HB311

174543-4

By Representatives Daniels, Hall, McCutcheon, Farley, Sanderford, Whorton (R), Harper, Williams (P), Scott, Givan, Patterson, Ball, Alexander and Gaston (Constitutional Amendment)

RFD: Economic Development and Tourism

First Read: 24-FEB-16
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
within a Major 21st Century Manufacturing Zone as defined by law, and proceeds of obligations issued by the municipality or county establishing the district for the purposes of redevelopment or revitalization of property located therein, may be expended for the acquisition of the property and the redevelopment, rehabilitation, or conservation thereof, and the moneys, property, and proceeds may be disposed of, whether to or for the benefit of private interests or otherwise, for such consideration as shall be determined in the discretion of the governing body of the county or municipality, as the case may be, that established the district and without regard to Sections 93 and 94 of this Constitution. Any obligations of a municipality or county issued for the purposes set forth above shall not be chargeable against the constitutional debt limit of the municipality or county. The exercise of any powers granted in the Major 21st Century Manufacturing Zone Act, Act 2013-51, by any municipality or county, or the governing body thereof, shall not be subject to those limitations or restrictions that would otherwise have been applicable under Section 93 or Section 94 of this Constitution. The Major 21st Century Manufacturing Zone Act, Act 2013-51, is hereby validated and confirmed.

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the
of the Constitution of Alabama of 1901, as amended, and the
election laws of this state.

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

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

"Proposing an amendment to the Constitution of
Alabama of 1901, as amended, to give the governing body of a
municipality or county 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 the 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, and to ratify, affirm, and validate the Major 21st Century Manufacturing Zone Act.

"Proposed by Act __________."

This description shall be followed by the following language:

"Yes ( ) No ( )."

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

Proposed by Act __________________.

This description shall be followed by the following language:

Yes ( ) No ( )."
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