

1 HB276
2 216778-1
3 By Representatives Coleman and Givan
4 RFD: County and Municipal Government
5 First Read: 08-FEB-22

8 SYNOPSIS: Existing law places no limits on the amount
9 of revenue a municipality may derive from municipal
10 traffic ordinance violations or non-moving traffic
11 violations.

12 This bill would require each municipality to
13 ensure any audit of the finances of the
14 municipality includes an accounting of the
15 percentage of annual operating revenue derived from
16 costs, fees, and fines of municipal court relating
17 to municipal traffic ordinance violations or
18 non-moving traffic ordinance violations, and would
19 remit any amount above 30 percent of its operating
20 revenue to the Department of Finance for remittance
21 to the boards of education in the county where the
22 municipality is located.

23 This bill would also require the Department
24 of Examiners of Public Accounts to include the same
25 accounting in any municipal audit performed by the
26 department.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to municipalities; to require
6 municipalities deriving a certain percentage of operating
7 revenue from penalties from certain municipal traffic
8 ordinance violations to remit amounts over that percentage to
9 the state for remittance to the boards of education of the
10 county where the municipality is located.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. (a) (1) Each municipality in the state,
13 while performing or contracting for the performance of any
14 audit of finances of the municipality, shall ensure that the
15 audit includes a calculation of the percentage of its annual
16 general operating revenue received from costs, fees, and fines
17 of municipal court relating to municipal traffic ordinance
18 violations or non-moving traffic ordinance violations,
19 including amended or adjusted charges for any municipal
20 traffic ordinance violations and non-moving traffic ordinance
21 violations.

22 (2) The Department of Examiners of Public Accounts
23 shall ensure that any audit of the finances of a municipality
24 performed by that department includes the calculation in
25 subdivision (1).

26 (b) If the percentage calculated under subsection
27 (a) is more than 30 percent, the municipality, within 30 days

1 of the completion of the audit, shall remit the excess amount
2 over 30 percent to the Department of Finance, along with a
3 copy of the audit.

4 (c) Upon receipt of the amounts pursuant to
5 subsection (b), the Department of Finance shall remit the
6 amounts to each board of education in the county where the
7 municipality is located, on a pro rata basis.

8 Section 2. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.