

1 HB159  
2 135492-1  
3 By Representative Mask (Constitutional Amendment)  
4 RFD: Economic Development and Tourism  
5 First Read: 07-FEB-12  
6 PFD: 02/06/2012

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8 SYNOPSIS: This bill would propose an amendment to the  
9 Constitution of Alabama of 1901, as amended, to  
10 authorize an incentive program which the state may  
11 use for the purpose of creating and retaining jobs  
12 and promoting economic and industrial development  
13 in the state.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT  
18

19 To propose an amendment to the Constitution of  
20 Alabama of 1901, as amended, to authorize an incentive program  
21 which the state may use for the purpose of creating and  
22 retaining jobs and promoting economic and industrial  
23 development in the state.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the  
26 Constitution of Alabama of 1901, as amended, is proposed and  
27 shall become valid as a part thereof when approved by a

1 majority of the qualified electors voting thereon and in  
2 accordance with Sections 284, 285, and 287 of the Constitution  
3 of Alabama of 1901, as amended:

4 PROPOSED AMENDMENT

5 Part 1. The Legislature makes the following  
6 findings:

7 (1) The economic well-being of the citizens of the  
8 state will be enhanced by the increased development and growth  
9 of industry within the state and it is in the best interests  
10 of the state to provide for certain incentives to allow the  
11 state to promote such economic development through the  
12 recruitment, retention, and expansion of quality projects  
13 within the state.

14 (2) The incentives provided in House Bill \_\_\_ or  
15 Senate Bill \_\_\_ of the Regular Session of 2012 of the Alabama  
16 Legislature will assist the state in encouraging the retention  
17 of existing jobs that may otherwise be terminated or  
18 displaced, and the creation of new jobs which may not  
19 otherwise exist within the state, and the incentives will help  
20 retain and create sources of tax revenues for the state and  
21 its political subdivisions.

22 (3) The powers to be granted and the purposes to be  
23 accomplished by House Bill \_\_\_ or Senate Bill \_\_\_ of the  
24 Regular Session of 2012 of the Alabama Legislature are proper  
25 governmental and public purposes and the inducement of the  
26 recruitment, retention, or expansion of quality projects  
27 within the state is of paramount importance.

1           Part II. Notwithstanding any other provision of this  
2           Constitution, the provisions of House Bill \_\_\_\_ or Senate Bill  
3           \_\_\_\_ [Act No. 2012- ] of the Regular Session of 2012 of the  
4           Alabama Legislature are hereby authorized, validated, enabled,  
5           confirmed, and ratified in all respects and, as such, shall be  
6           immune from any challenge based on either this Constitution or  
7           any other law of the State of Alabama.

8           Section 2. Upon enactment of either House Bill \_\_\_\_  
9           or Senate Bill \_\_\_\_ of the Regular Session of 2012 of the  
10          Alabama Legislature, an election upon the proposed amendment  
11          shall be held in accordance with Sections 284 and 285 of the  
12          Constitution of Alabama of 1901, now appearing as Sections 284  
13          and 285 of the Official Recompilation of the Constitution of  
14          Alabama of 1901, as amended, and the election laws of this  
15          state.

16          Section 3. The appropriate election official shall  
17          assign a ballot number for the proposed constitutional  
18          amendment on the election ballot and shall set forth the  
19          following description of the substance or subject matter of  
20          the proposed constitutional amendment:

21                 "Proposing an amendment to the Constitution of  
22                 Alabama of 1901, to authorize an incentive program which the  
23                 state may use for the purpose of creating and retaining jobs  
24                 and promoting economic and industrial development in the  
25                 state.

26                 "Proposed by Act \_\_\_\_\_."

1                    This description shall be followed by the following  
2       language:  
3                    "Yes ( ) No ( )."