

1 HB311
2 174543-4
3 By Representatives Daniels, Hall, McCutcheon, Farley,
4 Sanderford, Whorton (R), Harper, Williams (P), Scott, Givan,
5 Patterson, Ball, Alexander and Gaston (Constitutional
6 Amendment)
7 RFD: Economic Development and Tourism
8 First Read: 24-FEB-16

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, as amended, to give any municipality or county, or governing body thereof, that has established a tax increment district within a Major 21st Century Manufacturing Zone the sole discretion to determine the amount and type of consideration to be received by such municipality or county for the redevelopment, rehabilitation, or conservation of property disposed of to or for the benefit of private interest with funds collected from such tax increment district and without regard to Sections 93 and 94 of the Constitution of Alabama of 1901, as amended, and to validate and confirm the Major 21st Century Manufacturing Zone Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors of the State voting thereon at an election held in accordance with Sections 284, 285 and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Notwithstanding any other provision of the Constitution, public moneys, including ad valorem tax revenues, collected within a tax increment district located

1 within a Major 21st Century Manufacturing Zone as defined by
2 law, and proceeds of obligations issued by the municipality or
3 county establishing the district for the purposes of
4 redevelopment or revitalization of property located therein,
5 may be expended for the acquisition of the property and the
6 redevelopment, rehabilitation, or conservation thereof, and
7 the moneys, property, and proceeds may be disposed of, whether
8 to or for the benefit of private interests or otherwise, for
9 such consideration as shall be determined in the discretion of
10 the governing body of the county or municipality, as the case
11 may be, that established the district and without regard to
12 Sections 93 and 94 of this Constitution. Any obligations of a
13 municipality or county issued for the purposes set forth above
14 shall not be chargeable against the constitutional debt limit
15 of the municipality or county. The exercise of any powers
16 granted in the Major 21st Century Manufacturing Zone Act, Act
17 2013-51, by any municipality or county, or the governing body
18 thereof, shall not be subject to those limitations or
19 restrictions that would otherwise have been applicable under
20 Section 93 or Section 94 of this Constitution. The Major 21st
21 Century Manufacturing Zone Act, Act 2013-51, is hereby
22 validated and confirmed.

23 Section 2. An election upon the proposed amendment
24 shall be held in accordance with Sections 284 and 285 of the

1 of the Constitution of Alabama of 1901, as amended, and the
2 election laws of this state.

3 Section 3. Notice of the election on the proposed
4 amendment shall be given by proclamation of the Governor
5 published in every county in the state for four successive
6 weeks next preceding the date appointed for the election, such
7 publication to be made once a week for four consecutive weeks
8 next preceding the day so appointed, in a newspaper published
9 in each such county; provided, that in any county in which
10 there may be no newspaper published, the proclamation shall be
11 published by posting, for a period of not less than four
12 consecutive weeks next preceding the day so appointed, a copy
13 of the said proclamation at each courthouse in the said
14 county. A newspaper shall be deemed to be published in a
15 county, within the meaning of this section, if its principal
16 editorial office is located in that county.

17 Section 4. The appropriate election official shall
18 assign a ballot number for the proposed constitutional
19 amendment and shall set forth the following description of the
20 substance or subject matter of the proposed constitutional
21 amendment:

22 ~~"Proposing an amendment to the Constitution of~~
23 ~~Alabama of 1901, as amended, to give the governing body of a~~
24 ~~municipality or county that has established a tax increment~~
25 ~~district within a Major 21st Century Manufacturing Zone the~~

1 ~~sole discretion to determine the amount and type of~~
2 ~~consideration to be received by the municipality or county for~~
3 ~~the redevelopment, rehabilitation, or conservation of property~~
4 ~~disposed of to or for the benefit of private interest with~~
5 ~~funds collected from such tax increment district and without~~
6 ~~regard to Sections 93 and 94 of the Constitution of Alabama of~~
7 ~~1901, and to ratify, affirm, and validate the Major 21st~~
8 ~~Century Manufacturing Zone Act.~~

9 "Proposed by Act _____."

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

12 "Yes () No ()."

13 "Proposing an amendment to the Constitution of
14 Alabama of 1901, as amended, to permit cities and counties,
15 notwithstanding any existing constitutional restrictions, to
16 utilize tax increment district revenues collected within a
17 Major 21st Century Manufacturing Zone and other moneys to
18 incentivize the establishment and improve various types of
19 manufacturing facilities located or to be located in such
20 Zone, and to validate and confirm the Major 21st Century
21 Manufacturing Zone Act, Act No. 2013-51.

22 Proposed by Act _____.

23 This description shall be followed by the following
24 language:

25 Yes () No ()."

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 12-APR-16, as amended.

Jeff Woodard
Clerk

Senate

03-MAY-16

Passed