

HB109 INTRODUCED



1 HB109
2 U9EZIGD-1
3 By Representative Givens (Constitutional Amendment)
4 RFD: Baldwin County Legislation
5 First Read: 13-Jan-26
6 PFD: 06-Jan-26



SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to provide for the continuation of the existing levy of a two mill ad valorem tax for public hospital purposes in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 in the county as the precincts existed on January 1, 2025.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to provide for the continuation of the existing levy of a two mill ad valorem tax for public hospital purposes in certain election precincts in the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

(a) The special district tax now levied and collected for public hospital purposes pursuant to Section 2-10.41,



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Constitution of Alabama of 2022, in election precincts one through seven of Baldwin County, as the precincts existed on July 27, 1965, shall be continued, as provided in subsection (b), upon approval of this amendment and by simultaneous approval of a majority of the qualified electors in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of Baldwin County as the precincts existed on January 1, 2025, voting thereon in the constitutional election ratifying this proposed amendment.

(b) Upon ratification, the Baldwin County Commission shall continue to levy and cause to be collected annually, beginning October 1, 2027, for a period of 20 years, in addition to any taxes now authorized or that may be hereafter authorized by the constitution and laws of this state, a special district tax of two mills on each one dollar (\$1) assessed valuation of taxable property in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of Baldwin County, Alabama, as the precincts existed on January 1, 2025, to be used exclusively for public hospital purposes, as defined in Section 215.03, within these election precincts.

(c) The Baldwin County Commission, in anticipation of tax proceeds, may issue, without further election, interest bearing tax anticipation bonds, warrants, or certificates of indebtedness of the county payable solely from and secured by a pledge of a sufficient amount of the annual proceeds from the tax received by the county.

(d) The Baldwin County Commission may designate, as the



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agency of the county, any public corporation heretofore or hereafter organized for hospital purposes in the county to construct, acquire, equip, operate, and maintain public hospital facilities for election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of Baldwin County, Alabama, as the precincts existed on January 1, 2025. When a public corporation has been designated, the proceeds of the tax thereafter collected shall be paid to it and shall be used for any public hospital purpose. The Baldwin County Commission's payments to the public corporation shall be made only to the extent as will not result in the impairment of the obligation of any contract made with respect to the tax. The public corporation may anticipate the proceeds from the tax by issuing, for any purpose for which the tax has been voted, the bonds, warrants, or certificates of indebtedness of the corporation and may pledge for the payment of the principal thereof and interest thereon a sufficient amount of the annual proceeds from the tax.

(e)(1) No securities issued or contracts made by Baldwin County under the authority of this amendment, which are payable solely out of the proceeds of the tax, and no securities issued or contracts made by the corporation, whether or not issued or made under the authority of this amendment, shall be construed to be bonds of Baldwin County or of a political subdivision of the county within the meaning of Section 222, or construed to create or constitute an indebtedness of the county within the meaning of Section 224.

(2) The securities shall be construed to be negotiable



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instruments notwithstanding the fact that the bonds may be payable solely from a limited source.

(f) All pledges of the tax and all contracts made with respect to the tax pursuant to this amendment shall take precedence in the order in which the pledges are made and shall create a charge on the proceeds of the tax prior to the expenses of operating and maintaining any public hospital facilities.

(g) This amendment shall be self-executing.

Upon ratification of this constitutional amendment, the Code Commissioner shall number and place this amendment as appropriate in the constitution omitting this instructional paragraph and may make the following nonsubstantive revisions: change capitalization, hierarchy, spelling, and punctuation for purposes of style and uniformity; correct manifest grammatical, clerical, and typographical errors; revise internal or external citations and cross-references; harmonize language; and translate effective dates.

END PROPOSED AMENDMENT

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284, 284.01, and 285 of the Constitution of Alabama of 2022, and the election laws of this state. 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 Baldwin County, proposing an amendment to



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113 the Constitution of Alabama of 2022, to provide for the
114 continuation of the existing levy of a two mill ad valorem tax
115 for public hospital purposes in election precincts 1, 2, 4, 5,
116 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45
117 in the county.

118 Proposed by Act ____."

119 This description shall be followed by the following
120 language:

121 "Yes() No()."

122 Section 3. The proposed amendment shall become valid as
123 part of the Constitution of Alabama of 2022, when approved by
124 a majority of the qualified electors voting thereon.