



No. 2014-14

For latest updates go to the League Web Page ([www.alalm.org](http://www.alalm.org))

May 1, 2014

## **Final Legislative Report of the 2014 Regular Session**

We wish to thank our legislative sponsors for supporting League bills during the 2014 regular session. Senators Jabo Waggoner, Billy Beasley, Dick Brewbaker, Jerry Fielding, Linda Coleman, Cam Ward, and Arthur Orr along with Representatives Dan Williams, Jim Patterson, Mac McCutcheon, Chris England, Steve Clouse, and Steve McMillan. We also wish to thank the leadership of both chambers for their support of municipal governments during the session. The League was successful in advocating the passage of three bills. Most importantly, we were successful in opposing several legislative initiatives and were successful in having many other bills amended to make them more acceptable to municipalities in Alabama. Overall, municipal governments had a successful 2014 legislative campaign.

We also wish to thank the municipal contract lobbyists that spent many Wednesdays with us during the session at the League discussing the legislative proposals, developing and implementing advocacy strategies and coordinating the lobbying of legislators on the issues of concern to municipal governments. These meetings and the actions of these municipal advocates greatly enhanced our advocacy in the legislative arena. The open dialog and cooperation with League advocacy staff has vastly improved our effectiveness at the Alabama State House. Those that participated during the session were Hal Bloom, Allen Sanderson, and Perry Roquemore, the Bloom Group; Martin Christie, and Maeci Martin, Public Affairs Strategy Group; Beth Marietta Lyons, Loveless & Lyons; Britton Bonner and Mark Gaines, Adams & Reese; Michelle Jordan, City of Huntsville; Steve Raby, Direct Communications; and Greg Jones, Jones Group.

### ***Governor Bentley signs three League bills into law***

**Local Government Debt Recovery by Rep. Clouse & Senator Fielding**, would allow Alabama Department of Revenue to set aside monies owed to local governments from State tax refunds to pay debts owed by individuals. (ACT #2014-321);

**Weed Abatement Revisions by Rep. McMillan & Senator Beasley** would revise the current statutes and allow municipal governments to adopt local ordinances to address their local weed abatement issues against repeat offenders of the ordinance. (ACT #2014-284)

**ADEM SRF Funding by Rep. Clouse & Senator Orr**, of the Wastewater Program

would include \$200,000 for the State Revolving Loan Fund for Wastewater Treatment Finance Authority. The purpose of this program is to take state funds and match them with federal dollars to create a loan fund to offer low interest loans to governmental entities for wastewater treatment. Each year, the League seeks additional matching funds from the legislature to continue these nationally recognized programs. (ACT #2014-284).

***House Bills of Interest to Municipal Governments Enacted During the 2014  
Regular Legislative Session***

**Contractor Prompt Pay –by Rep. Roberts** would require pre-bid meetings to be held at least seven days prior to bid opening on any public works contract and would prohibit the modification of specifications within 24 hours of the opening of a bid on any public works contract; would reduce the time for payment of completed work on public contracts by an awarding authority; would remove the provision in current law that provides that the prompt payment provisions will not apply until an awarding authority is in receipt of funds as provided in the contract; would provide for the review and approval of the progress of completed work and would provide procedures for the dispute of a submitted invoice; would provide for alteration of contract terms upon the determination that certain conditions on the property where work is to be performed under the contract have materially changed. (ACT #2014-404)

**Municipal Subdivisions –by Rep. England** would amend Section 11-52-33, Code of Alabama 1975, to provide that nothing in the section shall impair or impede any person or entity from entering a valid contract for the purchase or sale of any lot within any proposed subdivision. (ACT #2014-332)

**Alabama Drought Assessment –by Rep. Booth** would codify the establishment of the Alabama Drought Assessment and Planning Team created by the Governor's June 24, 2011, Executive Order Number 19, and provide for its membership, duties, responsibilities, and powers; would establish the Monitoring and Impacts Group Subcommittee and provide for its membership, duties, responsibilities, and powers; would codify the charges given to the Alabama Office of Water Resources which is a division of the Alabama Department of Economic and Community Affairs, with the responsibility of developing a State Drought Plan and periodically issuing drought declarations; would reaffirm the Governor's ability to respond to extreme drought conditions under the powers provided under the Alabama Emergency Management Act of 1955; would allow the Office of Water Resources to promulgate rules. (Act #2014-400)

**Law Enforcement Interference (Unfunded Mandate) – by Rep. Wood** would establish the crime of interference with public safety communication if a person damages public safety communication equipment or otherwise interferes with a public safety telecommunication broadcast or transmission; violations would be a Class C felony. (ACT #2014-239)

**School Employee Immunity –by Rep. Jones** would specify in statute that an officer, employee, or agent of the state, including any employee of the State Board of Education or any local board of education, in his or her official capacity is immune from liability in any suit pursuant to the Constitution of Alabama of 1901; would also specify in statute that an officer, employee, or agent of the state, including any employee of the State Board of Education or any local board of education, is not personally liable for any act that is incident to or within the scope of the duties of the person's position of employment with, or relationship to, the state and that involves the exercise of judgment or discretion on the part of the officer, employee, or agent, unless he or she acts willfully, maliciously, fraudulently, in bad faith, or beyond his or her authority. (ACT #2014-124)

**Debt Set-off Authorization (League Bill) –by Rep. Clouse** would amend existing law to allow counties and municipalities within this state to set off from income tax returns with respect to the collection of debts and money owed to them as a result of any administrative or judicial proceeding. (ACT #2014-321)

**Alcohol Beverages –by Rep. Ison** would provide that if a municipality annexes a community development district or if a community development district is incorporated as a municipality, the territory of the community development district remains wet and any remaining portion of the municipality, at the discretion of the governing body of the municipality, shall be wet. (ACT #2014-87)

**ADOR Tax Collections –by Rep. Patterson** would require the Department of Revenue, by administrative rule, to suspend the collection of a tax or fee when the administrative costs of collecting the tax or fee exceed the collection amount of the tax or fee for each of the previous three fiscal years; would prohibit the department from suspending the collection of the a tax or fee if the tax or fee is mandated by federal law or regulation, if suspending the collection of the tax or fee would result in reduced funding received from the federal government that exceeds the state costs of collecting the tax or fee, if suspending the collection of the tax or fee would result in a reduction in collection of local taxes or fees that exceeds the state costs of collecting the tax or fee, or if suspending collection would negatively affect the public health, safety, or welfare; would prohibit the department from applying a rule suspending the collection of a tax or fee retroactively; would provide for periodic review of all rules suspending payment of a tax or fee. (ACT #2014-331)

**Taxpayers' Bill of Rights –by Rep. DeMarco** would amend the act to conform in several respects to the federal Taxpayers' Bill of Rights, including broader "innocent spouse" type relief, and make technical corrections to remove ambiguities and conflicts. This bill would require certain state tax income returns to be filed as a result of IRS audit changes, consistent with the Multistate Tax Commission's model statute, and increase a taxpayer's penalties for fraud, negligence, and frivolous appeals or returns, consistent with federal law; would increase the time period in which a taxpayer has to file an appeal of a preliminary or final assessment. (ACT #2014-146)

**WC Burial Expenses –by Rep. Scott** would increase the amount covered by the employer of an employee that dies as a result of an employment accident or occupational disease not to exceed \$6,500. (ACT #2014-240)

**ADOR Online Filing System –by Rep. Wren** would require the Department of Revenue to develop and make available an online electronic filing system that would allow any taxpaying entity to electronically file any annual business personal property tax return that is required of the taxpaying entity by any local county assessing official; would establish an advisory committee to oversee the development and implementation of the online filing system created under this act and would also provide that there shall be no charge to either a taxpayer or a local taxing jurisdiction to access or utilize the electronic filing system created under this act; would allow the Department of Revenue to promulgate rules to implement the provisions of this act. (ACT #2014-415)

**Motor Vehicle Registration (Jefferson County) –by Rep. DeMarco** would amend Act 2012-196 of the 2012 Regular Session (Acts 2012, p. 325), authorizing the designated city officers or employees of cities in the county to issue motor vehicle registrations; to specify that issuance would not be authorized when a vehicle has not been previously registered in this state by or in the name of the current vehicle owner; to provide for a city issuance fee; and to provide for the distribution of the proceeds. (ACT #2014-7)

**Private School Tax Exemption –by Rep. McClurkin** would retroactively clarify and confirms that the gross proceeds of sales of tangible personal property to, or the storage, use, or other consumption of tangible personal property by, private schools, colleges, and universities located in Alabama continue to be exempt from state and local sales and use tax, as provided in Act 371 of the 1959 Regular Session; also retroactively clarifies and confirms that the exemption from sales and use taxes continues to apply to lunches sold to both public and private school children within school buildings. (ACT #2014-325)

**Local Government Health Insurance Plan –by Rep. McCutcheon** would create the Local Government Health Insurance Board to administer the Local Government Health Insurance Program effective January 1, 2015. (ACT #2014-401)

**Vacated County Roads –by Rep. Johnson, R.** would specify that when the members of a family who own the abutting property on both sides of a county road or portion of a county road petition the county commission to vacate the county road or portion of the county road, any member of the county commission may make the motion to approve the petition and vacate the road or portion of the road. (ACT #2014-333)

**Estimated Payments for Sales Taxes –by Rep. Moore, B.** would increase the average monthly tax liability threshold for a taxpayer to be required to make estimated payments to \$2,500 or greater. (ACT #2014-316)

**Telecommunication Services –by Rep. Hill** would specify that the Public Service Commission would not have jurisdiction over certain customer complaints related to

retail telecommunications services which are not otherwise regulated by the commission. (ACT #2014-82)

**Anaphylaxis Preparedness Program –by Rep. Tuggle** would require the State Department of Education to develop, and each local board of education to adopt, an anaphylaxis preparedness program; would provide for implementation of the program by each local board of education commencing with the 2015-2016 scholastic year; would authorize the lead nurse employed by the local board of education to collaborate with a local physician to develop and maintain a protocol for emergency response that includes a supply of premeasured, auto-injectable epinephrine on each public school campus. (ACT #2014-405)

**Prisoner Transport Fees (Shelby County) –by Rep. Hill** would provide under certain conditions for the assessment of a prisoner transport fee on a prisoner for expenses incurred in transporting a prisoner, due to an outstanding misdemeanor warrant, to the municipal jail for the City of Pelham. (ACT #2014-206)

**Municipal Judges & Magistrates (Shelby County) –by Rep. Hill** would provide for a warrant recall fee to allow a municipal magistrate or municipal judge for the City of Pelham to recall, under certain conditions, a failure to appear warrant. (ACT #2014-207)

**Abandoned Property (Randolph County) –by Rep. Laird** would authorize the sheriff to sell certain abandoned, stolen, and unclaimed property at public auction; providing for such an auction and for the disposition of proceeds; and authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms. (ACT #2014-2)

**Noise Ordinances (Randolph County) –by Rep. Laird** would authorize the county commission to enact a noise ordinance in the areas outside the corporate limits of a municipality; and outside the boundaries of any industrial park designated by the county pursuant to Sections 11-23-1 to 11-23-8, inclusive, of the Code of Alabama 1975 and to provide that a violation of the ordinance constitutes a public nuisance subject to civil penalties. (ACT #2014-3)

**Alcoholic Beverages (Randolph County) –by Rep. Laird** would authorize the county commission to regulate the location of Alcoholic Beverage Control Board licensees in relation to churches and schools; and to provide for enforcement. (ACT #2014-4)

**Court Costs (Randolph County) –by Rep. Laird** would provide an additional service of process fee in civil cases and a service of process fee in civil and criminal cases instituted outside the State of Alabama; and to provide for the distribution of the proceeds to the Sheriff's Department Fund. (ACT #2014-5)

**Indigent Health Care Fund (Jefferson County) –by Rep. Rogers** would require the Jefferson County Commission to submit a quarterly accounting of the collections and disbursement of the proceeds from the Indigent Health Care Fund for Jefferson County

to each member of the Jefferson County Legislative Delegation and the public on their Internet website. (ACT #2014-260)

**PACE Program (Class 2 Municipality) –by Rep. Ison** would relate to Class 2 municipalities and would allow any federal Program for All Inclusive Care for the Elderly (PACE program) in a Class 2 municipality to contribute to the Alabama Health Care Trust Fund by providing for assessments on the business activities of a PACE provider. (ACT #2014-126)

**Lodging Taxes (Dale County) –by Rep. Clouse** would authorize the Dale County Commission to levy a lodging tax; and to provide for the collection of the tax and the distribution of the proceeds from the tax. (ACT #2014-55)

**County Commission Contingent Fund (Dale County) –by Rep. Clouse** would authorize the county commission to establish a contingent fund; and to establish the amount which may be appropriated annually to the contingent fund. (ACT #2014-80)

**School Attendance –by Rep. Rich** would require any child who withdraws from a public school to enroll in and attend an accredited online school to be counted as a transfer student and would require grade placement testing for any student who later returns to a public school. (ACT #2014-403)

**Public Works –by Rep. Butler** would create the Fair and Open Competition in Governmental Construction Act; would prohibit public agencies from entering into certain contracts; would prohibit certain terms in certain documents; would prohibit public agencies from making certain awards; would prohibit certain persons from placing certain terms in certain documents; and would provide for exemptions. (ACT #2014-107)

**Coroner Expense Allowance (Conecuh County) –by Rep. Newton, C.** would provide for the total expense allowance for the coroner; to ratify and confirm all prior actions of the Conecuh County Commission relative to the expense allowance for the coroner; and to provide for cost-of-living increases in the expense allowance of the coroner under certain conditions. (ACT #2014-8)

**Quite Title (Class 2 Municipalities) –by Rep. Clarke** further provide that a limitation under general law would not apply, would delete a provision specifying that the property would be purchased from the State Land Commissioner, and would further provide for redemption by an interested party. (ACT #2014-108)

**Alcoholic Beverages (Town of Orrville) –by Rep. Melton** would provide for the distribution of proceeds of the uniform beer tax for the Town of Orrville in Dallas County. (ACT #2014-208)

**Children First Trust Fund –by Rep. Clouse** would make an appropriation of \$40,972,964 from the Children First Trust Fund for the fiscal year ending September 30, 2015, to the entities and for the purposes designated in Section 41-15B-2.2, Code of Alabama 1975; would provide for the deposit of tobacco settlement revenues into the

Children First Trust Fund, would require the State Director of Finance to notify each agency in writing of the amount of each agency's anticipated allocation, would require quarterly allocation to each agency, and would condition allocations upon the receipt of tobacco funds; would provide for the transfer to the State General Fund during fiscal year 2015 that portion of Children First Trust Fund receipts currently allocated for the State Board of Education; would make an appropriation of \$44,875,562 from other tobacco settlement funds for the fiscal year ending September 30, 2015; would also make a conditional appropriation and allocation of any additional tobacco revenue on recommendation of the Director of Finance, the Chairman of the House Ways and Means General Fund Committee and the Chairman of the Senate Finance and Taxation-General Fund Committee, and approval of the Governor. (ACT #2014-318)

**Coalition Against Domestic Violence –by Rep. Clouse** would make an appropriation of \$196,978 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2015, requires an operations plan and an audited financial statement prior to the release of any funds, and requires quarterly and end of year performance reports. (ACT #2014-327)

**Alabama 21<sup>st</sup> Century Fund –by Rep. Clouse** would make a one-time transfer of available funds in the amount of twenty million dollars (\$20,000,000) from the Alabama 21st Century Fund to the State General Fund for the fiscal year ending September 30, 2015. (ACT #2014-319)

**Alabama Transportation Department –by Rep. Clouse** would amend Section 32-2-84, Code of Alabama 1975, to provide that funds transferred from the Public Road and Bridge Fund of the Department of Transportation to the Department of Public Safety, which will become part of the Alabama State Law Enforcement Agency, pursuant to Act 91-797 may be expended for the operations of the Department of Public Safety. (ACT #2014-320)

**General Fund Budget –by Rep. Clouse** would make appropriations for the ordinary expenses of the executive, legislative and judicial agencies of the State, for other functions of government, for debt service, and for capital outlay for the fiscal year ending September 30, 2015. (ACT #2014-284)

**Elected Official Participation in ERS (Cullman County) –by Rep. Buttram** would propose an amendment to the Constitution of Alabama of 1901, which would phase out the current supernumerary program for certain elected officials in Cullman County and would allow elected or appointed Cullman County officials including the sheriff to participate in the State Employees' Retirement System. (ACT #2014-84)

**Tanning Facilities –by Rep. Johnson, R.** would regulate tanning facilities. (ACT #2014-90)

**Discretionary Funds (Henry County) –by Rep. Grimsley** would authorize the sheriff to use discretionary funds for compensation of employees of the sheriff. (ACT #2014-127)

**Sales Tax Exemption –by Rep. Coleman-Evans** would exempt the Community Action Association of Alabama and its member agencies from any state, county, and municipal sales and use taxes. (ACT #2014-407)

**Sales Tax Exemption –by Rep. Johnson (R)** would provide that durable medical equipment and medical supplies paid for by Medicare, Medicaid, or a health benefit plan pursuant to a prescription of a physician would be exempt from all taxes normally paid by the purchaser or lessor of the property. (ACT #2014-453)

**Alcoholic Beverages (Shelby County) –by Rep. Hill** relating to alcoholic beverages and the sale of wine in Shelby County, to create the Shelby County Wine Franchise Jobs Protection Act; to provide for business relations between suppliers and wholesalers of wine to preserve and expand jobs in Shelby County in the wine industry; to require written agreements setting forth in full the supplier's agreement with the wholesaler, and designating a specific exclusive sales territory; to provide for prohibited acts by the supplier and by the wholesaler; to provide for conditions of amendment, modification, resignation, cancellation, termination, failure to renew, or refusal to continue the agreement; to provide for the transfer of wholesaler's business, for the establishment of nondiscriminatory, material, and reasonable qualifications and standards by suppliers, and prohibit interference with the transfer upon compliance with those standards; to provide for reasonable compensation upon supplier's violation of the act, including a method of voluntary arbitration; to provide for civil actions for violations, damages, and venue; to provide for the burden of proof; to provide that the wholesaler may not waive rights set forth in this act; to provide that the act relates to existing and future agreements with wholesalers and suppliers as well as their successors and transferees; to provide that this act is cumulative; and to provide for an effective date. (ACT #2014-209)

**Corporate Limits (City of Trussville) –by Rep. McClendon** would alter, rearrange, and extend the boundary lines and corporate limits of the municipality of Trussville in St. Clair County. (ACT #2014-128)

**Municipal Employee Pay –by Rep. Collins** would allow a municipality to require its employees, as a condition of employment, to participate in direct deposit of the employee's wages in a financial institution selected by the employee unless the employee would incur fees from the financial institution and a comparable financial institution that does not charge fees for a direct deposit is unavailable to the employee in the municipality; would require a municipality establishing a direct deposit policy to provide employees with an electronic fund transfer authorization form and a direct deposit statement. (ACT #2014-334)

**Abandoned Property (Autauga County) –by Rep. Beckman** would authorize the sheriff to sell certain abandoned, stolen, confiscated, lost, and unclaimed property at public auction; authorizing the sheriff to sell or destroy certain abandoned, stolen, or unclaimed firearms; and providing for the auction and for the disposition of proceeds. (ACT #2014-241)

**Pistol Permit Fee (Jefferson County) –by Rep. Carns** would amend Act 99-594 of the 1999 Regular Session (Acts 1999, p. 1363), relating to the pistol permit fee the sheriff is required to charge, to specify the distribution of the fee to the Jefferson County Legislative Delegation Fund; to provide that a portion of any current balance shall be distributed to the public schools; and to repeal any conflicting laws. (ACT #2014-454)

**Sales Tax Increase (Chilton County) –by Rep. Wallace** would levy an additional one cent sales tax which shall be used exclusively for the construction, maintenance, and operation of a hospital in Chilton County; to provide for an expiration date for the tax; and to provide for a referendum and subsequent referendums. (ACT #2014-162)

**Sales Tax Increase (Geneva County) –by Rep. Chesteen** would authorize the county commission to levy a one percent sales tax, subject to a referendum, for constructing and maintaining a jail with any excess proceeds to be used for road and bridge projects. (ACT #2014-210)

**Tax Sale Property –by Rep. Hill** would provide that a person or entity entitled to redeem property purchased at a tax sale who has reached a negotiated redemption agreement with or has purchased the property from the purchaser at the tax sale or the purchaser's successor in interest is entitled under certain conditions to the payment of the excess funds upon proof of the agreement or purchase. (ACT #2014-442)

**Employee Vacations –by Rep. Williams, (J)** would specify that a political subdivision in this state may not require an employer to grant vacation or other leave to employees of the employer. (ACT #2014-173)

**Coroner Expenses (Crenshaw County) –by Rep. Newton** would amend Section 45-21-60 of the Code of Alabama 1975, relating to the expense allowance of the coroner. (ACT #2014-242)

**Insurance Risk Manager –by Rep. Scott** would require the risk manager, with the approval of the Finance Director, to develop a program of coverage under the State Insurance Fund to provide, within reasonable limitations and using gap coverage and gap plus coverage, proceeds sufficient to allow a K-12 public school building that has been rendered a total loss as a result of covered peril to be reconstructed with materials superior to its original construction and in an increased size if appropriate based upon current construction standards and occupancy; would define gap coverage and gap plus coverage; would also require the risk manager to draft rules, guidelines, limitations, and coverage endorsements under which the program will operate, and to assess an actuarially sound premium. (ACT #2014-261)

**Declared Disasters Act –by Rep. Greer** would create the Facilitating Business Rapid Response to Declared Disasters Act of 2014; would provide for establishing presence, residency, or doing business in the state for out-of-state employees and businesses, including affiliates of in-state businesses, that temporarily provide resources and personnel in the state during a state of emergency declared by either the Governor, the

President of the United States, the Legislature, or other authorized representative. (ACT #2014-157)

**Prepaid Calling Cards –by Rep. Poole would** amend the definition of a prepaid telephone calling card to clarify that prepaid wireless service that is evidenced by a physical card, and prepaid wireless service that is not evidenced by a physical card, which is considered a prepaid authorization number, are subject to sales and use tax; would also define prepaid wireless service. (ACT #2014-336)

**Corporate Limits (City of Summerdale) –by Rep. McMillan** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Summerdale in Baldwin County to remove certain property from the corporate limits of the City of Summerdale in Baldwin County. (ACT #2014-129)

**Corporate Limits (City of Summerdale) –by Rep. McMillan** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Summerdale in Baldwin County. (ACT #2014-130)

**Court Cost (Baldwin County) –by Rep. McMillan** would amend Sections 45-2-80.81, 45-2-80.82, and 45-2-80.83 of the Code of Alabama 1975, relating to court costs in the circuit court or juvenile court; to increase the court costs and further provide for the distribution for the law library and for judicial administration. (ACT #2014-131)

**Court Cost (Baldwin County) –by Rep. McMillan** would amend Section 45-2-80.40, Code of Alabama 1975, relating to court costs in juvenile, criminal, or quasi-criminal cases and bond forfeiture proceedings; to increase the court costs. (ACT #2014-132)

**Investment Authority (City of Birmingham) –by Rep. Treadaway** would amend Section 9 of Article III of Act 929, 1951 Regular Session (Acts 1951, p. 1579), as amended and restated in Act 2006-339, 2006 Regular Session (Acts 2006, p. 851), and further amended by Act 2011-585, 2011 Regular Session (Acts 2011, p. 1289); to provide that the investment powers of the board may not be less than 25 percent of investments in fixed income securities. (ACT #2014-337)

**State Waters Boundaries –by Rep. Sessions** would provide legislative intent regarding the limits and boundaries of the territorial waters and submerged lands of this state; would further provide for the limits and boundaries of the territorial waters and submerged lands of this state. (ACT #2014-243)

**Tobacco Products –by Rep. Jones** would amend Sections 40-25-1, 40-25-2, 40-25-4, 40-25-7, 40-25-8, 40-25-9, 40-25-13, 40-25-20, and 40-2A-10, Code of Alabama 1975; would also add Section 40-25-16.1 to Title 40, Chapter 25, Code of Alabama 1975; would further define terms relating to wholesale dealers and jobbers, separate little cigars from filtered cigarette-sized cigars and eliminate cigar categories for which tax is no longer applicable, remove archaic language requiring distributors to cancel a stamp when it has

been affixed to tobacco products, require the state tobacco tax amount to be separately stated on the invoice, require retailers to maintain 90 days of invoices, and require computer and machine generated invoices. Departmental penalties would apply for failure to maintain records, amend the confiscation procedures, provide for confiscation of tobacco if invoices are not maintained or if products are stored by non-permitted or non-registered entities, provide for departmental penalties for reusing or refilling tobacco containers or otherwise violating any provision of Chapter 25, and provide for additional reporting and web site listing of permitted and registered distributors. (ACT #2014-262)

**Sales Tax Increase (Franklin County) –by Rep. Morrow** would propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of Franklin County to allocate one-fourth of the proceeds from the one cent tax levied in Franklin County for the purpose of matching funds for any grant from the Alabama Transportation Rehabilitation and Improvement Program. (ACT #2014-85)

**TVA Distribution (Morgan County) –by Rep. Collins** would provide for the allocation and expenditure of money received from the Tennessee Valley Authority and distributed to Morgan County pursuant to Act 2010-135, 2010 Regular Session (Acts 2010, p. 190), for certain fiscal years; and to repeal Act 2013-328 of the 2013 Regular Session. (ACT #2014-109)

**Sales Tax Exemption –by Rep. Tuggle** would change the effective date of Act 2013-443 to August 1, 2014; exempting certain medical equipment and supplies sold pursuant to a valid prescription and billed to a third party payer from state, county and municipal sales and use taxes. (ACT #2014-211)

**County Government Operations (Choctow County) –by Rep. Beech** would further provide for the operation of the county commission; to provide for the compensation of the commission; to provide for a centralized road system for the operation of the county roads and bridges; to provide for the employment of a county engineer; to provide for the continual supervision of the roads and bridges by the commission; and to repeal conflicting laws. (ACT #2014-187)

**Corporate Limits (Town of Rogersville) –by Rep. Greer** would alter, rearrange, and extend the boundary lines and corporate limits of the Town of Rogersville in Lauderdale County. (ACT #2014-212)

**Alcoholic Beverages (Montgomery County) –by Rep. Knight** would relate to alcoholic beverages and the sale of wine in Montgomery County; to create the Montgomery County Wine Franchise Jobs Protection Act; to provide for business relations between suppliers and wholesalers of wine to preserve and expand jobs in Montgomery County in the wine industry; to require written agreements setting forth in full the supplier's agreement with the wholesaler, and designating a specific exclusive sales territory; to provide for prohibited acts by the supplier and by the wholesaler; to provide for conditions of amendment, modification, resignation, cancellation, termination, failure to renew, or refusal to continue the agreement; to provide for the transfer of wholesaler's business, for the establishment of nondiscriminatory, material,

and reasonable qualifications and standards by suppliers, and prohibit interference with the transfer upon compliance with those standards; to provide for reasonable compensation upon supplier's violation of the act, including a method of voluntary arbitration; to provide for civil actions for violations, damages, and venue; to provide for the burden of proof; to provide that the wholesaler may not waive rights set forth in this act; to provide that the act relates to existing and future agreements with wholesalers and suppliers as well as their successors and transferees; to provide that this act is cumulative; and to provide for an effective date. (ACT #2014-263)

**Tobacco Tax –by Rep. Clouse** would amend Sections 6-12-2, 6-12-3, 6-12A-2, 6-12A-3, and 6-12A-5, Code of Alabama 1975, relating to the tobacco escrow fund provisions and tobacco master settlement complementary legislation, so as to define an importer of tobacco products, to further define "units sold" to include cigarettes sold to certain consumers without payment of the cigarette excise tax and exclusion of certain cigarettes made in certain tax exempt transactions, to make the importer jointly and severally liable with the tobacco products manufacturer of cigarettes for escrow deposit obligations, to provide for seizure and forfeiture of cigarettes for failure to deposit funds into escrow, to require both the nonparticipating manufacturer and importer or importers of cigarettes to appoint agents for service of process, to require the nonparticipating manufacturer to hold a valid permit under 26 U.S.C. § 5713, to provide for nonparticipating manufacturer bond requirements, and to further provide for disclosure of information. (ACT #2014-341)

**License Renewals (Washington County) –by Rep. Beech** would provide further for a one-stop tag purchase for the assessment and collection of ad valorem taxes and sales taxes on motor vehicles, motor vehicle titles, and non-motorized vehicles; transferring certain duties and responsibilities of the revenue commissioner to the judge of probate; requiring an additional bond of the judge of probate; providing for renewal of licenses by mail; and providing for the deposit of fees and commissions in the general fund of the county. (ACT #2014-148)

**Public Transportation Systems –by Rep. Scott** would provide that one or more public corporations may be organized for the purpose of providing a public transportation system in any county having a population of not less than 600,000 according to the last or any subsequent federal decennial census; would repeal the prohibition that the existence of an authority incorporated under, or governed by, the provisions of this act in a county shall prevent the subsequent incorporation of another authority under this act in the same county. (ACT #2014-264)

**Public Authorities –by Rep. Wood** would exempt an authority established for the development of a former military base from the competitive bid law. (ACT #2014-342)

**Alcoholic Beverages (City of Gadsden) –by Rep. Ford** would relate to the City of Gadsden in Etowah County; authorizing an election to allow the sale of alcoholic beverages sold for on-premises and off-premises consumption seven days a week by properly licensed retail licensees serving the general public within the city.

(ACT #2014-213)

**Solid Waste Fee Distribution (Sumter County) –by Rep. McCampbell** would amend Act 83-480, (Acts 1983, p. 672), as amended, which levies fees on the disposal of certain wastes and distributes the proceeds of the fees; to amend Section 4 of the act; to provide further for the distributions of the proceeds of the fees; to repeal conflicting local Act 90-612, (Acts 1990, p. 1124), as amended by Act 94-700, (Acts 1994, p. 1350); and to provide that the legal operation of this act is contingent upon the enactment at the 2014 Regular Session of an act amending Sections 22-30A-2.1 and 22-30A-4, Code of Alabama 1975, to restore funding for the distributions made in this act. (ACT #2014-174)

**Alcoholic Beverages (City of Enterprise) –by Rep. Moore** would authorize the sale of draft or keg beer or malt beverages by properly licensed retail licensees of the Alcoholic Beverage Control Board upon the consent of the City of Enterprise City Council. (ACT #2014-265)

**Electronic Filing of Property Tax Returns (Baldwin County) –by McMillan** would provide for the electronic filing of business personal property tax returns in the office of the Baldwin County Revenue Commissioner; and to authorize the property tax commissioner to establish procedures for filing the returns. (ACT #2014-449)

**Lines of Incorporation (City of Florence & Town of St. Florian) –by Rep. Greer** would alter and rearrange the boundary lines and corporate limits of the City of Florence and the Town of St. Florian in Lauderdale County to remove certain property from the corporate limits of the Town of St. Florian and add the property to the City of Florence. (ACT #2014-266)

**Sex Offenders (Chilton County) –by Rep. Wallace** would prohibit certain sex offenders from establishing residence within a home or other living accommodation with another sex offender; to prohibit certain sex offenders from establishing a residence within a home or other living accommodation that is located on a lot or piece of property where another sex offender has established a residence unless there is at least 300 feet between the residences; and to provide civil penalties for violations. (ACT #2014-214)

**Public Funds (Madison County) –by Rep. Johnson, W.** would authorize the county commission to prepare certain sites and adjacent property in the county, accessible by the public, for parks and recreational and public purposes; providing that the county may expend public funds for the purposes of this act. (ACT #2014-450)

**Police & Fire Employees (Calhoun County) –by Rep. Boyd** would amend Sections 2, 3, 4, 9, 10, 11, 12, 13, and 14 of Act 592 of the 1953 Regular Session (Acts 1953, p. 838), as amended, now appearing as Section 45-8A-22.01, et seq., Code of Alabama 1975, establishing a civil service system; to provide that all persons employed in positions within the police and fire departments of the city on the effective date of this act and thereafter, and all other employees on the effective date of this act who do not opt-out of

the civil service system, as long as an employee remains in his or her current position, shall continue as civil service employees subject to the civil service system; to provide that other employees of the city shall be subject to any personnel policies and procedures established by the city council and shall not be subject to the civil service system; and to amend 4.02 of Act 404 of the 1953 Regular Session (Acts 1953, p. 472), now appearing as Section 45-8A-23.091 of the Code of Alabama 1975, to provide that employees appointed by the city manager would be appointed subject to the personnel policies of the city. (ACT #2014-244)

**Hazardous Waste Disposal –by Rep. McCampbell** would restore the distribution between the county and the state General Fund. (ACT #2014-418)

**Corporate Limits (City of Foley) –by Rep. McMillan** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Foley in Baldwin County. (ACT #2014-409)

**Process Fees (Winston County) –by Rep. Johnson, K.** would increase the fee for service of process; to provide for the distribution of the fees; and to provide a referendum on this act. (ACT #2014-416)

**Corporate Limits (City of Spanish Fort) –by Rep. Davis** would alter or rearrange the boundary lines and corporate limits of the City of Spanish Fort in Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within the corporate limits of said City and also certain other territory. (ACT #2014-410)

**Privilege License Tax (Baldwin County) –by Rep. Faust** would amend Section 45-2-70.01, Code of Alabama 1975, to provide that the compensation of the members of the Baldwin County Commission shall be based on the previous four-year average of the median annual household income in Baldwin County as determined by the Legislative Fiscal Office before taking office each four-year term. (ACT #2014-451)

**Alcoholic Beverages (Pike County) –by Rep. Boothe** would authorize the sale of draft and keg beer in the unincorporated areas of the county; and to authorize each municipality in Pike County to authorize the sale of draft and keg beer in the municipality. (ACT #2014-347)

**Court Costs (Elmore County) –by Rep. Holmes, M.** would provide for a booking fee to be assessed as court costs in certain cases in which the defendant is booked or incarcerated in the Elmore County Jail if the defendant is convicted or pleads guilty in the circuit court or district court of the county; and to provide for the distribution of revenue from the fee. (ACT #2014-268)

**Water Coordinating & Fire Prevention Authority (Franklin County) –by Rep. Morrow** proposes a local Constitutional Amendment for Franklin County amend Amendment 518 to allow the authority to provide sewer services and broadband services in the county. (ACT #2014-285)

*Senate Bills of Interest to Municipal Governments Enacted During the 2014  
Regular Legislative Session*

**Murder Conviction Penalty (Unfunded Mandate) –by Senator Scofield** would make it a capital offense for a defendant to murder a person who had a protection order issued against the defendant. (ACT #2014-435)

**School Board Unfunded Mandates –by Senator Brewbaker** would propose an amendment to Amendment 621 to the Constitution of Alabama of 1901, now appearing as Section 111.05 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to unfunded mandates for municipalities; to remove the exception for expenditures by a local board of education. (ACT #2014-185)

**Local School Foundation –by Senator Allen** would dissolve the Foundation for Local Schools which was created by legislative act as a public corporation to accept and invest private donations for the enhancement of public K-12 schools and provide for the disbursement of the funds held in the accounts of the foundation. (ACT #2014-372)

**Contract Publication –by Senator Orr** would allow an awarding authority to let a contract for public works if a newspaper to which an advertisement for sealed bids for the contract was submitted by the awarding authority did not publish the advertisement, and the authority can provide proof that it in good faith submitted the advertisement to the newspaper. (ACT #2014-373)

**Alcohol Open Container –by Senator Sanford** would delete the language in the existing law providing that a bottle of wine recorked or resealed in compliance with the law is not considered open and would specifically provide how recorked or resealed bottles of wine may be transported in a motor vehicle considering the type of storage space in the vehicle. (ACT #2014-164)

**Business & Nonprofit Entities Code –by Senator Orr** would revise merger and conversion provisions of the Alabama Business and Nonprofit Entities Code. (ACT #2014-293)

**Campaign Ethics Reports –by Senator Scofield** would require the State Ethics Commission to redact certain information included on a statement of economic interest filed by a public official or public employee. (ACT #2014-71)

**Real Estate Appraiser Qualifications –by Senator Brewbaker** would authorize the Alabama Real Estate Appraisers Board to consult with appropriate law enforcement authorities to ascertain an applicant's criminal history. (ACT #2014-294)

**School Board Reporting –by Senator Irons** would require local school systems to provide information on meningococcal meningitis disease and its vaccine to parents and guardians of students whenever other health information is provided. (ACT #2014-274)

**Municipal Planning & Zoning –by Senator Dial** would relate to land use development near military installations in close proximity to local governments; would encourage compatible land use, help prevent incompatible urban encroachment upon military installations, and facilitate the continued presence of major military installations within the state by requiring the notification of certain military installations of certain land use changes by local governments, and allowing the military installations an opportunity to comment on the proposed land use changes; would provide for references to military installations in master plans adopted by municipal planning commissions. (ACT #2014-13)

**Habitual Offenders –by Senator Ward** would repeal Section 13A-5-9.1, Code of Alabama 1975, providing for the retroactive application of the Habitual Offender Act, as amended; would be prospective and would not apply to any pending motion for a review of a sentence pursuant to the retroactive application of the law. (ACT #2014-165)

**DUI Penalties –by Senator Taylor** would provide that a person commits criminally negligent homicide if the criminally negligent homicide is caused by the operator of any vehicle while unlawfully driving or operating the vehicle under the influence of alcohol or drugs. (ACT #2014-427)

**Alabama Insurance Department –by Senator Bussman** would amend the fingerprint enabling laws to remove all references to submitting and storing the electronic fingerprint records with the NAIC for permanent retention in a centralized repository and would provide an exception for limited lines producers. (ACT #2014-296)

**Expungement of Criminal Records (Unfunded Mandate) –by Senator Bedford** would authorize a person charged or convicted of certain felony or misdemeanor criminal offenses, a violation, or a traffic violation to petition the court in which the charges were filed or in which the conviction occurred to have his or her records expunged, including, but not limited to, arrest records, fingerprints, photographs, or index references in documentary or electronic form, relating to the arrest or charge, or both, and conviction in certain instances. (ACT #2014-292)

**Public Assistance Fraud –by Senator Orr** would prohibit certain fraudulent conduct in obtaining public assistance under any state or federally funded public assistance program and would provide penalties; would provide for the forfeiture of any funds, proceeds, or property obtained by fraudulent conduct in obtaining public assistance; would also authorize the Department of Revenue to intercept state income tax refunds of individuals who owe debts to a public housing authority. (ACT #2014-424)

**TANF Eligibility Requirements –by Senator Orr** would amend Sections 38-4-2, 38-4-4 and 38-11A-2 Code of Alabama 1975, relating to public assistance and the

establishment of a welfare employment program to include the income of a cohabiting partner when determining eligibility for Temporary Assistance for Needy Families (TANF); to require that an applicant for TANF cash assistance apply for at least three positions of unsubsidized employment prior to applying for TANF cash assistance from the Department of Human Resources; and to provide that TANF recipients who voluntarily terminate employment shall be ineligible for receiving TANF cash assistance. (ACT #2014-425)

**Public Assistance Benefits –by Senator Orr** would prohibit a recipient of public assistance benefits from using the benefits to purchase any alcoholic beverage, tobacco product, or lottery ticket and would provide penalties for violations, including the suspension of benefits. (ACT #2014-419)

**ERS & TRS Part Time Authorized –by Senator Orr** would allow part-time service by a retiree as an independent contractor; would require the employing authority to pay the employer contribution for each retiree; would also require the retiree to provide written notice of the postretirement employment to the appropriate retirement system. (ACT #2014-297)

**Health Insurance Plan –by Senator Blackwell** would authorize the Alabama Health Insurance Plan to cease operations if the market reforms provided in the Patient Protection and Affordable Care Act satisfy the guaranteed-issue requirements of HIPAA; would also provide that, after liabilities of the plan are satisfied, unspent and unencumbered funds of the plan would be transferred to the State General Fund. (ACT #2014-219)

**Alarm Monitoring Companies –by Senator Holley** would require an alarm monitoring company to make at least two reasonable attempts to verify that an alarm signal is valid and not a false alarm; would require the board to implement and enforce this provision. (ACT #2014-160)

**One-Call Notification (Unfunded Mandate) –by Senator Allen** would provide for definitions and for the operational provisions of the underground damage prevention process to be clarified and updated with current technologies; would require all operators to participate in the "One-Call Notification System; would provide for clarification of emergency excavation and penalty provisions for misuse of the emergency provision; would provide for guidelines to prevent damage when excavating near underground facilities; would require any damages to an underground facility that could result in dangerous conditions to be reported to both the facility owner and emergency officials as required in federal regulations; provides for additional civil penalties for violations of this act and would make it a Class C misdemeanor to intentionally destroy markers of underground facilities; would provide for notifications to underground facility operators regarding design or survey locate requests. (ACT #2014-220)

**Emergency Management Agency –by Senator Allen** would authorize the Alabama Emergency Management Agency to offer surplus property to local emergency management agencies under certain conditions. (ACT #2014-72)

**Bestiality Crimes (Unfunded Mandate) –by Senator Whatley** would provide for the crime of bestiality. (ACT #2014-275)

**Cottage Food Production –by Senator Glover** would exempt certain cottage food production operations from regulation by the county health department; would require the State Department of Public Health to promulgate rules providing for the labeling of certain baked goods and candy sold out of a private residence as a part of a cottage food production operation. (ACT #2014-180)

**Airbag Fraud (Unfunded Mandate) –by Senator Fielding** would rename this offense "airbag fraud" and would provide criminal penalties for selling, installing, or reinstalling a device in a motor vehicle that causes the vehicle's diagnostic system to inaccurately indicate that the vehicle is equipped with a functional airbag or selling a motor vehicle with a counterfeit airbag, a nonfunctional airbag, or no airbag with the intent to deceive the purchaser; would also provide enhanced criminal penalties if the airbag fraud caused physical injury to a person. (ACT #2014-138)

**Government Information Disclosure –by Senator Pittman** would require disclosure of certain information on the purchase of property by the state or a local governing body. (ACT #2014-133)

**Marijuana Usage Defense –by Senator Sanford** would provide a defense of necessity in a prosecution for the unlawful possession of marijuana in the second degree when the defendant has been diagnosed by a physician with having a debilitating medical condition and possesses cannabidiol (CBD) that is likely to provide therapeutic or palliative relief to the medical condition; would also provide a defense of necessity in a prosecution for the unlawful possession of marijuana in the second degree when a parent or caretaker possesses cannabidiol (CBD) on behalf of a patient who has a debilitating medical condition that has been diagnosed by a physician with whom the patient has a bona fide physician-patient relationship and was recommended cannabidiol for the therapeutic or palliative relief from the debilitating medical condition. (ACT #2014-277)

**Prichard Water Works & Sewer Board –by Senator Figures** would propose a local constitutional amendment to provide for the transfer of the assets and liabilities of the Water Works and Sewer Board of the City of Prichard to the Board of Water and Sewer Commissioners of the City of Mobile, presently known as the Mobile Area Water and Sewer System; and would provide the date for the election upon the proposed amendment in June 2014. (ACT #2014-167)

**Abandoned Manufactured Homes –by Senator Allen** would further provide for the sale of an abandoned manufactured dwelling, storage for the dwelling and personal property of the tenant, and the required notice to tenants and lienholders; would specify that a manufactured dwelling is deemed abandoned when the tenant has been absent

from the dwelling 30 days following default, termination, or expiration of the lease agreement or service of a court order requiring the tenant to vacate the premises due to failure to perform the obligations of the lease. (ACT #2014-167)

**Education Budget –by Senator Smitherman** would make appropriations for the support, maintenance and development of public education in Alabama, for debt service, and for capital outlay for the fiscal year ending September 30, 2015. (ACT #2014-456)

**Child Passenger Restraints –by Senator Coleman** would provide that the program would be administered by the Department of Public Health and would delete certain provisions relating to audit by the Department of Examiners of Public Accounts which are no longer needed because the Department of Public Health is already audited. (ACT #2014-300)

**Competitive Bid Threshold –by Senator Waggoner** would amend Section 41-16-21 of the Code of Alabama 1975, relating to contracts for which competitive bidding is not generally required to increase the minimum amount of contracts let by educational and eleemosynary institutions, the Alabama State Port Authority, and certain other state agencies subject to competitive bidding from \$7,500 to \$15,000, consistent with those changes made to Section 41-16-20 of the Code of Alabama 1975, by Act 2012-462, 2012 Regular Session, which increased the minimum amount of contracts for which competitive bidding is required by any state department, board, bureau, commission, committee, institution, corporation, authority, or office from \$7,500 to \$15,000. (ACT #2014-301)

**Supplemental Appropriations –by Senator Orr** would make a supplemental appropriation from the Enforcement Seizure Fund to the Alabama Alcoholic Beverage Control Board in the amount of \$750,000 for the fiscal year ending September 30, 2014; a supplemental appropriation from the Music Hall of Fame Fund to the Alabama Music Hall of Fame Board in the amount of \$80,000 for the fiscal year ending September 30, 2014; requires a transfer of \$1,500,000 from the Office of the Attorney General to the Office of Prosecution Services for the fiscal year ending September 30, 2014; and amends appropriations made in Section 2C of Act 2013-263 for the fiscal year ending September 30, 2014. (ACT #2014-134)

**Voter Registration –by Senator Taylor** would extend the voter registration prohibition time period from 10 to 17 days; would require the voter registration list to be printed within the 10-day period prior to an election; would also remove the exception so that all counties in the state must comply with the 17-day deadline. (ACT#2014-428)

**Homeowners Insurance –by Senator Hightower** would revise existing law to provide credits in an amount of 20 percent of the insurance premium tax otherwise due in Zones M4, M5, B4, and B5, and 35 percent of the insurance premium tax otherwise due in Zones M1, M2, M3, B1, B2, B3, and South ICWW. (ACT #2014-420)

**Emergency Management Act –by Senator Dunn** would require the Governor or the Legislature to designate in the proclamation or resolution declaring a state of

emergency, if the state of emergency affects less than the entire state, those counties to which the state of emergency applies. (ACT #2014-17)

**Municipal Weed Abatement (League Bill) –by Senator Beasley** would authorize municipalities by ordinance to adopt alternate procedures to declare overgrown grass or weeds to be a public nuisance and abated after a previous abatement procedure under the existing law for the same property has been followed. Thereafter, the costs may be assessed against the property in the same manner as provided above; would also provide exceptions. (ACT #2014-303)

**Statewide Voter ID Lists –by Senator Dunn** would require, upon written affidavit, the omission of the residential and mailing address of any registered voter who is a victim of domestic violence or who is the custodian of a minor victim of domestic violence. (ACT #2014-221)

**Recycling Standards –by Senator Holley** would require biodegradable plastic containers to meet standards for compostable products and be clearly labeled to prevent contamination of recyclable plastic containers. (ACT #2014-135)

**Alabama Federal Aid Highway Finance Authority –by Senator Dial** would provide further for the membership of the Alabama Federal Aid Highway Finance Authority; to eliminate unnecessary references to interest coupons on bonds issued by the authority; to provide for the pledge of certain state gasoline tax revenues to secure bonds issued by the authority; to provide that pledges by the authority to secure bonds issued by it may include some but not all funds appropriated and pledged by law, and may be on parity with pledges to secure other obligations of the authority, or in order of priority, within the discretion of the authority; to provide that the pledges of certain state gasoline tax revenues to secure bonds issued by the authority shall be on parity with pledges of such tax revenues to secure obligations issued by the Alabama Highway Finance Corporation; to provide further for investment of proceeds of bonds issued by the authority and of pledged revenues held in the sinking fund created to secure such bonds; and to define certain terms. (ACT #2014-105)

**Sex Offenders –by Senator Figures** would make it a Class C felony for a convicted sex offender, after having been convicted of a sex offense involving a minor, to enter or remain within 500 feet of school property or certain other property used for caring for, educating, or entertaining minors; would also make it a Class C felony for a convicted sex offender, after having been convicted of a sex offense involving a minor, to enter or remain within 500 feet of the property line of any property on which there is a public K-12 school or to actively participate in any public K-12 school activity when or where students are present. (ACT #2014-421)

**Sales Tax Increase (Constitutional Amendment) –by Senator Bedford** would propose an amendment to the Constitution of Alabama of 1901, to authorize the governing body of Franklin County to allocate one-fourth of the proceeds from the one cent tax levied in Franklin County for the purpose of matching funds for any grant from the Alabama Transportation Rehabilitation and Improvement Program. (ACT #2014-9)

**Alcoholic Beverages (Town of Goodwater) –by Senator Fielding** authorize an election to determine whether alcoholic beverages may be sold or dispensed on Sunday by properly licensed retail licensees serving the general public within the city. (ACT #2014-159)

**Revenue Commissioner (Montgomery County) –by Senator Ross** would provide for the transfer of all duties, responsibilities, and liabilities relating to the assessment and collection of ad valorem taxes on motor vehicles from the revenue commissioner to the judge of probate; and providing an effective date. (ACT #2014-176)

**Business License –by Senator Blackwell** would require that each applicant for a new or renewal license under Chapter 12 to provide his or her federal employer identification number or Social Security number. (ACT #2014-430)

**E-911 Statewide Board –By Senator Marsh RFD:** would expand the current statewide E-911 Board from 13 to 15 members by adding a representative of large business users and a representative of private hospitals subject to the 911 service charge; would place a limit on the number of 911 charges per account bill rendered to 100 charges as of October 1, 2014, and would clarify the application of the 911 charge for users served by certain digital transmission links. (ACT #2014-431)

**Corporate Limits (Weaver) –by Senator Marsh** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Weaver in Calhoun County. (ACT #2014-182)

**Corporate Limits (Weaver) –by Senator Marsh** would amend Act 2013-314 of the 2013 Regular Session, altering, rearranging, and extending the corporate limits of the city; to correct an error in a description and to delete a parcel; and to provide for retroactive effect. (ACT #2014-183)

**Forfeitures –by Senator Orr** would create the Alabama Comprehensive Criminal Proceeds Forfeiture Act to provide a process for the forfeiture of property acquired directly or indirectly through the commission of certain criminal offenses and proceeds and other instrumentalities derived in connection with certain criminal offenses; would specify procedures for seizure and forfeiture of property and proceeds connected with criminal offenses and would specify how a law enforcement agency may dispose of forfeited property, including the sale of certain property under certain circumstances. (ACT #2014-306)

**Controlled Substances –by Senator Orr** would increase the requisite weight for trafficking in controlled substance analogues to 56 grams. (ACT #2014-184)

**Alcoholic Beverages (Montgomery County) –by Senator Brewbaker** would relate to alcoholic beverages and the sale of wine in Montgomery County; to create the Montgomery County Wine Franchise Jobs Protection Act; to provide for business relations between suppliers and wholesalers of wine to preserve and expand jobs in

Montgomery County in the wine industry; to require written agreements setting forth in full the supplier's agreement with the wholesaler, and designating a specific exclusive sales territory; to provide for prohibited acts by the supplier and by the wholesaler; to provide for conditions of amendment, modification, resignation, cancellation, termination, failure to renew, or refusal to continue the agreement; to provide for the transfer of wholesaler's business, for the establishment of nondiscriminatory, material, and reasonable qualifications and standards by suppliers, and prohibit interference with the transfer upon compliance with those standards; to provide for reasonable compensation upon supplier's violation of the act, including a method of voluntary arbitration; to provide for civil actions for violations, damages, and venue; to provide for the burden of proof; to provide that the wholesaler may not waive rights set forth in this act; to provide that the act relates to existing and future agreements with wholesalers and suppliers as well as their successors and transferees; to provide that this act is cumulative; and to provide for an effective date. (ACT #2014-223)

**Storm Water Systems –by Senator Ward** would allow the governing bodies of all counties and municipalities in the state which are now or may hereafter be specifically designated in 40 C.F.R. Part 122, including but not limited to, any revisions promulgated by the Environmental Protection Agency (EPA) in conjunction with any expansion of the agency's municipal separate storm sewer system program or by the Alabama Department of Environmental Management (ADEM) pursuant to the authority delegated to it under the Clean Water Act, 33 U.S.C. Section 1251 et seq., the authority to carry out the requirements of the municipal separate storm sewer system program; would provide the governing bodies with the option to establish inter-cooperative public corporations for efficient compliance with applicable federal and state laws, rules, and regulations relating to storm water discharges into municipal separate storm sewers; would expressly limit the jurisdictional scope of certain local storm water

management programs; would permit regulation of only those sites discharging storm water into a program's municipal separate storm sewer system; would acknowledge EPA's "maximum extent practicable" standard applicable to its municipal separate storm sewer system program; would require adherence by each county of the tenets of Section 111.05 of Article IV of the Constitution of Alabama of 1901, and the limited authorities of self-governance conferred upon counties pursuant to Chapters 3 and 3A of Title 11 of the Code of Alabama 1975; would expressly limit the substantive scope of certain local storm water management programs; would clearly delineate the type of fees, charges, or assessments a governing body and/or certain public corporations levy and from whom such fees, charges, or assessments shall be levied; would exempt discharges originating from any lands and/or facilities owned and/or operated by one or more entities under the jurisdiction and supervision of the Alabama Public Service Commission from regulation under any local storm water management program and declare that such discharges shall be regulated exclusively by ADEM. (ACT #2014-439)

**Municipal Court (Town of Summerdale) by Senator Pittman** would provide for a warrant recall fee to allow a municipal magistrate or judge for the Town of Summerdale to recall, under certain conditions, a failure to appear warrant. (ACT #2014-161)

**Wind Energy Conversion Systems (Cherokee County) –by Senator Williams** would require a person to obtain a permit from the applicable local governing body prior to installing or operating a wind energy conversion system; to require compliance with applicable zoning; to provide for an application process for a permit; to require the certification of systems by a licensed engineer with certain experience; to provide for regulations for the design, construction, and operation of wind energy conversion systems; and to provide for the removal of abandoned systems. (ACT #2014-190)

**Wind Energy Conversion Systems (Etowah County) –by Senator Williams** would require a person to obtain a permit from the applicable local governing body prior to installing or operating a wind energy conversion system; to require compliance with applicable zoning; to provide for an application process for a permit; to require the certification of systems by a licensed engineer with certain experience; to provide for regulations for the design, construction, and operation of wind energy conversion systems; and to provide for the removal of abandoned systems. (ACT #2014-191)

**Solicitor Fee Repeal (Washington County) –by Senator Keahey** would repeal Act 2008-491 of the 2008 Regular Session (Acts 2008, p. 1070), providing for a solicitor's fee in criminal cases. (ACT #2014-290)

**Corporate Limits (City of Lincoln) –by Senator Fielding** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Lincoln, Talladega County, Alabama. (ACT #2014-249)

**Alcoholic Beverages (Pike County) –by Senator Taylor** would authorize the sale of draft and keg beer in the unincorporated areas of the county; and to authorize each municipality in Pike County to authorize the sale of draft and keg beer in the municipality. (ACT #2014-282)

**Corporate Limits (City of Alabaster) –by Senator Ward** would alter, rearrange, and extend the boundary lines and corporate limits of the City of Alabaster in Shelby County. (ACT #2014-291)

**Sales Tax Levy (Chilton County) –by Senator Ward** would levy additional sales and use taxes to be used for the construction, maintenance, and operation of hospital facilities in Chilton County; to provide for certain matters relating to the administration, collection, and enforcement of such taxes; to provide for the effective date and termination of such taxes; to provide for an advisory referendum regarding the levy of the taxes; to provide that such taxes may not be abated pursuant to Chapter 9B, Title 40, Code of Alabama 1975, or otherwise; and to authorize the pledge of such taxes by Chilton County or a public corporation acting as its agent to secure indebtedness issued for the purposes for which the taxes are authorized. (ACT #2014-422)

**Alcoholic Beverages (City of Tallassee) –by Senator Fielding** would authorize elections to determine whether alcoholic beverages may be sold on Sunday for off-premises consumption by properly licensed retail licensees serving the general public within the city. (ACT #2014-309)

**Water Coordinating & Fire Prevention Authority (Franklin County) –by Senator Bedford** would propose a local Constitutional Amendment for Franklin County amend Amendment 518 to allow the authority to provide sewer services and broadband services in the county. (ACT #2014-283)

**Fire Protection Service Fee (Macon County) –by Senator Beasley** would authorize the Little Texas Volunteer Fire Department to assess a service charge for fire protection services; to provide for collection of the service charge; and to provide for a referendum on the service charge by the registered voters residing in the fire district. (ACT #2014-310)