

1 SB101
2 115222-3
3 By Senator Little (Z)
4 RFD: Governmental Affairs
5 First Read: 12-JAN-10

1 SB101

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 11-42-5 of the Code of Alabama
12 1975, to validate and ratify under certain conditions any
13 municipal annexation by any municipality prior to the
14 effective date of this act notwithstanding any procedural
15 defect by the municipality.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 11-42-5 of the Code of Alabama
18 1975, is amended to read as follows:

19 "§11-42-5.

20 "Every annexation undertaken prior to ~~May 1, 1998~~
21 the effective date of the act adding this language, under any
22 statutory procedure for annexation by any municipality and
23 which the annexation procedure has been completed in
24 compliance with the substantive requirements of the applicable
25 annexation statute, notwithstanding any irregularity or defect
26 in the procedure, is ratified and confirmed and given effect
27 in all respects as if all provisions of law relating to the

1 annexation proceeding had been duly and legally complied with.
2 This section shall not apply to any annexation or attempted
3 annexation which, prior to ~~May 1, 1998~~ the effective date of
4 the act adding this language, has been held invalid by the
5 Supreme Court of Alabama or by the Court of Civil Appeals of
6 Alabama or by a final judgment of the circuit court in the
7 county in which the annexation was completed and from which
8 judgment an appeal was not taken to the Supreme Court of
9 Alabama or the Court of Civil Appeals of Alabama within the
10 time provided by law for taking appeals, or to any annexation
11 the validity of which is an issue in a pending action
12 commenced prior to ~~May 1, 1998~~ the effective date of the act
13 adding this language."

14 Section 2. This act shall become effective
15 immediately upon its passage and approval by the Governor, or
16 its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs 12-JAN-10

Read for the second time and placed on the calen-
dar 14-JAN-10

Read for the third time and passed as amended ... 16-FEB-10

Yeas 27
Nays 2

McDowell Lee
Secretary