

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

1 SB153

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4 ENROLLED, An Act,

5 To amend Section 11-47-3, Code of Alabama 1975,
6 relating to contracts for municipal buildings and public
7 utilities systems; to authorize municipalities to enter into
8 agreements with private companies that are registered as
9 service contract providers to provide ancillary service
10 contracts to customers of the utilities system; and to
11 authorize the municipality to apply to its general revenue
12 fund any fees it services pursuant to the agreement.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 "§11-47-3.

17 "(a) The governing body of any city or town may
18 contract for the construction, reconstruction, extension, or
19 repair of any municipal building, plant, waterworks system, or
20 electric light and power plant or system or may on credit
21 employ labor and purchase on credit all materials and supplies
22 needed in such construction, reconstruction, extension, or
23 repair and may, without an election, issue evidences of
24 indebtedness in the forms and of the maturities described in
25 Section 11-47-2 to the extent of any indebtedness incurred in

1 such contract or purchase or construction, reconstruction or
2 extension and may secure such evidences of indebtedness by
3 mortgage or deed of trust (in such form and with such
4 provisions as such governing body may determine) on such
5 municipal building, plant, waterworks system, or electric
6 light and power plant or system.

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

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

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 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

SB153

Senate 19-FEB-13

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris
Secretary

House of Representatives
Passed: 18-APR-13

By: Senator Beasley