

1 SB216  
2 164745-1  
3 By Senator Dial  
4 RFD: Finance and Taxation General Fund  
5 First Read: 12-MAR-15

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8 SYNOPSIS: This bill would allow any state agency that  
9 has statutory authority to levy or assess fees that  
10 are retained by the agency to fund operations or  
11 programs under its control to increase the fee.  
12 This bill would provide that the increase would be  
13 based on the percentage increase in the Consumer  
14 Price Index for all urban consumers as published by  
15 the U.S. Department of Labor, Bureau of Labor  
16 Statistics, over a 10-year period or since the  
17 previous fee adjustment, whichever period is  
18 shorter and each five years thereafter.

19 This bill would specify that any change in  
20 the fee schedule is a rule for purposes of the  
21 Alabama Administrative Procedure Act.  
22

23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

1           To allow a state agency that is authorized to levy  
2 or assess fees that are retained by the agency to fund its  
3 operations or programs to increase the fees by the percentage  
4 increase in the Consumer Price Index for all urban consumers  
5 as published by the U.S. Department of Labor, Bureau of Labor  
6 Statistics during a specified period.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8           Section 1. (a) Any state agency that statutorily  
9 levies or assesses fees retained by the agency to fund its  
10 operations or programs may increase the fee by the percentage  
11 increase in the Consumer Price Index for all urban consumers  
12 as published by the U.S. Department of Labor, Bureau of Labor  
13 Statistics from the end of December in the tenth year  
14 preceding the year in which the fee increase is to be  
15 effective or from the end of December in the last year the fee  
16 was increased, whichever period is shorter, to the end of the  
17 month preceding the month in which the fee increase is to be  
18 effective, rounded down to the nearest dollar. Thereafter,  
19 every five years the agency may repeat this process using the  
20 Consumer Price Index for the previous five years forward to  
21 the date of the requested change. The change may not exceed an  
22 increase of two percent per year.

23           (b) Any change in a fee schedule pursuant to this  
24 act is a rule for purposes of the Alabama Administrative  
25 Procedure Act.

1                   (c) If an increase is adopted, the assessed increase  
2 of the fee shall be retained by the agency to fund its  
3 operations or programs under the control of the agency.

4                   Section 2. This act shall become effective  
5 immediately following its passage and approval by the  
6 Governor, or its otherwise becoming law.