

**SB204 INTRODUCED**



1     JI76YF-1  
2     By Senator Givhan  
3     RFD: Judiciary  
4     First Read: 12-Apr-23  
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SYNOPSIS:

Under existing law, the general and permanent laws of the State of Alabama enacted subsequent to the adoption and enactment of the Code of Alabama 1975, including acts of the 1976 Regular Session of the Legislature through the 2021 Regular Session as contained in the respective annual cumulative supplements and replacement volumes to the code, have been adopted and incorporated in a continuous and systematic manner into the Code of Alabama 1975.

This bill would adopt and incorporate into the Code of Alabama 1975, those general and permanent laws of the state enacted during the 2021 First Special Session, the 2021 Second Special Session, the 2022 First Special Session, and the 2022 Regular Session as contained in the 2022 Cumulative Supplements to certain volumes of the code and 2023 Replacement Volumes 13, 13A, and 13B.

This bill would adopt and incorporate into the Code of Alabama 1975, the 2022 supplements to local law volumes.

This bill would make certain corrections to the replacement volumes and volumes of the cumulative supplements.



## SB204 INTRODUCED

29                   This bill would specify that this adoption and  
30 incorporation constitute a continuous systematic  
31 codification of the entire Code of Alabama 1975, and  
32 would expressly provide that this act does not affect  
33 2023 session statutes.

34                   This bill would also specify the duties of the  
35 Secretary of State regarding the custody of the  
36 cumulative supplements and replacement volumes.

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A BILL

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TO BE ENTITLED

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AN ACT

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43                   To adopt and incorporate into the Code of Alabama 1975,  
44 those general and permanent laws of the state enacted during  
45 the 2021 First Special Session, the 2021 Second Special  
46 Session, the 2022 First Special Session, and the 2022 Regular  
47 Session as contained in the 2022 Cumulative Supplements to  
48 certain volumes of the code and 2023 Replacement Volumes 13,  
49 13A, and 13B; and to adopt and incorporate into the Code of  
50 Alabama 1975, the 2022 Cumulative Supplements to local law  
51 volumes; to make corrections in certain volumes of the  
52 cumulative supplements and replacement volumes; to specify  
53 that this adoption and incorporation constitute a continuous  
54 systematic codification of the entire Code of Alabama 1975,  
55 and that this act is a law that adopts a code; to declare that  
56 the Code Publisher has certified that it has discharged its



## SB204 INTRODUCED

57 duties regarding the replacement volumes; to expressly provide  
58 that this act does not affect any 2023 session statutes; and  
59 to specify the duties of the Secretary of State regarding the  
60 custody of the cumulative supplements and replacement  
61 volumes.

62 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

63 Section 1. (a) Those general and permanent laws of the  
64 state enacted during the 2021 First Special Session, the 2021  
65 Second Special Session, the 2022 First Special Session, and  
66 the 2022 Regular Session as contained in the 2022 Cumulative  
67 Supplements to Volumes 3 to 12B, and Volumes 14 to 22A,  
68 inclusive, and the 2023 Replacement Volumes 13, 13A, and 13B,  
69 and the additions and deletions made by the Code Commissioner  
70 for editorial purposes, as edited and published by Thomson  
71 Reuters, as the Code Publisher, which volumes of the 2022  
72 Cumulative Supplements and 2023 Replacement Volumes 13, 13A,  
73 and 13B are identified and authenticated by the Great Seal of  
74 the State of Alabama placed upon the front and back of each of  
75 the volumes of the cumulative supplements and upon the first  
76 inside page and the last inside page of the replacement  
77 volumes, are adopted and incorporated into the Code of Alabama  
78 1975.

79 (b) The following corrections are made:

80 (1) Section 12-17-20, 2022 Cumulative Supplement to  
81 Volume 11A, pages 3 and 4. To update the number of circuit  
82 judges in the tenth judicial circuit and the twenty-third  
83 judicial circuit to reflect the reallocation of a judgeship in  
84 the tenth judicial circuit to the twenty-third judicial



## SB204 INTRODUCED

85 circuit by the Judicial Resource Allocation Commission  
86 pursuant to Section 12-9A-2, in subdivision (b)(8), replace  
87 "27" with "26" in the first sentence and add the following  
88 language at the end of subdivision (8): "Judgeship No. 14 has  
89 been reallocated and will not be refilled." Further, in  
90 subdivision (b)(20), replace "seven" with "eight"

91 (2) Section 32-5A-190.1, 2021 Replacement Volume 17A,  
92 page 210. To revise an internal citation to reflect the  
93 renumbering of the subdivisions and addition of new  
94 subdivisions to that section by Acts 2018-286, 2019-437, and  
95 2021-134, in subsection (a), replace "Section 32-1-1.1(81)"  
96 with "Section 32-1-1.1"

97 (3) Section 45-51A-32.113, 2022 Cumulative Supplement  
98 to Volume 22M, page 4. For grammatical purposes, in the first  
99 sentence of paragraph (9)b., replace "a individual" with "an  
100 individual"

101 Section 2. Those local and permanent laws of the state  
102 previously enacted and contained in the local and permanent  
103 laws pertaining to various counties enacted during the 2021  
104 First Special Session, the 2021 Second Special Session, the  
105 2022 First Special Session, and the 2022 Regular Session, as  
106 contained in the 2022 Cumulative Supplements to Volumes 22B,  
107 22C, 22D, 22E, 22F, 22G, 22H, 22I, 22J, 22K, 22L, and 22M and  
108 the additions and deletions made by the Code Commissioner for  
109 editorial purposes, as edited and published by Thomson  
110 Reuters, as the Code Publisher, which volumes of the 2022  
111 Cumulative Supplement are identified and authenticated by the  
112 Great Seal of the State of Alabama placed upon the front and



## SB204 INTRODUCED

113 back of each of the volumes of the cumulative supplements, are  
114 adopted and incorporated into the Code of Alabama 1975.

115 Section 3. The adoption and incorporation of the  
116 supplements and replacement volumes specified in this act  
117 shall constitute a continuous systematic codification of the  
118 entire Code of Alabama 1975, for purposes of Section 85 of the  
119 Constitution of Alabama of 2022. This act is a law that adopts  
120 a code for the purposes of Section 45 of the Constitution of  
121 Alabama of 2022. Notwithstanding the foregoing, nothing in  
122 this act shall be deemed to codify any provision of law that  
123 was adopted in violation of any provision of the Constitution  
124 of Alabama of 2022, establishing requirements for, or  
125 limitations on, the enactment of a law.

126 Section 4. It is declared that Thomson Reuters, as the  
127 Code Publisher, has certified that it has discharged its  
128 duties and responsibilities to edit and publish 2023  
129 Replacement Volumes 13, 13A, and 13B of the Code of Alabama  
130 1975, by combining the material in the previous bound volumes  
131 with the material contained in the cumulative supplements  
132 without making substantive changes, but making, under the  
133 supervision and pursuant to the direction of the Code  
134 Commissioner, nonsubstantive changes and corrections as may  
135 have resulted from changes in reference numbers, changes of  
136 names and titles of governmental departments, agencies, and  
137 officers, typographical errors, grammatical changes, and  
138 misspellings.

139 Section 5. The adoption of this act shall not repeal,  
140 supersede, amend, or in any other way affect any statute



## SB204 INTRODUCED

141 enacted into law during any 2023 session of the Legislature.

142           Section 6. Upon passage and approval of this act, the  
143 duly authenticated volumes of the 2022 Cumulative Supplements,  
144 the 2023 Replacement Volumes 13, 13A, and 13B, and the 2022  
145 Cumulative Supplements shall be transmitted to the Secretary  
146 of State, who shall file the volumes of the supplements and  
147 the replacement volumes in that office. The volumes of the  
148 supplements and replacement volumes shall not be removed from  
149 the office of the Secretary of State, but the Secretary of  
150 State, upon request, under proper certificate and seal of that  
151 office, shall certify any part or parts thereof upon payment  
152 of the fee specified by law for similar services.

153           Section 7. This act shall become effective on the first  
154 day of the third month following its passage and approval by  
155 the Governor, or its otherwise becoming law.