HB148

216374-2

By Representative Wingo (Constitutional Amendment)

RFD: Economic Development and Tourism

First Read: 13-JAN-22
ENROLLED, An Act,

To propose a local constitutional amendment to the Constitution of Alabama of 1901, for Jefferson County and Tuscaloosa County, relating to privately owned sewer systems; to bring certain privately owned sewer systems that use public rights-of-way of public roads in the city limits of Lake View under the jurisdiction of the Public Service Commission.

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

(a) This amendment shall apply only in Jefferson County and Tuscaloosa County.

(b) Any privately owned plant, property, or facility used for the collection, treatment, or disposal of sewage that uses, directly or through a lease or contract, public rights-of-way of public roads for any part of its collection or disposal system and that has residential or commercial customers located in the city limits of Lake View in Tuscaloosa County and Jefferson County that are billed a flat service fee or fee based on water usage shall be certified and regulated by the Public Service Commission, beginning January
1, 2023 and ending December 31, 2027, in relation to all of
the customers of the entity located in the city limits of Lake
View in Jefferson County and Tuscaloosa County, and in the
unincorporated areas of Tuscaloosa County.

Upon ratification of this constitutional amendment
and contingent upon the ratification of the Constitution of
Alabama of 2022, the Code Commissioner shall number and place
this amendment as appropriate in the constitution based upon a
logical sequence and the particular subject or topic of the
amendment. In this amendment, the Code Commissioner may change
capitalization, spelling, and punctuation for the purpose of
style and uniformity; correct manifest grammatical, clerical,
and typographical errors; and correct incorrect
cross-references. When publishing the Constitution of Alabama
of 2022, as amended, the Code Commissioner may omit this
instructional paragraph.

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

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

"Relating to Jefferson County and Tuscaloosa County,
proposing an amendment to the Constitution of Alabama of 1901,
to bring certain privately owned sewer systems that use public
rights-of-way of public roads in the city limits of Lake View
under the jurisdiction of the Public Service Commission,
beginning January 1, 2023 and ending December 31, 2027.

"Proposed by Act ________"

This description shall be followed by the following
language:

"Yes ( ) No ( )."
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 24-FEB-22.

Jeff Woodard
Clerk

<table>
<thead>
<tr>
<th>Senate</th>
<th>07-APR-22</th>
<th>Amended and Passed</th>
</tr>
</thead>
<tbody>
<tr>
<td>House</td>
<td>07-APR-22</td>
<td>Concurred in Senate Amendment</td>
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</tbody>
</table>