

1 HB461
2 191909-3
3 By Representatives Harbison, Shedd and Henry (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 27-FEB-18

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ENROLLED, An Act,

To propose an amendment to the Constitution of Alabama of 1901, relating to Cullman County, to provide that all allowances received by the sheriff for feeding prisoners would be deposited in a special account and used for feeding of prisoners in the county jail and that any excess in the fund would be authorized to be used for law enforcement purposes by the sheriff and to provide for the salary of the sheriff effective beginning the next term of office.

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

Effective beginning the next term of office of the Sheriff of Cullman County after the ratification of this amendment, any allowances or other amounts received by the sheriff for feeding prisoners shall be deposited in a separate account in the county treasury to be known as the "Sheriff's Discretionary Fund" and shall be used by the sheriff for the feeding of prisoners in the county jail. Any funds in the Sheriff's Discretionary Fund over the amounts needed for feeding prisoners may be used by the sheriff for law

1 enforcement purposes and for the operation of the office of
 2 the sheriff. Any funds in the Sheriff's Discretionary Fund
 3 shall be carried over from year to year. In the event
 4 additional amounts are needed by the sheriff for the feeding
 5 of prisoners, the amounts shall be paid by the sheriff from
 6 any other discretionary funds available for the operation of
 7 the office of the sheriff. The sheriff shall not be subject to
 8 the competitive bid law for the purchase of food or supplies
 9 used for feeding prisoners in the county jail. Also, effective
 10 at that time, the sheriff shall receive an annual salary equal
 11 to the annual salary of the Judge of Probate of Cullman County
 12 not to include any compensation received by the judge of
 13 probate for election purposes.

14 Section 2. An election upon the proposed amendment
 15 shall be held in accordance with Section 284 and Section
 16 284.01 of the Constitution of Alabama of 1901, now appearing
 17 as Section 284 and Section 284.01 of the Official
 18 Recompilation of the Constitution of Alabama of 1901, as
 19 amended, and the election laws of this state.

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

1 "Relating to Cullman County, proposing an amendment
2 to the Constitution of Alabama of 1901, to provide that
3 effective beginning the next term of office of the sheriff,
4 all allowances or amounts received by the sheriff for feeding
5 prisoners would be deposited in a special account and used for
6 feeding prisoners in the county jail and any excess in the
7 fund would be authorized to be used for law enforcement
8 purposes by the sheriff and to provide that, at that time, the
9 annual salary of the Sheriff of Cullman County would be equal
10 to the annual salary of the Judge of Probate of Cullman
11 County.

12 "Proposed by Act _____"

13 This description shall be followed by the following
14 language:

15 "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 06-MAR-18.

Jeff Woodard
Clerk

Senate	28-MAR-18	Passed
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