

1 SB246
2 210238-1
3 By Senator Jones (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 23-FEB-21

SYNOPSIS: This bill would propose a local amendment to the Constitution of Alabama of 1901, relating to Etowah County, to prohibit any person from engaging in the commencement of operations at certain animal byproduct processing facilities within 10 miles of the corporate limits of any municipality.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, relating to Etowah County; to prohibit the commencement of operations at certain animal byproduct processing facilities within 10 miles of the corporate limits of any municipality after January 1, 2021.

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

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) This amendment shall apply only in Etowah
5 County.

6 (b) For purposes of this amendment, the following
7 terms shall have the following meanings:

8 (1) ANIMAL BYPRODUCT PROCESSING FACILITY. A
9 rendering facility or similar facility for processing animal
10 parts or byproducts not meant for human consumption. The term
11 does not include a slaughterhouse, deer processing facility,
12 butcher shop, or any other animal processing facility
13 processing animal products meant for human consumption.

14 (2) COMMENCEMENT OF OPERATIONS. The beginning of
15 surveying or construction on unimproved property; or, in the
16 case of improved property, the beginning of demolition,
17 renovation, installation or repurposing of equipment, or the
18 beginning of processing or production operations; or any other
19 action that signifies the alteration or use of a property for
20 the intended use by the owner.

21 (3) SUBJECT FACILITY. An animal byproduct processing
22 facility, the owner or owners of which have had fifty million
23 dollars (\$50,000,000) or more in fines assessed against them
24 since January 1, 2000, for violations of federal law or
25 regulations. For purposes of this subdivision, "owner"
26 includes any individual, parent company, conglomerate, or

1 other person or entity owning, or possessing a majority of
2 stock of, the business or real property.

3 (c) Retroactive to January 1, 2021, no person may
4 engage in the commencement of operations at a subject facility
5 within 10 miles of the corporate limits of any municipality.

6 Section 2. An election upon the proposed amendment
7 shall be held at the primary election in 2022 in accordance
8 with Section 284.01 of the Constitution of Alabama of 1901,
9 now appearing as Section 284.01 of the Official Recompilation
10 of the Constitution of Alabama of 1901, as amended, and the
11 election laws of this state.

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

17 "Relating to Etowah County, proposing an amendment
18 to the Constitution of Alabama of 1901, to prohibit the
19 commencement of operations at certain animal byproduct
20 processing facilities within 10 miles of the corporate limits
21 of any municipality after January 1, 2021.

22 "Proposed by Act _____"

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

25 "Yes () No ()."