

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



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SYNOPSIS:

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A BILL

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AN ACT

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

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

26 PROPOSED AMENDMENT

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

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29 Constitution of Alabama of 2022, in election precincts one
30 through seven of Baldwin County, as the precincts existed on
31 July 27, 1965, shall be continued, as provided in subsection
32 (b), upon approval of this amendment and by simultaneous
33 approval of a majority of the qualified electors in election
34 precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18,
35 19, 21, 26, 27, and 45 of Baldwin County as the precincts
36 existed on January 1, 2025, voting thereon in the
37 constitutional election ratifying this proposed amendment.

38 (b) Upon ratification, the Baldwin County Commission
39 shall continue to levy and cause to be collected annually,
40 beginning October 1, 2027, for a period of 20 years, in
41 addition to any taxes now authorized or that may be hereafter
42 authorized by the constitution and laws of this state, a
43 special district tax of two mills on each one dollar (\$1)
44 assessed valuation of taxable property in election precincts
45 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26,
46 27, and 45 of Baldwin County, Alabama, as the precincts
47 existed on January 1, 2025, to be used exclusively for public
48 hospital purposes, as defined in Section 215.03, within these
49 election precincts.

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

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



57 agency of the county, any public corporation heretofore or
58 hereafter organized for hospital purposes in the county to
59 construct, acquire, equip, operate, and maintain public
60 hospital facilities for election precincts 1, 2, 4, 5, 6, 7,
61 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of
62 Baldwin County, Alabama, as the precincts existed on January
63 1, 2025. When a public corporation has been designated, the
64 proceeds of the tax thereafter collected shall be paid to it
65 and shall be used for any public hospital purpose. The Baldwin
66 County Commission's payments to the public corporation shall
67 be made only to the extent as will not result in the
68 impairment of the obligation of any contract made with respect
69 to the tax. The public corporation may anticipate the proceeds
70 from the tax by issuing, for any purpose for which the tax has
71 been voted, the bonds, warrants, or certificates of
72 indebtedness of the corporation and may pledge for the payment
73 of the principal thereof and interest thereon a sufficient
74 amount of the annual proceeds from the tax.

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

84 (2) The securities shall be construed to be negotiable



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

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

93 (g) This amendment shall be self-executing.

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

103 END PROPOSED AMENDMENT

104 Section 2. An election upon the proposed amendment
105 shall be held in accordance with Sections 284, 284.01, and 285
106 of the Constitution of Alabama of 2022, and the election laws
107 of this state. The appropriate election official shall assign
108 a ballot number for the proposed constitutional amendment on
109 the election ballot and shall set forth the following
110 description of the substance or subject matter of the proposed
111 constitutional amendment:

112 "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.