

1 HB129  
2 198497-1  
3 By Representative Sorrell (Constitutional Amendment)  
4 RFD: State Government  
5 First Read: 04-FEB-20

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8 SYNOPSIS: Under existing law, local bills are required  
9 to be advertised in a newspaper in the affected  
10 county or counties prior to introduction.

11 This bill would propose an amendment to the  
12 Constitution of Alabama of 1901, to allow the  
13 advertisement of local bills on the Internet.

14  
15 A BILL  
16 TO BE ENTITLED  
17 AN ACT

18  
19 Proposing an amendment to Section 106 of the  
20 Constitution of Alabama of 1901, as amended by Amendment 341,  
21 now appearing as Section 106 of the Official Recompilation of  
22 the Constitution of Alabama of 1901, as amended, relating to  
23 the notice requirement for local legislation; to authorize the  
24 publication of notice of intention to introduce local bills on  
25 the Internet.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7   PROPOSED AMENDMENT

8                   "Section 106. No special, private, or local law  
9                   shall be passed on any subject not enumerated in ~~section~~  
10                  Section 104 of this Constitution, except in reference to  
11                  fixing the time of holding courts, unless notice of the  
12                  intention to apply therefor shall have been published, without  
13                  cost to the state, in the county or counties where the matter  
14                  or thing to be affected may be situated, which notice shall  
15                  state the substance of the proposed law and be published for  
16                  28 consecutive days on a public Internet website or successor  
17                  technology, unless the governing body determines that a  
18                  website would not provide adequate notice to the intended  
19                  audience as provided by general law; or, if publication by  
20                  Internet website is declared by the governing body of any  
21                  affected county to be insufficient as provided by general law,  
22                  at least once a week for four consecutive weeks in some  
23                  newspaper published in ~~such~~ that county or counties, or if  
24                  there is no newspaper published therein, then by posting the  
25                  ~~said~~ notice for four consecutive weeks at five different  
26                  places in the county or counties prior to the introduction of  
27                  the bill; and proof by affidavit that ~~said~~ the notice has been

1 given shall be exhibited to each house of the ~~legislature~~  
2 Legislature, and ~~said the~~ proof spread upon the journal. The  
3 courts shall pronounce void every special, private, or local  
4 law which the journals do not affirmatively show was passed in  
5 accordance with the provisions of this section.

6 ~~"This amendment shall be self-executing, and no~~  
7 ~~enabling legislation shall be necessary."~~

8 Section 2. An election upon the proposed amendment  
9 shall be held in accordance with Sections 284 and 285 of the  
10 Constitution of Alabama of 1901, now appearing as Sections 284  
11 and 285 of the Official Recompilation of the Constitution of  
12 Alabama of 1901, as amended, and the election laws of this  
13 state.

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

19 "Proposing an amendment to the Constitution of  
20 Alabama of 1901, relating to the notice requirement for local  
21 legislation; to authorize the publication of notice on the  
22 Internet.

23 "Proposed by Act \_\_\_\_\_."

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

26 "Yes ( ) No ( )."