

1 HB267  
2 198276-1  
3 By Representatives Wingo, Fincher, Holmes, Mooney, McCampbell  
4 and Sullivan (Constitutional Amendment)  
5 RFD: Tuscaloosa County Legislation  
6 First Read: 18-FEB-20

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8 SYNOPSIS: Under existing law, privately owned sewer  
9 systems, with certain exceptions, are regulated by  
10 the Alabama Department of Environmental Management  
11 with regard to sewage treatment, but are not  
12 regulated by the Public Service Commission with  
13 regard to rates and consumer protection.

14 This bill proposes a local constitutional  
15 amendment for Tuscaloosa County, to bring certain  
16 privately owned sewer systems that use public  
17 rights-of-way of public roads in the city limits of  
18 Lake View under the jurisdiction of the Public  
19 Service Commission.

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21 A BILL  
22 TO BE ENTITLED  
23 AN ACT  
24

25 To propose a local constitutional amendment to the  
26 Constitution of Alabama of 1901, for Tuscaloosa County,  
27 relating to privately owned sewer systems; to bring certain

1 privately owned sewer systems that use public rights-of-way of  
2 public roads in the city limits of Lake View under the  
3 jurisdiction of the Public Service Commission.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. The following amendment to the  
6 Constitution of Alabama of 1901, is proposed and shall become  
7 valid as a part of the Constitution when all requirements of  
8 this act are fulfilled:

9 PROPOSED AMENDMENT

10 (a) This amendment shall apply only in Tuscaloosa  
11 County.

12 (b) Any privately owned plant, property, or facility  
13 used for the collection, treatment, or disposal of sewage that  
14 uses, directly or through a lease or contract, public  
15 rights-of-way of public roads for any part of its collection  
16 or disposal system and that has residential or commercial  
17 customers located in the city limits of Lake View in  
18 Tuscaloosa County that are billed a flat service fee or fee  
19 based on water usage shall be certified and regulated by the  
20 Public Service Commission in relation to all of the customers  
21 of the entity located in the city limits of Lake View and in  
22 the unincorporated areas of Tuscaloosa County.

23 Section 2. An election upon the proposed amendment  
24 shall be held in accordance with Sections 284 and 284.01 of  
25 the Constitution of Alabama of 1901, now appearing as Sections  
26 284 and 284.01 of the Official ReCompilation of the

1 Constitution of Alabama of 1901, as amended, and the election  
2 laws of this state.

3 Section 3. The appropriate election official shall  
4 assign a ballot number for the proposed constitutional  
5 amendment on the election ballot and shall set forth the  
6 following description of the substance or subject matter of  
7 the proposed constitutional amendment:

8 "Relating to Tuscaloosa County, proposing an  
9 amendment to the Constitution of Alabama of 1901, to bring  
10 certain privately owned sewer systems that use public  
11 rights-of-way of public roads in the city limits of Lake View  
12 under the jurisdiction of the Public Service Commission.

13 "Proposed by Act \_\_\_\_\_"

14 This description shall be followed by the following  
15 language:

16 "Yes ( ) No ( )."