

1 SB153
2 147010-2
3 By Senators Beasley, Reed, Glover and Holley
4 RFD: Governmental Affairs
5 First Read: 07-FEB-13

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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 11-47-3, Code of Alabama 1975,
12 relating to contracts for municipal buildings and public
13 utilities systems; to authorize municipalities to enter into
14 agreements with private companies that are registered as
15 service contract providers to provide ancillary service
16 contracts to customers of the utilities system; and to
17 authorize the municipality to apply to its general revenue
18 fund any fees it services pursuant to the agreement.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 11-47-3, Code of Alabama 1975, is
21 amended to read as follows:

22 "§11-47-3.

23 "(a) The governing body of any city or town may
24 contract for the construction, reconstruction, extension, or
25 repair of any municipal building, plant, waterworks system, or
26 electric light and power plant or system or may on credit
27 employ labor and purchase on credit all materials and supplies

1 needed in such construction, reconstruction, extension, or
2 repair and may, without an election, issue evidences of
3 indebtedness in the forms and of the maturities described in
4 Section 11-47-2 to the extent of any indebtedness incurred in
5 such contract or purchase or construction, reconstruction or
6 extension and may secure such evidences of indebtedness by
7 mortgage or deed of trust (in such form and with such
8 provisions as such governing body may determine) on such
9 municipal building, plant, waterworks system, or electric
10 light and power plant or system.

11 "(b) ~~Such~~ The governing body may consolidate or
12 combine their waterworks systems or plants with their lighting
13 or power plants and systems and use any part of the one system
14 or plant for the operation of the other plant or system, and
15 may use the net proceeds, receipts and revenues from the
16 lighting or power plant for the payment or security of any
17 debt incurred in the construction, maintenance, extension, or
18 operation of the waterworks system.

19 "(c) The governing body may enter into agreements
20 with companies duly registered as service contract providers
21 under Chapter 32 of Title 8 to make available ancillary
22 service contracts to residential utility customers of the city
23 or town's utilities system, including residential water,
24 sewer, gas, and electric utility services customers, with the
25 endorsement of the city or town if deemed appropriate, and the
26 governing body may apply any fees it receives pursuant to the
27 agreements to its general revenue fund; provided however, no

1 city or town shall require utility customers to purchase an
2 ancillary service contract."

3 Section 2. This act shall become effective on the
4 first day of the third month following its passage and
5 approval by the Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs..... 07-FEB-13

Read for the second time and placed on the calen-
dar 2 amendments..... 12-FEB-13

Read for the third time and passed as amended 19-FEB-13

Yeas 20
Nays 7

Patrick Harris
Secretary