

1 SB138
2 219851-2
3 By Senator Chambliss (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 01-FEB-22

1 SB138

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4 ENROLLED, An Act,

5 To propose a local constitutional amendment relating
6 to Autauga County to provide for the levy and collection of a
7 special school tax district ad valorem tax in a special school
8 tax district composed of the Central and Daniel Pratt school
9 zones; and to provide for the use of the proceeds for public
10 school purposes in the special school tax district where
11 levied.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. The following amendment to the
14 Constitution of Alabama of 1901, is proposed and shall become
15 valid as a part of the Constitution when all requirements of
16 this act are fulfilled:

17 PROPOSED AMENDMENT

18 SPECIAL PUBLIC SCHOOL DISTRICT AD VALOREM TAX IN THE
19 CENTRAL AND DANIEL PRATT SCHOOL ZONES OF AUTAUGA COUNTY

20 Section 1. For public school purposes, in addition
21 to any taxes now authorized, or that may hereafter be
22 authorized, by the Constitution and laws of the State of
23 Alabama, and notwithstanding any provision of the laws of the
24 State of Alabama or of this Constitution to the contrary,
25 including, without limitation, any restriction or limitation

1 upon the amount, rate, levy, or collection of ad valorem taxes
2 otherwise provided in Section 217, or any successor or other
3 provision, of this Constitution, as at any time amended, there
4 is levied and shall be collected in a special school tax
5 district in Autauga County composed of the Central and Daniel
6 Pratt school zones, a special school district ad valorem tax
7 in the amount of one dollar fifty cents (\$1.50) on each one
8 hundred dollars (\$100) (15 mills) of taxable property in the
9 school tax district as assessed for state taxation. The
10 amounts payable with respect to any tax levied under the
11 authority of this amendment: (a) shall not be subject to any
12 limitation or restriction upon the amounts of ad valorem taxes
13 payable by any taxpayer under Section 217 or any successor
14 provision or any other provision of this Constitution, as at
15 any time amended, with respect to any class or item of taxable
16 property; (b) shall not be taken into account in determining
17 whether such limitation or restriction shall have been
18 exceeded in any tax year; (c) shall not be subtracted from the
19 total amount of tax due by any taxpayer if the amounts are in
20 excess of the amount of tax otherwise permitted by the
21 limitation or restriction; and (d) shall be payable in full
22 regardless of whether the amounts, or any portion thereof, are
23 in excess of the limitation or restriction.

24 Section 2. For purposes of this amendment; the
25 following terms have the following meanings:

1 (1) CENTRAL AND DANIEL PRATT SCHOOL ZONES. The
2 Central and Daniel Pratt school zones as those school zones
3 are geographically defined by the Autauga County Board of
4 Education on January 1, 2022.

5 (2) SPECIAL SCHOOL TAX DISTRICT. A special school
6 tax district for the purpose of this amendment composed of the
7 Central and Daniel Pratt school zones.

8 Section 3. If the special school ad valorem tax is
9 approved by a majority of electors in the Central and Daniel
10 Pratt school zones voting on this amendment in the special
11 school tax district at the election on the adoption of this
12 amendment, no further election shall be required and the
13 special school district ad valorem tax shall be levied for the
14 ad valorem tax year commencing on October 1, 2022, and
15 collected commencing on October 1, 2023, and each ad valorem
16 tax year thereafter.

17 Section 4. The proceeds of the special school
18 district tax levied pursuant to the amendment shall be
19 collected by the Revenue Commissioner of Autauga County in the
20 same manner and under the same requirements and laws as other
21 ad valorem taxes are collected by the Revenue Commissioner and
22 shall be delivered to the Autauga County Board of Education
23 having control and supervision of the public schools in the
24 special school tax district.

1 Section 5. The proceeds of the special school
2 district tax levied under this amendment shall be used for
3 public school purposes for the exclusive benefit of the
4 special school tax district in which the special school
5 district tax is levied.

6 Section 6. The "public school purposes" for which
7 the proceeds of the special school district tax levied under
8 this amendment may be used include the following:

9 (1) Any lawful public school purpose for which the
10 Autauga County Board of Education in receipt of the proceeds
11 may apply or expend public funds.

12 (2) The dedication, designation, or pledge of all or
13 any part of the proceeds for the benefit or payment of any
14 indebtedness or obligation of any kind or nature of the
15 Autauga County Board of Education for public school purposes.

16 Section 7. This amendment shall be self-executing
17 and no enabling legislation shall be necessary.

18 Upon ratification of this constitutional amendment
19 and contingent upon the ratification of the Constitution of
20 Alabama of 2022, the Code Commissioner shall number and place
21 this amendment as appropriate in the constitution based upon a
22 logical sequence and the particular subject or topic of the
23 amendment. In this amendment, the Code Commissioner may change
24 capitalization, spelling, and punctuation for the purpose of
25 style and uniformity; correct manifest grammatical, clerical,

1 and typographical errors; and correct incorrect
2 cross-references. When publishing the Constitution of Alabama
3 of 2022, the Code Commissioner may omit this instructional
4 paragraph.

5 END OF PROPOSED AMENDMENT

6 Section 2. An election upon the proposed amendment
7 shall be held at the general 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 Autauga County, proposing an amendment
18 to the Constitution of Alabama of 1901, to provide for the
19 levy and collection of a special public school district ad
20 valorem tax in a special school tax district composed of the
21 Central and Daniel Pratt school zones in the county and to
22 provide for the use of the proceeds for public school purposes
23 in the special school tax district where levied."

24 "Proposed by Act _____"

1 This description shall be followed by the following
2 language:
3 "Yes () No ()."

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB138
Senate 03-FEB-22
I hereby certify that the within Act originated in and passed the Senate.

Senate 06-APR-22
I hereby certify that the within Act originated in and passed the Senate, as amended by Conference Committee Report.

Patrick Harris,
Secretary.

House of Representatives
Passed: 29-MAR-22, as amended

House of Representatives
Passed: 07-APR-2022, as amended by Conference Committee Report.

By: Senator Chambliss