award. This bill was passed by the Legislature in the 2007 Session but vetoed by the Governor on the last night of the session.

STATUS: HB100 has passed the House and is out of committee in the Senate awaiting floor action. SB53 is out of committee and also awaiting Senate floor action.

HB110 by Rep. Lindsey SB211 by Sen. Sanders County Modernization-Part II

Continuing with the Association's long range plans to "modernize" Alabama's general law relating to county government, this legislation would repeal several obsolete provisions of the Code, rewrite the law regarding official bonds for county officials and employees, and revise current law related to a variety of issues, such as processing claims, moving the county seat, appointing county surveyors, and procedures for codifying or publishing local laws.

STATUS: Both bills are out of committee and awaiting floor action.

HB481 by Rep. Dukes SB380 by Sen. Penn Employee Benefits Trust Fund

This legislation would authorize, but not require, county commissions to establish trust funds to finance the cost of providing post-employment benefits – such as health care and other insurance, allowing counties an alternative method to comply with GASB's requirement to include such expenditures on all financial statements.

STATUS: HB481 is currently in the House Government Appropriations Committee. SB380 is currently in the Senate Governmental Affairs Committee.

**HB349 by Rep. Newton
SB378 by Sen. Barron
10 Mil School Tax Amendment**

The amendment ratified in 2006 to require all school districts to have a minimum of 10 mils in ad valorem tax for public education prohibits the county from retaining administrative costs related to any millage levied to comply with the amendment. This legislation proposes an amendment to provide that the language prohibiting counties from retaining administrative costs only applies to levies set under the original amendment. *STATUS: SB378 has received a favorable report from the Senate Constitution and Elections Committee. HB349 is pending action by the House Education Appropriations Committee.*

**HB332 by Rep. Galliher
SB110 by Sen. Penn
Sex Offender Notification
Statute**

Under Alabama's current sex offender notification statute, if the offender fails to provide a proper address to live upon release from prison, he or she is "re-arrested" and held in the county jail on the new charges. This legislation proposes changes to the current statute to provide adequate time, notice, and procedures allowing the offender to secure an appropriate residence following release from prison to avoid "re-arrest" and placement in the county jail. *STATUS: Both bills are currently assigned to the Judiciary Committee.*

**HB253 by Rep. Curtis
SB220 by Sen. Little (T)
ACJIS Network Sharing**

This legislation proposes to amend Alabama's Criminal Justice Information System statute to allow that agency to enter into contracts with and share its systems with local 911 boards and Homeland Security for better utilization of all systems.

This change would greatly improve the ability of local 911 systems to better interact with and support each other during a disaster or other emergency limiting the local system's capabilities.

STATUS: HB253 is currently assigned to Government Appropriations Committee. SB220 is out of committee and awaiting floor action.

**HB470 by Rep. Gipson
Local Option Gasoline and
Motor Fuel Fees**

This bill would authorize counties to levy a local gasoline and/or motor fuel tax in an amount not to exceed 5¢ per gallon, with the proceeds from the tax earmarked for road and bridge construction contracts. *STATUS: The bill has been assigned to the House Government Appropriations Committee.*

**HB471 by Rep. Gipson
Indexing of Statewide Gasoline
and Motor Fuel Fees**

This legislation links the rate of gasoline and motor fuel fees to a ratio between the amount of gasoline sold in Alabama and the cost of road construction. Using 1993 as the base year, the rate of the statewide fees would be adjusted over a five-year period in order to reach the present-day levels. *STATUS: This bill is pending committee action in House the Government Appropriations Committee.*

**HB518 by Rep. Morrow
Collection Point of Gasoline and
Motor Fuel Fees**

This bill would shift the collection of statewide motor fuel taxes from the wholesale point to the refinery, which will greatly improve collection efforts by reducing the number of businesses from which to collect. *STATUS: This bill is also assigned to the House Government Appropriations Committee and awaiting committee action.*

**HB466 by Rep. Hill
SB357 by Sen. Means
County Bridge Bond Issue**

This bill authorizes a county bridge bond issue similar to the successful project begun in 2000. Under this proposal, the revenue from the bond issue would be distributed in the same manner as in 2000, and the same guidelines and time restrictions for the utilization of the funds would apply.

STATUS: HB466 is currently assigned to the House Government Appropriations Committee. SB357 is currently assigned to the Senate Economic Expansion and Trade Committee.

**HB537 by Rep. Newton (D)
SB43 by Sen. Coleman
Local Constitutional Amendments**

Alabama's current constitutional provision for enacting "local" constitutional amendments allows a single member of either the House or Senate to force a statewide referendum by casting a "No" vote on final passage. This bill proposes a constitutional amendment that would allow for the statewide referendum only if 15 House members or five Senate members cast "No" votes on the proposed amendment. *STATUS: HB537 has been assigned to the House Constitution and Elections Committee. SB43 is out of committee and awaiting floor action.*

**SB76 by Sen. Means
Contractor's Exemption**

Several years ago, the Legislature repealed the tax exemption for contractors engaged in government contracts. The repeal was intended to be temporary and the exemption was to be restored after two years. However, the attorney general ruled that, as drafted, the repeal was permanent. This bill would restore the exemption for contractors making purchases for government contracts and establish procedures for receiving for the exemption. *STATUS: This bill is pending action in the Senate Finance and Taxation Education Committee.*

**SB203 by Sen. Little (T)
Criminal Littering**

This legislation would authorize the

county license inspector and the solid waste officer to issue citations under the existing criminal littering law, and would provide for all proceeds to be paid to the county general fund when the case is made by the license inspector or solid waste officer.

STATUS: *This bill is pending action in the Senate Fiscal Responsibility and Accountability Committee.*

DANGER BILLS

Several bills that have been identified as dangerous to county government have already been introduced in this Legislative Session. Most of these bills would negatively impact the financial resources available to counties through tax exemptions or changes in collection methods.

However, there are other program-related issues that must be carefully monitored to ensure that there are no bills passed that unduly burden counties or create an unfunded mandate. A list of "Danger Bills" introduced thus far is set out below. It is important that county officials and employees review these items and discuss with your legislators how passage of these bills would harm the effective operation of county government.

TAXATION BILLS

HB6 by Rep. Greeson

HB140 by Rep. Allen

HB406 by Rep. Allen

SB 40 by Sen. Means

SB 79 by Sen. French

SB 103 by Sen. Beason

SB 259 by Sen. Marsh

As has been the practice for the last several years, there have been a number of bills introduced that would require a return to four-year reappraisal of real property in all counties in Alabama. There are different versions of the proposal, but all would result in the same outcome. The Association and other organizations dependent upon ad valorem tax revenues have filed for public hearings on these bills and will monitor closely to ensure that none of these bills begins to move through the legislative process.

STATUS: *The House bills are all assigned to the House Education Appropriations Committee and the Senate bills are assigned to the Senate Finance and Taxation Education Committee.*

There are several other Danger Bills aimed at reducing ad valorem taxes on certain kinds of property. All of these bills are still in committee, and the Association has requested public hearing. Those bills are:

HB155 by Rep. Williams

This bill would allow home construction to qualify as residential property for ad valorem tax purposes during construction, thereby taxed at 10% of the assessed value. Currently construction property is classified as Class II property and taxed at 20% of the assessed value.

STATUS: *This bill is currently pending in the House Government Appropriations Committee.*

HB188 and HB189 by Rep. Gipson

These bills propose to classify privately owned noncommercial aircrafts as Class IV property for ad valorem taxation purposes. This would mean that this property would be taxed at 15% of its assessed value, rather than the current 20% of assessed value.

STATUS: *These bills are currently pending in the House Government Appropriations Committee.*

HB461 and HB462 by Rep. Ball

These bills propose a constitutional amendment and enabling legislation providing that RVs, campers and motorcycles would be assessed for ad valorem taxes at the rate of 15% of assessed value. Currently, these items are taxed at the 20% rate.

STATUS: *These bills are currently pending in the House Government Appropriations Committee.*

There are also many bills proposing to grant sales and use tax exemptions for various products or organizations, and several bills granting a partial or complete exemption from tag and registration fees required to be paid for certain special organization tags.

There are also bills that would significantly hamper local government's ability to pass measures raising revenue. Not all of these bills are listed in this report, but are being monitored by the ACCA staff. A few of the bills of particular interest are listed below:

HB134 by Rep. Fite SB26 by Sen. Coleman

These bills authorize the operation and licensing of native wine farms in the State of Alabama. They would be regulated by the Alcohol Beverage Control Board. The bills provide for a state license tax and excise tax, but specifically prohibit the levy of any local taxes on these operations.

STATUS: *HB134 has been assigned to the House Tourism and Travel Committee, and SB26 has been assigned to the Senate Tourism and Marketing Committee.*

HB244 by Rep. Wren SB307 by Sen. Benefield

These bills would include certain energy efficient products in the annual sales tax holiday intended to allow for the purchase of school supplies without taxation during one weekend in August.

STATUS: *HB244 is awaiting action in the House Education Appropriations Committee, and SB307 is in the Senate Energy and Natural Resources Committee.*

HB287 by Rep. Gipson

This bill would provide a state and local sales and use tax exemption for all over-the-counter medications.

STATUS: *The bill is awaiting action in the House Education Appropriations Committee.*

HB342 by Rep. Ford

This bill would grant a sales and use tax exemption for all purchases of hearing aids.

STATUS: *This bill is awaiting action in the House Education Appropriations Committee.*

HB397 by Rep. Ford

This bill provides that movie theaters

would only pay a business license tax for the building in which the theaters are housed. Currently, the tax is paid for each screen within the theater.

STATUS: *This bill is pending action in the House Government Appropriations Committee.*

SB97 and SB297 by Sen. French

These bills propose a constitutional amendment that would prohibit the enactment of any legislation raising state or local revenue through new or increased taxation unless first approved by referendum.

STATUS: *SB97 is pending committee action in the Senate Finance and Taxation General Fund Committee, and SB297 is pending action in the Senate Finance and Taxation Education Committee.*

SB286 by Sen. Bedford

SB419 by Sen. Poole

These bills would exempt all college textbooks from the payment of state, county, and municipal sales and use taxes.

STATUS: *These bills are currently pending in the Senate Finance and Taxation Education Committee.*

ILLEGAL IMMIGRANTS

As was the case last year, there are several bills introduced aimed at addressing many of the problems related to illegal immigrants. While this is a serious problem, the solution must be a well-thought out and comprehensive plan to effectively address the concerns of Alabama's citizens. Unfortunately, many of the bills introduced place an undue burden on governmental entities to identify whether persons are legally in the country and include expensive unfunded mandates. A few of the bills with particular concerns are listed here:

HB298 by Rep. Hammon

This bill would prohibit agencies from issuing or renewing licenses unless they could verify that the individual is lawfully in the country.

STATUS: *This bill is pending in the House Judiciary Committee.*

SB77 by Sen. Means

SB426 by Sen. Beason

These bills set requirements for government and private employers to provide identification for all employees verifying their legal status, and creates crimes and penalties for hiring or concealing persons not lawful in the country. There are several serious concerns with the way these bills are written, and both would create enormous administrative and financial burdens on local governments and public and private employers.

STATUS: *SB77 is pending action in the Senate Judiciary Committee, and SB426 is pending action in the Senate Fiscal Responsibility and Accountability Committee.*

OTHER DANGEROUS BILLS

HB201 by Rep. Martin

SB290 by Sen. Little (Z)

This legislation would allow members of the military and their families serving overseas to vote an absentee ballot via the Internet. ACCA believes it is important that any process for voting via the Internet have proven safeguards protecting the integrity of the casting of votes. There are also concerns about authorizing some, but not all absentee ballots to be cast via the Internet.

STATUS: *HB201 is pending in the House Constitution and Elections Committee, and SB290 is pending in the Senate Constitution and Elections Committee.*

HB395 by Rep. McDaniel

This bill makes significant changes to the current solid waste program and establishes tipping fees to be paid to ADEM. Among the many changes, this bill would require all counties to develop a new local solid waste plan. The bill does not provide any reimbursement for this unfunded mandate, and does not include time frames for approval of the new plan by ADEM. ACCA staff is continuing to review this bill to determine its impact on county government and local landfill programs, and will provide additional information in the coming weeks.

STATUS: *This bill is pending in the House Government Appropriations Committee.*

HB442 by Rep. Oden

SB364 by Sen. Griffith

This legislation would increase the bid law limit for all local governments (including counties) to \$15,000 and would allow consideration of "life cycle" in determining the lowest bidder. The legislation does not include specifics explaining how to determine a product's "life cycle" and could lead to many adverse audits by the Department of Examiners.

STATUS: *HB442 is pending in the House Government Operations Committee, and SB364 is pending in Senate Fiscal Responsibility and Accountability.*

HB477 by Rep. Ward

This bill would grant immunity to a contractor for governmental road work unless the contractor or his or her employees are guilty of willful misconduct. The bill does not provide similar protection for the governmental entity.

STATUS: *This bill is pending in the House Judiciary Committee.*

HB493 by Rep. Collier

SB327 by Sen. Means

This bill would require all law enforcement agencies, including the sheriff's office, to develop and publish written rules and procedures on internal investigations.

STATUS: *HB493 is pending in the House Governmental Operations Committee. SB327 is pending in the Senate Governmental Affairs Committee.*

HB502 by Rep. Gordon

This bill would allow an employee to select a doctor in the event of a worker's compensation case. Although the bill provides that the doctor would be paid the same fee as paid to the employer's doctor, this legislation would adversely impact the workers' compensation program and potentially increase costs for all employers.

STATUS: This bill is pending in the House Commerce Committee.

HB542 by Rep. Irons
SB382 by Sen. Griffith

These bills would require any entity (including county agencies) to notify all affected persons in the event of a security breach that potentially involves the release of personal information. The mandated requirements of this bill as written would be nearly impossible to comply with and the administrative costs in attempting to comply would be enormous.

STATUS: HB542 is pending in the House Government Operations Committee, and SB382 is pending in Senate Governmental Affairs.

SB83 by Sen. Mitchell

This bill would require counties and municipalities to consent to the abandonment of cemeteries and would allow for the use of public funds for the rehabilitation or maintenance of such cemeteries under certain circumstances. This bill conflicts directly with ACCA policy regarding this issue.

STATUS: This bill is currently pending in the Senate Governmental Affairs Committee.

SB102 by Sen. Singleton

This bill would mandate counties to pay all sheriffs an additional \$10 a day for "hazard duty pay" and pay all deputies an additional \$5 per day. Obviously, the cost for this unfunded mandate would be significant.

STATUS: A public hearing was held in the Senate Finance and Taxation General Fund Committee during the first week of the session. No vote was taken at that meeting and the bill is still pending committee action.

SB131 by Sen. Butler

This bill would prohibit ADEM from issuing a permit for a rock quarry unless the operation has been granted host government approval by the county commission.

STATUS: This bill is pending action by the Senate Governmental Affairs Committee.

SB242 by Sen. French

This bill would authorize the sheriff to expend any monies in his budget without regard to the specific line items established by the county commission for that office in its approved budget for a particular fiscal year. This bill would, in effect, undo the provision in the County Modernization Act requiring officials and agency heads to spend within the budget established by the county commission.

STATUS: The bill is pending committee action in the Senate Governmental Affairs Committee.

HB425 by Rep. Keahey
SB322 by Sen. Mitchell

These bills would authorize a volunteer fire department to assess fees for services against homeowners and business, regardless of whether the department is receiving any tax revenue or appropriation from any governmental entity. The bills as written include no regulation or safeguards against setting excessive fees or implementation of assessments.

STATUS: HB425 is pending in the House Government Appropriations Committee. SB322 is pending in the Senate Governmental Affairs Committee.

SB367 by Sen. French

This bill would eliminate the Office of Examiners of Public Accounts and the Chief Examiner and would replace this agency with a new agency operated by a Board and Office of Standards and Accountability. All staff and duties of the current agency would be transferred to the new agency, which would appoint a director. The Office of Examiners of Public Accounts works diligently and very effectively to protect public funds at the state and local levels, and provides an extremely important function not only to the people of this state, but to county government. ACCA opposes any effort to abolish this agency.

STATUS: The bill is currently pending action in the Senate Fiscal Responsibility and Accountability Committee.

SB403 by Sen. Smitherman

This bill would make substantial changes to the worker's compensation law, including alterations to the process for lump sum payments and amending definitions to, among other things, provide special provisions allowing first responders to make claims based upon mental illness. ACCA staff is continuing to review this bill to determine its full impact on the worker's compensation program, and will provide additional details in the coming weeks.

STATUS: This bill is pending in the Senate Judiciary Committee.

OTHER BILLS OF INTEREST TO COUNTIES

In addition to ACCA and Danger Bills, ACCA staff is presently tracking more than 300 other bills that may have some impact on counties if passed. Many of these are being watched to ensure that they are not amended during the process in a manner that would negatively impact county government. This report includes Bills of Interest to Counties that have been approved by a legislative committee or have passed in either the House or Senate. ACCA staff will continue to carefully monitor these and other legislation introduced in the coming days, and will report bills to counties as they begin to move through the process.

HB7 by Rep. Hurst

This bill, which has been introduced in several prior sessions, authorizes the appointment of alternate poll workers in the event that workers originally selected do not appear. The bill makes clear that alternate workers will only be entitled to compensation in the event that they are actually called to work.

STATUS: This bill, and HB13 reported below, are out of committee and were the subject of debate on the House floor, but carried over by the sponsor due to questions raised about how the alternate poll workers would be selected.

HB13 by Rep. Hurst
SB38 by Sen. Denton

These bills are similar to HB7; however, these bills allow for the Legislature to pass local laws providing for the appointment of alternate workers.

HB9 by Rep. Newton (C)
SB9 by Sen. Coleman
SB66 by Sen. Mitchell

These bills would require a write-in candidate to register with the Secretary of State (or probate judge for local races) and comply with all provisions of the Fair Campaign Practices Act and State Ethics Law. *STATUS: HB9 is out of committee. The Senate versions are awaiting committee action.*

HB16 by Rep. McClendon
SB121 by Sen. Butler

These bills would authorize the Department of Transportation and county commissions to designate as safety zones sections of highways where large numbers of accidents have occurred or where other factors raise safety concerns and would impose an additional \$100 penalty for moving violations in such zones. *STATUS: SB121 is out of committee in its original form. However, the Association will attempt to amend the House version in committee to remove county roads from the provisions of this bill.*

HB18 by Rep. McClendon

This bill provides that the court may order a municipal defendant housed in the county jail to reimburse the municipality for all costs it must pay to the county for housing the defendant. *STATUS: This bill is out of committee and awaiting floor action in the House.*

HB19 by Rep. Hill
SB64 by Sen. Mitchell

These bills make technical changes to the procedures for redemption of property following a tax sale. Among other things, the bill would provide for the rights of a tax sale purchaser where the proceedings were defec-

tive, provide who may redeem the property and when the land may be redeemed, and would provide that the property be treated as residential property for tax purposes as long as the original owner remains in possession of the property.

STATUS: HB19 has passed the House and is pending committee in the Senate. SB64 is out of committee.

HB20 by Rep. Ball
SB210 by Sen. Orr

These bills would require a public official or his or her spouse to disclose any public employment or public contracts to the State Ethics Commission.

STATUS: The bill is out of committee and awaiting floor action in the House.

HB22 by Rep. Ward

This bill would authorize municipal law enforcement officers from municipalities with a population of 7,000 or more to enforce speed limits on interstate highways in the municipality. Currently, only officers in municipalities of 19,000 or more are permitted to enforce such limits.

STATUS: This bill is out of committee and awaiting floor action in the House.

HB28 by Rep. Irons
SB34 by Sen. Penn

This bill proposes a comprehensive revision of Alabama's juvenile justice law, including cases involving dependency, children in need of services, and delinquency. The bill retains current law regarding the financial responsibilities of the county related to the detention and provision for juveniles, but as written does not increase the county's duties. However, the bill does propose changes in current law that could reduce the number of juveniles held in detention pending hearings (at the county's expense) and those juveniles ordered into the custody of a state agency for treatment or detention.

STATUS: SB34 is out of committee. A vote on HB28 is expected soon in the House Judiciary Committee.

HB54 by Rep. Hilliard

This bill would require all local school boards to adopt and implement school safety plans and protocols, and to share the plans with appropriate emergency personnel and agencies.

STATUS: This bill is out of committee and awaiting floor action in the House.

HB58 by Rep. Galliher
SB381 by Sen. Mitchell

This bill proposes several changes in the State competitive bid law, including an increase in the minimum bid limit to \$15,000, provisions for interstate joint purchasing agreements and alliances, provisions for electronic signatures for purchases under the bid law, and provisions allowing agencies to consider "life cycle" costs in determining the lowest responsible bidder. These proposed changes would not apply to or affect the competitive bid law applicable to local governmental entities.

STATUS: HB58 has passed the House and is pending committee action in the Senate. SB381 is still in committee.

HB69 by Rep. DeMarco
SB129 by Sen. Waggoner
SB234 by Sen. Smitherman

This bill provides increased penalties for violations of state and federal regulations regarding the transporting of metal coils on commercial vehicles. The bill has the potential to increase county jail time for repeat offenders. *STATUS: HB69 has passed the House and is now pending in the Senate. The Senate bills are out of committee and awaiting floor action.*

HB70 by Rep. Spicer

This bill, which is part of a package of bills recommended by a statewide committee on infrastructure, would allow the Department of Transportation to enter into agreements with the Toll Road, Bridge and Tunnel Authority to privatize future roads and allow the authority or its designee to collect tolls on the road, and to enter into joint ventures with private parties to build toll roads.

The bill would also remove the existing prohibitions regarding bonded indebtedness and collection of tolls on certain tunnels and bridges that become part of the federal system. *STATUS: This bill has passed in the House and is pending in the Senate.*

HB75 by Rep. Hinshaw
SB402 by Sen. Smitherman

These bills would require disclosure of information relating to the source of funding for any electioneering communications and paid political advertising. These requirements would apply to state and local elections. *STATUS: HB75 has passed in the House and is now pending in the Senate Constitution and Elections Committee. SB402 is also pending in this committee.*

HB77 by Rep. Dunn

This bill would require the installation of interlock ignition devices on vehicles owned or operated by certain persons convicted of driving under the influence. The convicted person would be responsible for the cost of the device, and would be subject to penalties for failure to comply with the requirements of the law. *STATUS: The bill has passed in the House and is pending in the Senate.*

HB80 by Rep. Salaam

This bill, which has been introduced each year for several years, would prohibit the transfer of funds from one political action committee to another. Several versions of this bill have been introduced in the House and Senate. *STATUS: HB80 has passed in the House and is pending in the Senate Finance and Taxation General Fund Committee.*

HB84 by Rep. McMillan

This bill would provide for the judge of probate to record applications and orders related to municipal incorporations and would require that an administrative record of such proceedings be kept in the probate office. *STATUS: This bill is out of committee and awaiting action on the House Floor.*

HB114 by Rep. Hill

This bill proposes comprehensive changes to the law providing for the creation and administration of improvement districts. The bill is intended to make this process more “user-friendly.” ACCA staff is continuing to review the bill to determine its impact on county government and the current improvement district process. *STATUS: This bill is out of committee and awaiting action on the House Floor.*

HB121 by Rep. Hill

This bill establishes a Building Code Council to adopt a state residential and commercial code and creates advisory committees to oversee and advise the Council regarding building code matters. *STATUS: This bill has passed in the House and is pending in the Senate Economic Expansion and Trade Committee.*

HB123 by Rep. Ward

This bill would establish a Transportation Commission, with members appointed by the Governor, and would, among other things, provide for the Commission to appoint the director of the Department of Transportation and be responsible for the long-range planning of the Department. *STATUS: This bill has passed in the House and is pending in the Senate Governmental Affairs Committee.*

HB126 by Rep. Morrow
SB59 by Sen. Bedford

These bills establish separate titling provisions and procedures for manufactured homes. *STATUS: HB126 has passed in the House and is pending in the Senate Finance and Taxation General Fund Committee. SB59 is out of committee and awaiting floor action.*

HB234 by Rep. Thigpen
SB305 by Sen. Ross

These bills provide extensive abatements and tax credits for new business ventures offering research

and/or utilization of various alternative fuels. The sponsors and promoters of this legislation worked with ACCA staff to amend the bill to ensure that no county taxes are abated without the consent of the county commission. *STATUS: Both bills are out of committee and are expected to receive priority treatment for passage in their respective houses.*

HB238 by Rep. Jackson
SB352 by Sen. Griffith

These bills allow commercial vehicles with functioning auxiliary power or idle reduction technology an additional 440 pounds of weight in excess of the statutory weight limits set for such vehicles. *STATUS: HB238 has passed the House and is pending action by the Senate Commerce, Transportation, and Utilities Committee. SB352 is still pending committee action.*

HB242 by Rep. Wren
SB309 by Sen. Mitchem

These bills would require the Alabama Building Commission to adopt 2006 International Energy Conservation Code (IECC) and any subsequent updates to this Code. *STATUS: HB242 has passed the House and is awaiting action in the Senate. SB309 is still pending committee action.*

HB265 by Rep. Allen

This bill would authorize a county public park authority to establish motor parks, speedways and track facilities. *STATUS: This bill is out of committee and awaiting action on the House floor.*

HB295 by Rep. Gaston
SB7 by Sen. Benefield

These bills would prohibit the publication of Social Security numbers on documents recorded in probate offices and would authorize the judge of probate to redact the numbers where necessary. The bills include a provision granting immunity for public officials and employees for good-

faith errors.

STATUS: Both bills are out of committee and awaiting floor action.

HB310 by Rep. Canfield

This bill would authorize the county commission to establish reduced-speed limits for school zones in the unincorporated areas of county, and would double fines for violation of the reduced limit. The county commission would be required to post signs regarding the reduced speed limit adopted.

STATUS: This bill is out of committee and awaiting for action in the House.

HB434 by Rep. Scott

This bill would authorize a municipal planning commission to reduce the territorial jurisdiction upon adoption of a resolution by the commission. The bill requires that the planning commission provide the county commission with a copy of the resolution within five days of adoption.

STATUS: This bill is out of committee and awaiting floor action in the House.

HB459 by Rep. Morrow

SB338 by Sen. Little (T)

These bills would provide for the authorization, regulation and procedure for the siting and installation of wireless communications facilities in accordance with local planning and zoning regulations. The bill would allow counties some participation in

this process, but would not allow for the prohibition of such facilities.

STATUS: SB338 is out of committee and awaiting Senate Floor action.

HB459 is pending action in the House Commerce Committee.

SB4 by Sen. Bedford

This bill increases the limits of liability insurance required under the Safety Responsibility Act.

STATUS: This bill, which was vetoed by the Governor last year, has passed the Senate and is out of committee in the House.

SB78 by Sen. Means

This bill would expand the duties of the Joint Transportation Committee to authorize the Committee to require the Department of Transportation to adopt long-range transportation plans and to more directly oversee the operations of that agency.

STATUS: This bill is out of committee and awaiting Senate floor action.

SBI30 by Sen. Ross

This bill creates a fund for railroad rehabilitation and improvement projects to be administered by the Department of Transportation. The bill allows for grant programs and no-cost loans for approved projects.

STATUS: This bill is out of committee and awaiting Senate floor action.

SBI39 by Sen. Smitherman

This bill would prohibit an employer from firing an employee solely or substantially for making a workers' compensation claim.

STATUS: This bill is out of committee and awaiting Senate floor action.

SBI41 by Sen. Smitherman

This bill proposes to require local approval for an on-premises license to sell beer and wine. Current law only requires licensing for such on-premise sales from the ABC Board.

STATUS: This bill is out of committee and awaiting Senate floor action.

SB366 by Sen. Griffith

This bill would specifically authorize state and local entities and employees and nonprofit organizations, associations and institutions to purchase prisoner-made products directly from the Department of Corrections and would authorize the sale of such products. The bill would also specifically authorize the Department of Corrections to contract with private industry to establish work-oriented rehabilitation programs on property owned or operated by the Department or any prison facility housing inmates sentenced to the department.

STATUS: This bill is out of committee and awaiting action on the Senate floor.



ACCA
100 N. Jackson Street
Montgomery, Ala. 36104