

1 SB28
2 125422-4
3 By Senator Dunn
4 RFD: Education
5 First Read: 07-FEB-12
6 PFD: 07/21/2011

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 To amend Section 16-28-3, Code of Alabama 1975,
12 relating to mandatory school attendance, to decrease the
13 minimum age of children required to attend public school from
14 seven to six years of age; and in connection therewith would
15 have as its purpose or effect the requirement of a new or
16 increased expenditure of local funds within the meaning of
17 Amendment 621 of the Constitution of Alabama of 1901, now
18 appearing as Section 111.05 of the Official Recompilation of
19 the Constitution of Alabama of 1901, as amended.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Section 16-28-3 of the Code of Alabama
22 1975, is amended to read as follows:

23 "§16-28-3.

24 "Every child between the ages of ~~seven~~ six and 17
25 years shall be required to attend a public school, private
26 school, church school, or be instructed by a competent private

1 tutor for the entire length of the school term in every
2 scholastic year except that, prior to attaining his or her
3 16th birthday every child attending a church school as defined
4 in Section 16-28-1 is exempt from the requirements of this
5 section, provided such child complies with enrollment and
6 reporting procedure specified in Section 16-28-7. Admission to
7 public school shall be on an individual basis on the
8 application of the parents, legal custodian, or guardian of
9 the child to the local board of education at the beginning of
10 each school year, under such rules and regulations as the
11 board may prescribe. The parent, legal custodian, or guardian
12 of a child who is six years of age, may opt out of enrolling
13 their child in school at the age of six years by notifying the
14 local school board of education, in writing that the child
15 will not be enrolled in school until he or she is seven years
16 of age."

17 Section 2. Although this bill would have as its
18 purpose or effect the requirement of a new or increased
19 expenditure of local funds, the bill is excluded from further
20 requirements and application under Amendment 621, now
21 appearing as Section 111.05 of the Official Recompilation of
22 the Constitution of Alabama of 1901, as amended, because the
23 bill requires expenditures only by a school board.

24 Section 3. This act shall become effective on the
25 first day of the third month following its passage and
26 approval by the Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Senate

Read for the first time and referred to the Senate committee on Education.....	07-FEB-12
Read for the second time and placed on the calendar.....	01-MAR-12
Read for the third time and passed as amended	10-APR-12

Yeas 18
Nays 8

Patrick Harris
Secretary