HB500
204280-1
By Representative Hatcher (N & P)
RFD: Montgomery County Legislation
First Read: 04-MAY-20
A BILL

TO BE ENTITLED

AN ACT

To authorize the Montgomery County Commission, pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there may be levied and collected by the county, on all taxable property situated within the Montgomery School Tax District, the special ad valorem tax authorized by Amendment No. 382 of the Constitution of Alabama of 1901, to be levied at the rate of 3 mills on each dollar of assessed value, to a maximum rate for any tax year equal to $1.85 on each one hundred dollars (18.5 mills on each dollar) of assessed value.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words and phrases shall have the following meanings:

(1) AMENDMENT NO. 3. Amendment No. 3 of the Constitution of Alabama 1901, proposed by Act 60, 1915 Regular
1. Session, now appearing as Sections 269.01 and 269.02 of the
   Official Recompilation of the Constitution of Alabama of 1901,
as amended.

(2) AMENDMENT NO. 373. Amendment No. 373 of the
Constitution of Alabama of 1901, proposed by Act 6, H. 170,
1978 Second Special Session, now appearing as Section 217 of
the Official Recompilation of the Constitution of Alabama of
1901, as amended.

(3) AMENDMENT NO. 382. Amendment No. 382 of the
Constitution of Alabama of 1901, proposed by Act 79-485, 1979
Regular Session, now appearing as Section 269.05 of the
Official Recompilation of the Constitution of Alabama of 1901,
as amended.

(4) AMENDMENT NO. 778. Amendment No. 778 of
Constitution of Alabama of 1901, proposed by Act 2005-215,
2005 First Special Session, now appearing as Section 269.08 of
the Official Recompilation of the Constitution of Alabama of
1901, as amended.

(5) CONSTITUTION. The Constitution of Alabama of
1901.

(6) COUNTY. Montgomery County, Alabama.

(7) COUNTY COMMISSION. The county commission of the
county.

(8) DISTRICT. The Montgomery School Tax District,
the special school tax district in Montgomery County, the
boundaries of which have been fixed by the Montgomery County
Board of Education and include all the area lying within the
boundaries of the county less and except the area lying within
the corporate limits of the City of Pike Road.

(9) SPECIAL AD VALOREM TAX. The special ad valorem
tax authorized in Amendment No. 382 of the Constitution of
Alabama of 1901, to be levied and collected at the rate of 3
mills on taxable property in the district, subject to approval
by the electorate as provided by the laws of Alabama.

Section 2. Montgomery County presently is authorized
to levy and collect the special ad valorem tax at a rate of
$.30 on each one hundred dollars (3 mills on each dollar) of
assessed value pursuant to Amendment No. 382 subject to
approval by the electorate as provided by the laws of this
state. Pursuant to a resolution adopted by the county
commission in accordance with Amendment No. 373, Montgomery
County proposes to increase the rate at which it may levy and
collect the special ad valorem tax in the district to a
maximum rate, for any tax year, which is equal to $1.85 on
each one hundred dollars (18.5 mills on each dollar) of
assessed value.

Section 3. Pursuant to subsection (f) of Amendment
No. 373 and a resolution adopted by the county commission
after a public hearing, the county commission may increase the
rate at which the county may levy and collect the special ad
valorem tax in the district to a maximum rate, for any tax
year, which is equal to $1.85 on each one hundred dollars
(18.5 mills on each dollar) of assessed value, the levy and
collection at such rate to be in lieu of the levy and
collection of any district tax under the provisions of either
Section 2 of Amendment No. 3 or Amendment No. 778.

Section 4. The increase in the rate at which the
special ad valorem tax may be levied and collected pursuant to
this act is subject to the approval of a majority of the
qualified electors residing in the district who vote on the
proposed levy at a special election called and held for such
purpose pursuant to the provisions of subsection (f) of
Amendment No. 373.

Section 5. This act shall become effective
immediately following its passage and approval by the
Governor, or its otherwise becoming law.