

1 HB232

2 196962-3

3 By Representative Hill (Constitutional Amendment)

4 RFD: Local Legislation

5 First Read: 20-MAR-19

ACT #2019-

64
CA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To propose a local constitutional amendment relating to St. Clair County; to authorize the governing body of St. Clair County to levy and collect a special school district ad valorem tax in each school district subject to an election in the school district and to provide for the use of the proceeds for public school purposes in the district where levied.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

(a) For public school purposes, in addition to any taxes now authorized, or that may hereafter be authorized, by the Constitution and laws of this state, the governing body of St. Clair County may levy and collect, in the several school districts in St. Clair County, as those districts are defined in subdivision (3), subject to an election in each school district as provided in this amendment, a special school district tax at a cumulative total rate not exceeding two dollars (\$2) on each one hundred dollars (\$100) of taxable property in the school district as assessed for state taxation.

1 (b) Multiple school district taxes may be levied in
2 any school district under the authority of this amendment,
3 provided the aggregate rate of the taxes is less than or equal
4 to the rate provided in this amendment. The levy and
5 collection of any school district tax prior to, upon, or after
6 the expiration of the tax, may be continued and renewed for
7 the rate, duration, and purpose as shall then be determined,
8 in the manner and subject to the requirements in this
9 amendment for the levy of a school district tax. The duration
10 of time of the levy of a tax may not exceed 30 years from
11 October 1 next succeeding the date of the election held with
12 respect to the tax.

13 (c) (1) A school district tax shall be levied under
14 this amendment only if the rate of the tax, the time the tax
15 is to continue, and the purpose or purposes of the tax shall
16 have first been submitted to the vote of the qualified
17 electors in the school district in which such tax is proposed
18 at an election held as provided in this amendment and a
19 majority of the qualified electors voting at the election
20 shall have voted in favor of the levy and collection of the
21 tax. A vote on the school district tax as provided in this
22 subsection shall be called upon the adoption of a resolution
23 by the St. Clair County Board of Education or the Pell City
24 Board of Education or upon the petition of 50 qualified
25 electors within a particular school district.

1 (2) Multiple elections may be held under this
 2 amendment in any school district, at any time and from time to
 3 time, to present a proposal to levy a school district tax, to
 4 present a proposal to levy a school district tax that failed
 5 in a previous election, to present a proposal to levy an
 6 additional tax under this amendment, or to present a proposal
 7 to continue and renew the levy of a school district tax levied
 8 under this amendment.

9 (3) For the purposes of this amendment, "school
 10 district" means all of the following:

11 a. The Pell City School District.

12 b. Any school district in St. Clair County now
 13 existing or formed following the ratification of this
 14 amendment as may be approved, created, or designated by the
 15 St. Clair County Board of Education, including, without
 16 limitation, a school district approved or designated by the
 17 board solely for purposes of the school district tax
 18 authorized under this amendment.

19 c.1. Any school district which is approved, created,
 20 or designated by the St. Clair County Board of Education,
 21 which shall be defined as a "School Attendance and Tax
 22 District."

23 2. There shall be a School Attendance and Tax
 24 District known as the "Pell City School Attendance and Tax
 25 District" as it now exists by agreement between the Pell City

1 Board of Education and the St. Clair County Board of
2 Education, or as modified by subsequent agreement of the two
3 boards.

4 3. The St. Clair County Board of Education, without
5 the necessity of any election, may change the boundaries of
6 any School Attendance and Tax District, or consolidate any two
7 or more School Attendance and Tax Districts, if the taxes
8 authorized to be levied for public school purposes in all of
9 the territory in the district after the change of boundaries
10 or consolidation is effected shall be at the same aggregate
11 rate and for the same duration of time; provided, however,
12 that nothing contained in this paragraph shall be construed to
13 impair or permit the impairment of the obligation of any
14 contract created with respect to any obligations or securities
15 incurred or issued with respect to any School Attendance and
16 Tax District. Nothing in this paragraph shall operate or be
17 construed to abridge or affect any existing authority or power
18 conferred on the St. Clair County Board of Education, by any
19 existing law, but shall be in addition thereto.

20 (4) The term "school district" does not include the
21 City School Systems of Leeds and Trussville.

22 (d) (1) The proceeds of each school district tax
23 levied under this amendment shall be collected in the same
24 manner and under the same requirements and laws as the taxes
25 of this state are collected. The proceeds of each school

1 district tax levied shall be delivered by the tax official to
2 the local board of education having control and supervision of
3 the public schools in the school district.

4 (2) The proceeds of any school district tax levied
5 under this amendment shall be used for the exclusive benefit
6 of the School Attendance and Tax District in which the school
7 district tax is levied.

8 (3) The proceeds of any school district tax levied
9 under this amendment shall not supplant or reduce any other
10 funds distributed for the benefit of the St. Clair County
11 Board of Education, the Pell City Board of Education, or a
12 School Attendance and Tax District.

13 (e) This amendment shall be self-executing and no
14 enabling legislation shall be necessary.

15 Section 2. An election upon the proposed amendment
16 shall be held in accordance with Section 284.01 of the
17 Constitution of Alabama of 1901, now appearing as Section
18 284.01 of the Official Recompilation of the Constitution of
19 Alabama of 1901, as amended, and the election laws of this
20 state.

21 Section 3. The appropriate election official shall
22 assign a ballot number for the proposed constitutional
23 amendment on the election ballot and shall set forth the
24 following description of the substance or subject matter of
25 the proposed constitutional amendment:

1 "Relating to St. Clair County, proposing an
2 amendment to the Constitution of Alabama of 1901, to authorize
3 the governing body of St. Clair County to levy and collect a
4 special public school district ad valorem tax in each school
5 district in the county, as defined in the amendment, subject
6 to an election in the school district; and to provide for the
7 use of the proceeds for public school purposes in the district
8 where levied."

9 "Proposed by Act _____"

10 This description shall be followed by the following
11 language:

12 "Yes () No ()."

1

2

Mac McClatchey

3

4

Speaker of the House of Representatives



5

6

President and Presiding Officer of the Senate

7

House of Representatives

8

9

I hereby certify that the within Act originated in
and was passed by the House 04-APR-19.

10

11

12

13

Jeff Woodard
Clerk

14

15

16

17

Senate

18-APR-19

Passed

Alabama Secretary Of State

Act Num....: 2019-64

Bill Num....: H-232

Recv'd 04/23/19 03:30pmSLF

SPONSORS

28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53

DATE: 3 20 2019
RD 1 RFD LL

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on _____ was acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed, w/amend(s) w/sub _____ this 3rd day of April 20 19 Chairperson *John Baker*

DATE: 4 3 2019
RF RD 2 CAL

DATE: _____
RE-REFERRED RE-COMMITTED _____
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB *832* YEA *61* NAYS *0*

JEFF WOODARD,
Clerk

FURTHER HOUSE ACTION (OVER)

DATE: 4-21 2019
RD 1 RFD LL

This Bill was referred to the Standing Committee of the Senate on LL1 and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amd(s) w/sub w/eng sub by a vote of _____ nays _____ abstain this 16th day of April 20 19 Chairperson *John Baker*

DATE: _____
RF RD 2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB _____ YEA *33* NAYS _____

PATRICK HARRIS,
Secretary

DATE: _____
PASSED AS AMENDED

YEA _____ NAYS _____
And was ordered returned forthwith to the House. PATRICK HARRIS, Secretary

DATE: _____
INDEFINITELY POSTPONED YEA _____ NAYS _____

DATE: _____
RECONSIDERED YEA _____ NAYS _____

FURTHER SENATE ACTION (OVER)