

1 SB263  
2 146981-2  
3 By Senator Figures (N & P)  
4 RFD: Local Legislation No. 3  
5 First Read: 26-FEB-13

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Mobile County; to provide for the  
14 assessment and collection of a one mill ad valorem tax in the  
15 unincorporated areas of Mobile County included in county  
16 commission district one on the effective date of this act; to  
17 provide for the distribution of the net proceeds to qualified  
18 volunteer fire departments; to establish requirements for  
19 qualifying departments; to set out the purposes for which the  
20 funds shall be expended; and to provide for an effective date  
21 contingent upon adoption of a local constitutional amendment.  
22 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

23 Section 1. In addition to any other taxes levied and  
24 collected in the unincorporated areas of Mobile County, there  
25 is levied and shall be collected a one mill ad valorem tax on  
26 all real property located in the unincorporated areas of

1 Mobile County included in county commission district one on  
2 the effective date of this act.

3 Section 2. (a) The net proceeds of the tax herein  
4 levied, subject to approval by the Mobile County Commission,  
5 shall be distributed among the qualified existing and  
6 subsequently formed volunteer fire departments serving the  
7 unincorporated areas of the county included in county  
8 commission district one on the effective date of this act.

9 (b) A qualified volunteer fire department is a  
10 department which is certified by the State Forestry Commission  
11 as a nonprofit organization, and has a Class 9 Insurance  
12 Service Office (I.S.O.) or higher rating and maintains a Class  
13 9 I.S.O. rating or higher.

14 (c) A non-qualified department may become qualified  
15 by meeting all of the following requirements:

16 (1) A non-qualified department shall become  
17 certified within one year after agreeing to certification.

18 (2) A certified department shall receive a Class 9  
19 I.S.O. rating or better within two years after seeking that  
20 rating.

21 (3) A certified department shall become incorporated  
22 as nonprofit organizations within one year following the  
23 effective date of this act.

24 Subject to approval by the Mobile County Commission,  
25 any department which is attempting to meet the above  
26 requirements within the respective time limits prescribed may  
27 temporarily participate in the distribution of proceeds until

1 becoming a qualified department. If a department fails to meet  
2 any requirement within the time allowed, the department shall  
3 have no further participation in the funds until such time as  
4 each respective requirement is met.

5 (d) No new fire department shall be funded without  
6 approval of the Mobile County Commission and prior approval of  
7 the Mobile County Fire Chiefs Association.

8 Section 3. (a) A volunteer fire department which  
9 participates in the distribution of tax proceeds shall expend  
10 the funds only for the acquisition of fire trucks, fire  
11 stations fire equipment, communications, fire training, fire  
12 vehicle and station insurance, oil, gas, hydrants, utilities,  
13 and vehicle or station repair. The funds shall not be used to  
14 pay salaries, to purchase food and drinks, or to hold fund  
15 raising projects.

16 (b) Any exception to the above spending guidelines  
17 shall be approved by the Mobile County Fire Chiefs Association  
18 and the Mobile County Commission.

19 Section 4. All laws or parts of laws which conflict  
20 with this act are repealed.

21 Section 5. This act shall become effective following  
22 the ratification of a constitutional amendment relating to  
23 Mobile County authorizing the Legislature by local law to  
24 provide for the levy of an additional ad valorem tax in the  
25 unincorporated area of the county included in county  
26 commission district one on the effective date of this act to  
27 be distributed to volunteer fire departments.

