

1 HB223  
2 189344-1  
3 By Representative Gaston  
4 RFD: State Government  
5 First Read: 16-JAN-18

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8 SYNOPSIS: Under existing law, the general and  
9 permanent laws of the State of Alabama enacted  
10 subsequent to the adoption and enactment of the  
11 Code of Alabama 1975, including acts of the 1976  
12 Regular Session of the Legislature through the 2016  
13 Regular Session as contained in the respective  
14 annual cumulative supplements and replacement  
15 volumes to the code, have been adopted and  
16 incorporated in a continuous and systematic manner  
17 into the Code of Alabama 1975.

18 This bill would adopt and incorporate into  
19 the Code of Alabama 1975, those general and  
20 permanent laws of the state enacted during the 2016  
21 First Special Session and the 2017 Regular Session  
22 as contained in the 2017 Cumulative Supplement to  
23 certain volumes of the code and 2017 Replacement  
24 Volumes 6, 6A, and 6B.

25 This bill would initially adopt and  
26 incorporate into the Code of Alabama 1975, 2017  
27 Volume 22K (Local Laws Limestone to Marion

1 Counties) and would adopt and incorporate into the  
2 Code of Alabama 1975, the 2017 supplements to local  
3 law volumes.

4 This bill would make certain corrections to  
5 the replacement volumes and volumes of the  
6 cumulative supplement.

7 This bill would specify that this adoption  
8 and incorporation constitutes a continuous  
9 systematic codification of the entire Code of  
10 Alabama 1975, and would expressly provide that this  
11 act does not affect 2018 session statutes.

12 This bill would also specify the duties of  
13 the Secretary of State regarding the custody of  
14 these cumulative supplements, replacement volumes,  
15 and initial volume.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
20

21 To adopt and incorporate into the Code of Alabama  
22 1975, those general and permanent laws of the state enacted  
23 during the 2016 First Special Session and the 2017 Regular  
24 Session as contained in the 2017 Cumulative Supplement to  
25 certain volumes of the code and 2017 Replacement Volumes 6,  
26 6A, and 6B; to initially adopt and incorporate into the Code  
27 of Alabama 1975, 2017 Volume 22K (Local Laws Limestone to

1 Marion Counties) and to adopt and incorporate into the Code of  
2 Alabama 1975, 2017 Cumulative Supplements to local law  
3 volumes; to make certain corrections in the replacement  
4 volumes and certain volumes of the cumulative supplement; to  
5 specify that this adoption and incorporation constitute a  
6 continuous systematic codification of the entire Code of  
7 Alabama 1975, and that this act is a law that adopts a code;  
8 to declare that the Code Publisher has certified it has  
9 discharged its duties regarding the replacement volumes; to  
10 expressly provide that this act does not affect any 2018  
11 session statutes; and to specify the duties of the Secretary  
12 of State regarding the custody of these cumulative  
13 supplements, replacement volumes, and initial volume.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15           Section 1. (a) Those general and permanent laws of  
16 the state enacted during the 2016 First Special Session and  
17 the 2017 Regular Session as contained in the 2017 Cumulative  
18 Supplements to Volumes 3 to 5, inclusive, Volumes 7 to 22,  
19 inclusive, and the 2017 Replacement Volumes 6, 6A, and 6B, and  
20 the additions and deletions made by the Code Commissioner for  
21 editorial purposes, as edited and published by Thomson  
22 Reuters, as the Code Publisher, which volumes of the 2017  
23 Cumulative Supplement and 2017 Replacement Volumes are  
24 identified and authenticated by the Great Seal of the State of  
25 Alabama placed upon the front and back of each of the volumes  
26 of the cumulative supplement and upon the first inside page

1 and the last inside page of the replacement volume, are  
2 adopted and incorporated into the Code of Alabama 1975.

3 (b) The following corrections are made:

4 (1) Section 10A-20-6.16, 2017 Cumulative Supplement  
5 to Volume 7A, p. 324. To correct a manifest clerical error  
6 which resulted in the inadvertent deletion of language, after  
7 subdivision (13) of subsection (a), restore "(14) Chapter 29  
8 of Title 27."

9 (2) Section 11-40-65, 2017 Cumulative Supplement to  
10 Volume 8, p. 90. To delete a reference to a nonexistent code  
11 section and for clarity, delete the language "described in  
12 subsection (c) (3) of Section 11-40-57"

13 (3) Section 13A-6-82, 2017 Cumulative Supplement to  
14 Volume 12, p. 82. To correct a clerical error and reference  
15 the intended code sections, in subsection (b) replace  
16 references to "13A-6-30(1)", "13A-6-30(2)", and "13A-6-30(3)"  
17 with "13A-6-60(1)", "13A-6-60(2)", and "13A-6-60(3)",  
18 respectively.

19 (4) Section 15-18-8, 2017 Cumulative Supplement to  
20 Volume 12B, p. 85. To correct a publishing error, in the first  
21 sentence of subsection (i), replace "Section 15-18-640" with  
22 "Section 15-18-64"

23 (5) Section 31-6-6, 2017 Cumulative Supplement to  
24 Volume 17, p. 44. To correct a clerical error and reference  
25 the intended code section, in the first sentence of subsection  
26 (b) replace "subdivision (3) of subsection (a) of Section  
27 31-6-4" with "subsection (a)"

1           (6) Section 31-10-21.1, 2017 Cumulative Supplement  
2 to Volume 17, pp. 54-55. To designate Section 31-10-21.1 as  
3 part of Article 1, Chapter 10, Title 31 and for clarity,  
4 renumber Section 31-10-21.1 as Section 31-10-4.1.

5           (7) Section 32-5A-190.1, 2017 Cumulative Supplement  
6 to Volume 17A, p. 34. To correct a manifest clerical error and  
7 for clarity, in subsection (a), delete the language "or  
8 vessel"

9           Section 2. Those local and permanent laws of the  
10 state previously enacted and contained in initial 2017 Volume  
11 22K (Local Laws Limestone to Marion Counties) and the local  
12 and permanent laws of the state previously enacted and  
13 contained in the local and permanent laws pertaining to  
14 various counties enacted during the 2016 First Special Session  
15 and the 2017 Regular Session as contained in the 2017  
16 Cumulative Supplement to Volumes 22B, 22C, 22D, 22E, 22F, 22G,  
17 22H, 22I, and 22J, and the additions and deletions made by the  
18 Code Commissioner for editorial purposes, as edited and  
19 published by Thomson Reuters, as the Code Publisher, which  
20 volumes of the 2017 Cumulative Supplement are identified and  
21 authenticated by the Great Seal of the State of Alabama placed  
22 upon the front and back of each of the volumes of the  
23 cumulative supplement, are adopted and incorporated into the  
24 Code of Alabama 1975.

25           Section 3. The adoption and incorporation of the  
26 supplements and replacement volumes specified in this act  
27 shall constitute a continuous systematic codification of the

1 entire Code of Alabama 1975, for purposes of Section 85 of the  
2 Official Recompilation of the Constitution of Alabama of 1901,  
3 as amended. This act is a law that adopts a code for the  
4 purposes of Section 45 of the Official Recompilation of the  
5 Constitution of Alabama of 1901, as amended. Notwithstanding  
6 the foregoing, nothing in this act shall be deemed to codify  
7 any provision of law that was adopted in violation of any  
8 provision of the Constitution of Alabama of 1901, establishing  
9 requirements for, or limitations on, the enactment of a law.

10 Section 4. It is declared that Thomson Reuters, as  
11 the Code Publisher, has certified that it has discharged its  
12 duties and responsibilities to edit and publish 2017  
13 Replacement Volumes 6, 6A, and 6B of the Code of Alabama 1975,  
14 by combining the material in the previous bound volumes with  
15 the material contained in the cumulative supplement without  
16 making substantive changes, but making, under the supervision  
17 and pursuant to the direction of the Code Commissioner,  
18 nonsubstantive changes and corrections as may have resulted  
19 from changes in reference numbers, changes of names and titles  
20 of governmental departments, agencies, and officers,  
21 typographical errors, grammatical changes, and misspellings.

22 Section 5. The adoption of this act shall not  
23 repeal, supersede, amend, or in any other way affect any  
24 statute enacted into law during any 2018 session of the  
25 Legislature.

26 Section 6. Upon passage and approval of this act,  
27 the duly authenticated volumes of the 2017 Cumulative

1 Supplements and the 2017 Replacement Volumes shall be  
2 transmitted to the Secretary of State, who shall file the  
3 volumes of the supplements and the replacement volumes in that  
4 office. The volumes of the supplements and replacement volumes  
5 shall not be removed from the office of the Secretary of  
6 State, but the Secretary of State, upon request, under proper  
7 certificate and seal of that office, shall certify any part or  
8 parts thereof upon payment of the fee specified by law for  
9 similar services.

10 Section 7. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.