

1 SB124
2 203574-1
3 By Senator Marsh
4 RFD: Fiscal Responsibility and Economic Development
5 First Read: 04-FEB-20

SYNOPSIS: Under current law, each municipality is authorized to create and adopt a municipal plan for the physical development of the municipality and its surrounding areas.

This bill would provide that any Class 1, 2, 3, 4, or 5 municipality that has not created or adopted a municipal plan, or has neglected or otherwise failed to adopt and execute its plan in good faith, is ineligible to receive any grants from the Alabama Department of Economic and Community Affairs.

A BILL
TO BE ENTITLED
AN ACT

Relating to municipalities; to provide that any Class 1, 2, 3, 4, or 5 municipality that does not create and adopt a municipal plan or is not executing its plan in good

1 faith its municipal plan is ineligible to receive grants from
2 the Alabama Department of Economic and Community Affairs.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 11-52-2, Code of Alabama 1975, is
5 amended to read as follows:

6 "§11-52-2.

7 "(a) Any municipality is hereby authorized and
8 empowered to make, adopt, amend, extend, add to, or carry out
9 a municipal plan as provided in this article and to create by
10 ordinance a planning commission with the powers and duties
11 herein set forth.

12 "(b) The planning commission of a city shall be
13 designated city planning commission and the planning
14 commission of a town, town planning commission, as its council
15 may specify.

16 "(c) If the Department of Examiners of Public
17 Accounts determines and certifies to the Alabama Department of
18 Economic and Community Affairs that any Class 1, 2, 3, 4, or 5
19 municipality has not created and adopted a municipal plan as
20 authorized by this article, or has neglected or otherwise
21 failed to execute its adopted municipal plan in good faith,
22 that municipality shall not be eligible to receive any grants
23 from the Alabama Department of Economic and Community Affairs
24 until the Department of Examiners of Public Accounts certifies
25 to the Alabama Department of Economic and Community Affairs
26 that the municipality is in good faith executing a municipal
27 plan created and adopted under this article."

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.