

1 SB235  
2 204768-1  
3 By Senator Holley  
4 RFD: Governmental Affairs  
5 First Read: 25-FEB-20

1  
2  
3  
4  
5  
6  
7  
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 2018  
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 2019  
21                              First Special Session and the 2019 Regular Session  
22                              as contained in the 2019 Cumulative Supplement to  
23                              certain volumes of the code and 2019 Replacement  
24                              Volumes 18, 18A, and 22.

25                              This bill would initially adopt and  
26                              incorporate into the Code of Alabama 1975, Volume  
27                              22L (Local Laws Marshall to Mobile Counties).

1                   This bill would adopt and incorporate into  
2                   the Code of Alabama 1975, the 2019 supplements to  
3                   local 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 2020 session statutes.

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

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 2019 First Special Session and the 2019 Regular  
24                  Session as contained in the 2019 Cumulative Supplement to  
25                  certain volumes of the code and 2019 Replacement Volumes 18,  
26                  18A, and 22; to initially adopt and incorporate into the Code  
27                  of Alabama 1975, 2019 Volume 22L (Local Laws Marshall to

1 Mobile Counties) and to adopt and incorporate into the Code of  
2 Alabama 1975, 2019 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 2020  
11 session statutes; and to specify the duties of the Secretary  
12 of State regarding the custody of these cumulative supplements  
13 and replacement volumes.

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 2019 First Special Session and  
17 the 2019 Regular Session as contained in the 2019 Cumulative  
18 Supplements to Volumes 3 to 17B, inclusive, Volumes 19 to 21A,  
19 inclusive, Volume 22A, and the 2019 Replacement Volumes 18,  
20 18A, and 22, and the additions and deletions made by the Code  
21 Commissioner for editorial purposes, as edited and published  
22 by Thomson Reuters, as the Code Publisher, which volumes of  
23 the 2019 Cumulative Supplement and 2019 Replacement Volumes  
24 are identified and authenticated by the Great Seal of the  
25 State of Alabama placed upon the front and back of each of the  
26 volumes of the cumulative supplements and upon the first  
27 inside page and the last inside page of the replacement

1 volumes, are adopted and incorporated into the Code of Alabama  
2 1975.

3 (b) The following corrections are made:

4 (1) Section 16-6G-7, 2019 Cumulative Supplement to  
5 Volume 13, page 119. To correct a manifest typographical  
6 error, in the second sentence of subsection (a), replace  
7 "three members" with "four members"

8 (2) Section 34-23-77, 2019 Replacement Volume 18A,  
9 page 74. To correctly reference the licensing entity for  
10 physicians, in subsection (a), replace "the State Board of  
11 Medical Examiners" with "the Medical Licensure Commission"

12 (3) Section 45-22-243.08, 2009 Initial Volume 22E,  
13 page 366. To correct a scrivener's error that occurred in the  
14 initial codification of this section and resulted in the  
15 erroneous codification of amendatory language from Acts 89-476  
16 and 89-670 into this section, beginning with the fifth  
17 sentence, delete all of the following language:

18 "It shall be the duty of the Comptroller to issue  
19 his or her warrant each month payable to the custodian of the  
20 public school funds of Cullman County, in his or her official  
21 capacity, in an amount equal to the amount so certified by the  
22 commissioner of revenue as having been collected for the use  
23 of the county. The custodian of public school funds for  
24 Cullman County shall deposit the revenue derived from the  
25 taxes levied herein into the general fund of the Cullman  
26 County school system. The net proceeds derived from the taxes  
27 levied by this subpart shall be distributed as follows: The

1       custodian of public school funds shall pay annually to the  
2       governing body of Cullman County and to the City of Cullman  
3       each the sum of twelve thousand five hundred dollars (\$12,500)  
4       which shall be payable at the rate of one thousand dollars  
5       (\$1,000) per month for 11 months and one thousand five hundred  
6       dollars (\$1,500) for the twelfth month. Funds payable to the  
7       county governing body shall be paid into the county general  
8       fund and funds payable to the City of Cullman shall be paid to  
9       the city treasurer. Such funds shall be kept separate and  
10      apart from other funds and shall be used exclusively for the  
11      purpose of promoting industrial development or for  
12      recreational purposes. Exclusive of the twenty-five thousand  
13      dollars (\$25,000) heretofore allocated to the county governing  
14      body of Cullman County and the City of Cullman to be used for  
15      the purpose of promoting industrial development or for  
16      recreational purposes, the remaining proceeds shall be divided  
17      as follows: Sixty percent to the Board of Education of Cullman  
18      County and 40 percent to the City of Cullman payable on a  
19      monthly basis. The board of education's share of the proceeds  
20      shall be used exclusively for educational purposes, including  
21      transportation, capital outlay, maintenance and up-keep of  
22      buildings, and current expenses other than teachers salaries.  
23      The city's share of the proceeds other than that specifically  
24      allocated by this subpart for the promotion of industrial  
25      development and for recreational purposes shall be used for  
26      general municipal purposes."

1           In place of the deleted language, insert the  
2 following language:

3           "It shall be the duty of the Comptroller to issue a  
4 warrant each month payable to the county treasurer in his or  
5 her official capacity in an amount equal to the amount so  
6 certified by the Commissioner of the Department of Revenue as  
7 having been collected for the use of the county."

8           Section 2. Those local and permanent laws of the  
9 state previously enacted and contained in the local and  
10 permanent laws pertaining to various counties enacted during  
11 the 2019 First Special Session and the 2019 Regular Session as  
12 contained in initial Volume 22L (Local Laws Marshall to Mobile  
13 Counties) and the 2019 Cumulative Supplement to Volumes 22B,  
14 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, and 22K, and the  
15 additions and deletions made by the Code Commissioner for  
16 editorial purposes, as edited and published by Thomson  
17 Reuters, as the Code Publisher, which volumes of the 2019  
18 Cumulative Supplement are identified and authenticated by the  
19 Great Seal of the State of Alabama placed upon the front and  
20 back of each of the volumes of the cumulative supplement, are  
21 adopted and incorporated into the Code of Alabama 1975.

22           Section 3. The adoption and incorporation of the  
23 supplements and replacement volumes specified in this act  
24 shall constitute a continuous systematic codification of the  
25 entire Code of Alabama 1975, for purposes of Section 85 of the  
26 Official Recompilation of the Constitution of Alabama of 1901,  
27 as amended. This act is a law that adopts a code for the

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

7 Section 4. It is declared that Thomson Reuters, as  
8 the Code Publisher, has certified that it has discharged its  
9 duties and responsibilities to edit and publish 2019  
10 Replacement Volumes 18, 18A, and 22 of the Code of Alabama  
11 1975, by combining the material in the previous bound volumes  
12 with the material contained in the cumulative supplement  
13 without making substantive changes, but making, under the  
14 supervision and pursuant to the direction of the Code  
15 Commissioner, nonsubstantive changes and corrections as may  
16 have resulted from changes in reference numbers, changes of  
17 names and titles of governmental departments, agencies, and  
18 officers, typographical errors, grammatical changes, and  
19 misspellings.

20 Section 5. The adoption of this act shall not  
21 repeal, supersede, amend, or in any other way affect any  
22 statute enacted into law during any 2020 session of the  
23 Legislature.

24 Section 6. Upon passage and approval of this act,  
25 the duly authenticated volumes of the 2019 Cumulative  
26 Supplements and the 2019 Replacement Volumes shall be  
27 transmitted to the Secretary of State, who shall file the



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

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