

1 HB379
2 116825-1
3 By Representatives Thomas (E) and Oden (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 21-JAN-10

SYNOPSIS: Existing law allows a municipality to impose taxes within its corporate limits.

This bill would propose a local constitutional amendment to the Constitution of Alabama of 1901, relating to Blount County, to prohibit any municipality located partially in Blount County from imposing any tax it is otherwise authorized to impose in that portion of the municipality located in Blount County or the police jurisdiction located in Blount County and to provide that a municipality prohibited from imposing any tax under this amendment is not required to provide police and fire protection services in any portion of the municipality or its police jurisdiction located in Blount County.

A BILL
TO BE ENTITLED
AN ACT

1 Proposing a local constitutional amendment to the
2 Constitution of Alabama of 1901, relating to Blount County, to
3 prohibit any municipality located partially in Blount County
4 from imposing any tax it is otherwise authorized to impose in
5 that portion of the municipality located in Blount County or
6 the police jurisdiction located in Blount County; and to
7 provide that a municipality prohibited from imposing any tax
8 under this amendment is not required to provide police and
9 fire protection services in any portion of the municipality or
10 its police jurisdiction located in Blount County.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 PROPOSED AMENDMENT

17 A municipality located partially in Blount County
18 may not impose any tax it is otherwise authorized to impose in
19 that portion of the municipality located in Blount County or
20 any portion of the police jurisdiction located in Blount
21 County. A municipality prohibited from imposing any tax under
22 this amendment is not required to provide police and fire
23 protection services in any portion of the municipality or its
24 police jurisdiction located in Blount County.

25 Section 2. An election upon the proposed amendment
26 shall be held in accordance with Amendment 555 to the
27 Constitution of Alabama of 1901, now appearing as Section

1 284.01 of the Official ReCompilation of the Constitution of
2 Alabama of 1901, as amended, and the election laws of this
3 state.

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

9 "Relating to Blount County, proposing an amendment
10 to the Constitution of Alabama of 1901, to prohibit any
11 municipality located partially in Blount County from imposing
12 any tax it is otherwise authorized to impose in that portion
13 of the municipality or the police jurisdiction located in
14 Blount County and to provide that a municipality prohibited
15 from imposing any tax under this amendment is not required to
16 provide police and fire protection services in any portion of
17 the municipality or its police jurisdiction located in Blount
18 County.

19 "Proposed by Act _____."

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."