

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

1 SB28

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4 ENROLLED, An Act,

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 "§16-28-3.

18 "Every child between the ages of six and 17 years
19 shall be required to attend a public school, private school,
20 church school, or be instructed by a competent private tutor
21 for the entire length of the school term in every scholastic
22 year except that, prior to attaining his or her 16th birthday
23 every child attending a church school as defined in Section
24 16-28-1 is exempt from the requirements of this section,
25 provided such child complies with enrollment and reporting

1 procedure specified in Section 16-28-7. Admission to public
2 school shall be on an individual basis on the application of
3 the parents, legal custodian, or guardian of the child to the
4 local board of education at the beginning of each school year,
5 under such rules and regulations as the board may prescribe.
6 The parent, legal custodian, or guardian of a child who is six
7 years of age, may opt out of enrolling their child in school
8 at the age of six years by notifying the local school board of
9 education, in writing that the child will not be enrolled in
10 school until he or she is seven years of age."

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

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB28
Senate 10-APR-12
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 01-MAY-12

By: Senator Dunn