

SB222 ENGROSSED



1 11N0LZ-2

2 By Senator Givhan

3 RFD: Fiscal Responsibility and Economic Development

4 First Read: 19-Apr-23

5

6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Legislature; to amend Section 29-1-4, 29-2-41, 29-2-41.2, 29-2-80, 29-2-81, 29-2-83, 29-2-201, 29-4-70, 29-5A-22, 29-5A-46, 29-6-1, 29-6-2, 29-6-3, 29-6-7, 41-5A-16, 41-9-370, and 41-9-374, Code of Alabama 1975, to provide further for the date the Legislature convenes during the first year of a regular session; to provide additional time for the Contract Review Committee to review a contract and provide further for certain types of professional contracts; to provide further for property owned by the Legislative Council; to provide contingencies if a vacancy occurs in the Office of the Lieutenant Governor; to provide further for the role of the Code Commissioner and duties of the Legislative Council and Legislative Services Agency; to revise membership of the Joint Legislative Committee on Finances and Budgets; to provide further for tax expenditure reports made by the Legislative Fiscal Officer; to revise when members of the Legislative Committee on Public Accounts are elected; to repeal 29-5A-24 and 29-6-6, Code of Alabama 1975, relating to obsolete duties of the Legislative Reference Service and the Legislative Council; to add Section 29-4-62 to



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29 the Code of Alabama 1975, to provide further for the term of
30 the Speaker of the House of Representatives and any vacancy in
31 the office of the Speaker; to repeal Sections 17-16-50 through
32 17-16-53, Code of Alabama 1975, relating to the contested
33 election of a legislator; and to delete obsolete language and
34 make nonsubstantive, technical revisions to update the
35 existing code language to current style.

36 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

37 Section 1. Sections 29-1-4, 29-2-41, 29-2-41.2,
38 29-2-80, 29-2-81, 29-2-83, 29-2-201, 29-4-70, 29-5A-22,
39 29-5A-46, 29-6-1, 29-6-2, 29-6-3, 29-6-7, 41-5A-16, 41-9-370,
40 and 41-9-374, Code of Alabama 1975, are amended to read as
41 follows:

42 "§29-1-4

43 The Legislature shall convene in organizational session
44 on the second Tuesday in January ~~next succeeding~~following its
45 election ~~in organizational session~~ and shall remain in session
46 for not longer than 10 consecutive calendar days. Commencing
47 in the year 1999, the annual regular sessions of the Alabama
48 Legislature shall commence on the first Tuesday ~~in March of~~
49 ~~the first year of the term of office of the legislators, on~~
50 ~~the first Tuesday~~ of February of the first, second, and third
51 years of the term and on the second Tuesday in January of the
52 fourth year of the term. The annual sessions shall not
53 continue longer than 30 legislative days and 105 calendar
54 days."

55 "§29-2-41

56 (a) Each member of the committee shall be entitled to



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57 regular legislative compensation, per diem, and travel
58 expenses for each day he or she attends a meeting of the
59 committee, which shall be paid out of the funds appropriated
60 to the use of the Legislature, on warrants drawn on the state
61 Comptroller upon requisition signed by the committee's chair.
62 Members shall not receive additional compensation or per diem
63 when the Legislature is in session. The Department of
64 Examiners of Public Accounts shall furnish assistance and any
65 relevant information to the committee.

66 (b) (1) The committee shall have the responsibility of
67 reviewing contracts for personal or professional services with
68 private entities or individuals to be paid out of appropriated
69 funds, federal or state, on a state warrant issued as
70 recompense for those services.

71 (2) Each state department entering into a contract to
72 be paid out of appropriated funds, federal or state, on a
73 state warrant which is notified by the committee, ~~is required~~
74 ~~to~~ shall submit to the committee any proposed contract for
75 personal or professional services. Each contract shall be
76 accompanied by an itemization of the total cost estimate of
77 the contract. ~~The~~

78 (c) A department may, in lieu of the proposed contract,
79 submit to the committee a letter of intent to contract. ~~Such~~ A
80 letter of intent to contract shall indicate the contracting
81 parties, the services to be performed, an itemization of the
82 total cost estimate of the contract, and such other
83 information as the department may deem pertinent to the
84 committee review of the contract. If a department elects to



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85 submit a letter of intent to contract in lieu of a proposed
86 contract, the department shall be required to submit to the
87 committee for its information the contract described in the
88 letter of intent upon the execution of the contract.

89 (d) The committee shall hold a hearing to review and
90 comment where necessary on any ~~such~~ contract or letter of
91 intent to contract within a reasonable time not to exceed 45
92 days after ~~the~~ a department has submitted the contract or
93 letter of intent to contract to the committee. If the
94 committee fails to hold a hearing to review a contract or
95 letter of intent to contract within the 45-day time period,
96 the contract shall be deemed to have been reviewed in
97 compliance with this section. The committee, may hold a
98 contract considered at a meeting for up to 45 days following
99 the meeting to review and comment on the contract.

100 (e) Any contract made by the state or any of its
101 agencies or departments in violation of this section and
102 without prior review by the committee of either the contract
103 or the letter of intent to contract shall be void ab initio.
104 ~~If the committee fails to review and comment upon any contract~~
105 ~~or letter of intent to contract within the aforementioned~~
106 ~~45-day time period, such contract shall be deemed to have been~~
107 ~~reviewed in compliance with this section.~~

108 ~~Should the department elect to submit a letter of~~
109 ~~intent to contract in lieu of a proposed contract, as~~
110 ~~authorized in the preceding paragraph, the department shall be~~
111 ~~required to submit to the committee for its information the~~
112 ~~contract described in the letter of intent upon the execution~~



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113 ~~of the contract.~~

114 (f) The committee shall have the power to issue
115 subpoenas for any witnesses and to require the production of
116 any documents or contracts ~~it feels it needs~~ the committee
117 deems necessary to examine ~~in the to~~ conduct ~~of~~ its duties.

118 (g) The committee shall organize itself at the first
119 meeting following a new quadrennium and elect from among its
120 membership a chair and a vice-chair. Any committee member
121 reelected to a new quadrennium shall continue to serve on the
122 committee until such time the committee reorganizes itself.

123 (h) The committee shall hold regular meetings at least
124 once each month, the regular meetings to be held during the
125 first week of each month."

126 "§29-2-41.2

127 (a) For the purposes of this article the term personal
128 and professional services specifically includes independent
129 contractor agreements as well as individual employment
130 agreements.

131 (b) (1) Notwithstanding any other provisions of this
132 article, all contracts for employment of an attorney to
133 provide legal services, including contracts involving an
134 attorney providing legal services under an agreement with the
135 Attorney General, shall be reviewed by the committee.
136 Contracts for professional services executed by the Attorney
137 General in preparation for or during litigation may be
138 redacted until the conclusion of the litigation, if necessary
139 to protect from disclosure information that may lead to the
140 harassment of the contractor. ~~Provided, however, contracts~~



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141 Contracts for appointment of attorneys for the Department of
142 Transportation for right of way condemnation cases are exempt
143 from the provisions of this article.

144 (2) The review by the committee of a contract for the
145 appointment of an attorney includes the retention of essential
146 expert witnesses or additional professional services paid for
147 by the attorney, so long as the cost of these services does
148 not exceed the amount of the approved contract."

149 "§29-2-80

150 There is ~~hereby~~ created a Permanent Joint Legislative
151 Committee on Finances and Budgets. The committee shall meet
152 ~~during the interim periods between the regular sessions of the~~
153 ~~Legislature~~ at the call of the chair. It shall be the duty of
154 the committee to make a careful investigation and study of the
155 financial condition of the state, hold budget hearings,
156 inquire into ways and means of financing state government and
157 its programs, and report its findings and recommendations as
158 herein provided. The Secretary of the Senate, the Clerk of the
159 House of Representatives and the ~~Director of the~~ Legislative
160 Fiscal ~~Office~~ Officer shall provide the committee with such
161 clerical and expert assistance from among their respective
162 staffs as may be necessary. All departments, boards, bureaus,
163 commissions, agencies, offices and institutions of the state
164 shall and are hereby directed to cooperate fully with the
165 committee and its staff and shall furnish any and all
166 information that may be requested by the committee or its
167 staff."

168 "§29-2-81



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169 The committee shall be composed of the Lieutenant
170 Governor, the members of the Senate Committee on Finance and
171 Taxation Education, the members of the Senate Committee on
172 Finance and Taxation General Fund, and such other members of
173 the Senate as appointed by the Lieutenant Governor. The
174 committee shall further be composed of the Speaker of the
175 House of Representatives, the members of the House Committee
176 on Ways and Means Education, the members of the House
177 Committee on Ways and Means General Fund, and such other
178 members of the House of Representatives to be appointed by the
179 Speaker of the House; ~~provided, however, that the total~~
180 ~~committee membership from the House of Representatives shall~~
181 ~~not exceed 36 members~~. The ~~Chairman~~ Chairs of the Senate
182 ~~Committee~~ Committees on Finance and Taxation and the ~~Chairman~~
183 Chairs of the House Ways and Means ~~Committee~~ Committees shall
184 be ~~co-chairmen~~ joint chairs. The ~~said co-chairmen~~ chairs shall
185 each appoint one vice ~~co-chairman~~ chair and shall set the
186 schedule and program for committee work. The ~~said~~
187 ~~co-chairmen~~ chairs shall fix the days and hours of meetings and
188 conduct hearings and examine witnesses who appear before the
189 committee. Each ~~co-chairman~~ chair may appoint ~~sub-committees~~
190 subcommittees and invest them with such authority as may be
191 deemed necessary to conduct the committee's business and
192 expedite its work. Members appointed to any ~~sub-committee~~
193 subcommittee shall each be entitled to, and shall receive
194 compensation as is provided for below for members of the
195 Permanent Joint Legislative Committee on Finances and Budgets
196 for each day ~~said the~~ members attend a ~~sub-committee~~



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197 subcommittee meeting that is not also a meeting day of the
198 committee. ~~Said sub-committee~~ The subcommittee members shall
199 not be paid for more than 30 additional calendar days in any
200 single calendar year for work of ~~said sub-committee~~ the
201 subcommittee."

202 "§29-2-83

203 The committee shall report its findings and
204 recommendations to the Legislature at such times deemed
205 appropriate by the chairs, but no later than the seventh
206 legislative day of each regular session."

207 "§29-2-201

208 (a) (1) For purposes of this article, State House
209 property means the real property bordered by Union Street,
210 McDowell Lee Lane, Ripley Street, and Washington Avenue and
211 the building, parking deck, and improvements located thereon,
212 as well as the lot bounded by Washington Avenue, Jackson
213 Street, Ripley Street, and Pelham Street owned by the State of
214 Alabama, and any improvements thereon.

215 (2) The Alabama Building Renovation Finance Authority,
216 hereafter referred to as ABRFA, created pursuant to Article 14
217 (commencing with Section 41-10-450) of Chapter 10 of Title 41,
218 shall execute and deliver on June 14, 2007, an appropriate
219 deed or deeds and accompanying documents conveying State House
220 property in fee simple absolute to the Legislative Building
221 Authority.

222 (3) Upon delivery of the deed and documents, the
223 Legislative Building Authority shall be invested with all
224 rights and title to the State House property.



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225 (4) The consideration for the conveyance shall be the
226 amounts appropriated in Section 29-2-202. This consideration
227 is conclusively determined to be valuable, adequate, and fair.

228 (b) The right of reverter created in Section 41-10-470,
229 in relation to the land upon which the Alabama State House is
230 situated is abolished on the date of the conveyance.

231 (c) Any statutory lien created under Section 41-10-472,
232 in relation to the land upon which the Alabama State House is
233 situated is abolished on the date of the conveyance.

234 (d) The Legislative Building Authority shall be vested
235 with absolute title and control of the State House property.

236 (e) Commencing October 1, 2015, absolute title and
237 control of the State House property shall transfer to the
238 Legislative Council by operation of law.

239 (f) The Department of Finance, not more than three
240 months after the effective date adding this amendatory
241 language, shall execute and deliver an appropriate deed or
242 deeds and accompanying documents conveying the lot bounded by
243 Washington, Jackson, Ripley, and Pelham Streets in fee simple
244 absolute to the Legislative Council."

245 "§29-4-70

246 (a) If the senator who is serving as the President Pro
247 Tempore of the Senate on the date of the general election at
248 which members of the Senate are elected to four-year terms is
249 reelected to the Senate, the senator shall continue to serve
250 as President Pro Tempore of the Senate until a successor
251 President Pro Tempore is selected pursuant to Section 48.01 ~~of~~
252 ~~the Official Recompilation~~ of the Constitution of Alabama of



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253 ~~1901, as amended~~2022.

254 (b) If the senator serving as the President Pro Tempore
255 of the Senate ceases service as a ~~Senator~~senator for any
256 reason prior to election of a President Pro Tempore pursuant
257 to Section 48.01 ~~of the Official Recompilation~~ of the
258 Constitution of Alabama of ~~1901, as amended~~2022, then, with
259 the approval of the Senate Legislative Council, the Secretary
260 of the Senate shall perform the functions of the President Pro
261 Tempore with respect to the expenditure of funds appropriated
262 to the office of the President Pro Tempore until a successor
263 President Pro Tempore is elected pursuant to Section 48.01 ~~of~~
264 ~~the Official Recompilation~~ of the Constitution of Alabama of
265 ~~1901, as amended~~2022.

266 (c) If a vacancy occurs in the office of the Lieutenant
267 Governor for any reason, the President Pro Tempore of the
268 Senate shall assume the budget, personnel, and any other
269 statutory duties of the office of the Lieutenant Governor for
270 the remainder of the term of office."

271 "§29-5A-22

272 (a) In compiling the contents of the ~~code~~Code of
273 Alabama 1975, and any cumulative supplement and replacement
274 volume to the code, the Legal Division and the Code
275 Commissioner may not alter the sense, meaning, or effect of
276 any act. The Legal Division and Code Commissioner, in
277 compiling the contents of the code and any supplement and
278 replacement volume to the code, may perform all of the
279 following editorial functions:

280 (1) Change the wording of descriptive headings and



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281 catchlines.

282 (2) Change hierarchy units as specified in an act to
283 appropriate code hierarchy.

284 (3) Change reference numbers to conform with renumbered
285 hierarchy units, or make corrections in reference numbers if
286 the correction can be made without substantive change in the
287 law.

288 (4) Substitute the proper hierarchy unit for the terms
289 "this act," "the preceding section," and the like.

290 (5) Remove language that is surplusage, including "of
291 the Code of Alabama 1975," "of this section," and the like
292 when such language follows a designated hierarchy unit.

293 (6) Substitute "this title," "this chapter," or other
294 hierarchy designation in place of reference to the specific
295 unit, if the reference is within that unit.

296 (7) Translate dates to the appropriate month, day, and
297 year.

298 (8) Change words when directed by law.

299 (9) Substitute the name of any agency, officer, or
300 instrumentality of the state or of a political subdivision
301 whose name is changed by law or to which powers, duties, and
302 responsibilities have been transferred by law, for the name
303 which the agency, officer, or instrumentality previously used
304 or of the agency which was previously vested with the same
305 powers and charged with the same duties and responsibilities.

306 (10) Divide, consolidate, and rearrange hierarchy units
307 and parts of hierarchy units.

308 (11) If any section or part of a section of the Code of



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309 Alabama 1975, is amended by more than one act at the same
310 session of the Legislature, incorporate into one or more code
311 sections the section as amended or altered by the several
312 acts, if each of the amendments, changes, or alterations are
313 not in substantive conflict and can be given effect and
314 incorporated in the code section or code sections in a manner
315 which will make the code section or code sections
316 intelligible.

317 (12) Resolve nonsubstantive conflicts between multiple
318 acts.

319 (13) Change capitalization, spelling, and punctuation
320 for the purpose of uniformity and consistency.

321 (14) Correct manifest grammatical, clerical, and
322 typographical errors, including, but not limited to, by means
323 of the addition or deletion of language.

324 (15) Revise language in a nonsubstantive manner for
325 clarity, consistency, or to conform to drafting style.

326 (16) Correct obsolete citations to the Constitution of
327 Alabama of 1901 to correctly cite the Constitution of Alabama
328 of 2022.

329 (17) Exclude any nonsubstantive legislative findings,
330 provided the findings shall be noted as a code commissioner
331 note.

332 (b) (1) Upon the adoption and incorporation of the
333 annual cumulative supplement and each replacement volume into
334 the Code of Alabama 1975, by statute, that supplement or
335 replacement volume shall be considered as part of the entire
336 Code of Alabama 1975, and shall be considered for statutory



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337 construction purposes in the same manner as all other portions
338 of the code.

339 (2) This adoption and incorporation by statute shall
340 constitute a continuous systematic codification of the entire
341 Code of Alabama 1975, for purposes of Section 85 of the
342 Constitution of Alabama of ~~1901~~2022. Such a statute is a law
343 that adopts a code for the purposes of Section 45 of the
344 Constitution of Alabama of ~~1901~~2022.

345 (c) The Legislature finds and declares that this
346 section is declaratory of, and does not constitute a change
347 in, the law existing since the amendment of Section 29-7-6 by
348 Act 93-618 of the 1993 Regular Session designating the
349 Director of the Legislative Reference Service as the Code
350 Commissioner."

351 "§29-5A-46

352 (a) ~~The Beginning in 2024, the~~ Fiscal Division shall
353 prepare and submit ~~an annual a~~ report every other year to the
354 Legislature which lists all state tax expenditures and the
355 estimated cost associated with each of the tax expenditures.
356 For purposes of this section, tax expenditures means those
357 state revenue losses attributable to the provisions of the
358 constitution, state tax statutes, or rules ~~promulgated~~adopted
359 pursuant to the statutes, which allow a special exclusion,
360 exemption, or deduction, or which provide a special credit or
361 preferential tax rate. The report shall be organized according
362 to the funds into which the tax expenditures would be
363 dedicated but for the exemptions and rate differentials. The
364 report shall be submitted at the same time that the Governor



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365 is required to submit his or her budget proposal to the
366 Legislature.

367 (b) The ~~annual~~biennial tax expenditure report shall
368 include the following:

369 (1) Each tax exemption and its constitutional and/or
370 statutory citation.

371 (2) An estimate of the revenue loss to the state caused
372 by each of the tax expenditures for the most recently
373 completed fiscal year.

374 (c) The Fiscal Division ~~is authorized to~~may request
375 and receive from the Department of Revenue or any other state
376 or local agency or official any information necessary to
377 complete the report required by this section. Such information
378 shall be subject to the confidentiality and disclosure
379 provisions of Section 40-2A-10; however, these provisions
380 shall not prevent the aggregation and disclosure of any
381 information necessary to transparently complete the report
382 required by this section. In the event that lack of
383 information prevents the Fiscal Division from making a
384 reasonable estimate for any tax expenditure, the division
385 shall list the expenditure with a notation that an estimate
386 cannot be determined.

387 (d) The House Ways and Means Education Committee and
388 the Senate Committee on Finance and Taxation - Education shall
389 conduct joint hearings on the tax expenditure report ~~every~~
390 ~~even-numbered year to be concluded by the tenth legislative~~
391 ~~day of the regular session of the Legislature~~ periodically at
392 the call of the chairs. From time to time, the committees may



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393 report to the Legislature findings or recommendations
394 developed as a result of the hearings.

395 (e) This section does not apply to any incentives or
396 other matters which are included in the report required by
397 Section 40-18-379."

398 "§29-6-1

399 (a) There is ~~hereby~~ created a continuing legislative
400 committee to be known as the Legislative Council of the State
401 of Alabama. The council consists of the Speaker of the House
402 of Representatives, the House Majority Leader, the House
403 Minority Leader, the Chairs of the Ways and Means General Fund
404 and Ways and Means Education Committees, two members of the
405 House of Representatives appointed by the Speaker, two members
406 of the House of Representatives elected by the House of
407 Representatives, and one member of the House of
408 Representatives elected by members of the House of
409 Representatives who are not members of the majority party, who
410 shall constitute the House Legislative Council, and the
411 President Pro Tempore of the Senate, the Senate Majority
412 Leader, the Senate Minority Leader, the Chairs of the Finance
413 and Taxation General Fund and Finance and Taxation Education
414 Committees, two Senators appointed by the President Pro
415 Tempore, two members of the Senate elected by the Senate, and
416 one member of the Senate elected by members of the Senate who
417 are not members of the majority party, who shall constitute
418 the Senate Legislative Council. ~~Until January 14, 2019, the~~
419 ~~President of the Senate is a full voting member of the Senate~~
420 ~~Legislative Council. Except as otherwise provided in~~



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421 ~~subsection (d), the~~ The elected House and Senate members shall
422 be elected at the ~~first regular~~ organizational session of each
423 quadrennium.

424 ~~(b) Members serving ex officio, appointed, or elected~~
425 ~~at the 2015 Regular Session pursuant to Act 2015-408 or~~
426 ~~appointed as otherwise provided in subsection (d), shall~~
427 ~~replace the members of the Legislative Council serving on the~~
428 ~~council on June 10, 2015.~~

429 ~~(c)~~ (b) (1) Members of the council may serve on the
430 council as long as the member retains the office that
431 qualified the member for service or during the term to which
432 the member was appointed or elected and, if reelected to the
433 same house without a break in service to that house, during
434 the succeeding legislative term until a successor is appointed
435 or elected as provided by law. No member may be elected to
436 more than two consecutive four-year terms and no member may be
437 appointed to more than two consecutive four-year terms. Any
438 member serving ex officio may remain on the Legislative
439 Council as long as the member holds the office qualifying the
440 member for membership.

441 (2) If a vacancy occurs in its elected membership while
442 the Legislature is not in session, the House Legislative
443 Council or the Senate Legislative Council, as appropriate, may
444 make temporary appointments to fill the vacancy until the
445 vacancy is filled by an election of the appropriate members of
446 the House or Senate, as the case may be.

447 ~~(d) If Act 2015-408 does not become operative prior to~~
448 ~~adjournment sine die of the 2015 Regular Session, the Speaker~~



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449 ~~of the House, the President Pro Tempore of the Senate, the~~
450 ~~Chairs of the Ways and Means General Fund and Ways and Means~~
451 ~~Education Committees, the Chairs of the Finance and Taxation~~
452 ~~General Fund and Finance and Taxation Education Committees,~~
453 ~~and the majority and minority leader of the respective houses~~
454 ~~shall serve on the Legislative Council and, by July 4, 2015,~~
455 ~~the Speaker and the President Pro Tempore, respectively, shall~~
456 ~~appoint five members of the House of Representatives, at least~~
457 ~~one of whom may not be a member of the majority party, and~~
458 ~~five members of the Senate, at least one of whom may not be a~~
459 ~~member of the majority party, to serve on the Legislative~~
460 ~~Council until members are elected at the 2016 Regular~~
461 ~~Session."~~

462 "§29-6-2

463 (a) ~~The President of the Senate shall be a member of~~
464 ~~the Legislative Council but may vote on issues before the~~
465 ~~Legislative Council only in the case of a tie.~~ At its first
466 meeting during each quadrennium and at ~~such~~ other times as
467 necessary, the Legislative Council shall elect a chair and
468 vice chair from among the membership of the council. The
469 position of chair shall alternate between a member of the
470 Senate and a member of the House of Representatives every two
471 years. To the extent possible, membership of the council shall
472 be inclusive and reflect the racial, gender, geographic,
473 urban/rural, and economic diversity of the state.

474 (b) Within 10 days after the membership of the
475 Legislative Council is determined:

476 (1) The Legislative Council shall convene at a place



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477 and time designated by the President Pro Tempore of the Senate
478 in written notice given to each member to select a chair and
479 vice chair from the membership. The Legislative Council shall
480 meet thereafter at the request of the chair or as its members
481 shall determine, in both cases upon written notice to each
482 member of the council. If the chair declines to call a meeting
483 or is unable to call a meeting, the Speaker of the House, the
484 President Pro Tempore of the Senate, or a majority of the
485 council may call a meeting of the council.

486 (2) The House Legislative Council shall convene at a
487 time and place designated by the Speaker of the House in
488 written notice given to each member of the House Legislative
489 Council to select a chair and vice chair of the House
490 Legislative Council. The ~~council~~House Legislative Council
491 shall meet thereafter at the request of the chair or as its
492 members shall determine, in both cases upon written notice to
493 each member of the House Legislative Council. If the chair
494 declines to call a meeting or is unable to call a meeting, the
495 Speaker of the House may call a meeting of the House
496 Legislative Council.

497 (3) The Senate Legislative Council shall convene at a
498 time and place designated by the President Pro Tempore of the
499 Senate in written notice given to each member of the Senate
500 Legislative Council to select a chair and vice chair of the
501 Senate Legislative Council. The Senate Legislative Council
502 shall meet thereafter at the request of the chair or as its
503 members shall determine, in both cases upon written notice to
504 each member of the Senate Legislative Council. If the chair



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505 declines to call a meeting or is unable to call a meeting, the
506 President Pro Tempore of the Senate may call a meeting of the
507 Senate Legislative Council.

508 (c) Members of the Legislative Council, House
509 Legislative Council, and Senate Legislative Council shall
510 receive expenses for attendance of each meeting of the
511 respective council as provided for in ~~Amendment 871 to~~ Section
512 49 of the Constitution of Alabama of ~~1901~~2022. The President
513 of the Senate and Speaker of the House shall adopt such
514 expense reimbursement regulations as are necessary to
515 implement ~~Amendment 871~~ Section 49 for operation of the
516 councils.

517 (d) The Legislative Council, the House Legislative
518 Council, and the Senate Legislative Council may provide for
519 the appointment of committees to facilitate their work."

520 "§29-6-3

521 (a) Members of the Legislative Council, House
522 Legislative Council, and Senate Legislative Council may
523 participate in a meeting of the respective council by means of
524 telephone conference, video conference, or similar
525 communications equipment by means of which all
526 ~~persons~~individuals participating in the meeting may hear each
527 other at the same time and members of the public may
528 simultaneously listen to the meeting. Participation by such
529 means shall constitute presence in person at a meeting for all
530 purposes.

531 (b) Any decision of the Legislative Council shall be by
532 a majority vote of the council members from the Senate and a



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533 majority vote of the council members from the House of
534 Representatives.

535 (c) All decisions of the Legislative Council, the House
536 Legislative Council, or the Senate Legislative Council, except
537 those involving hiring, discipline, or termination of
538 employees, shall be reduced to writing and shall be published
539 on the website of the Legislature.

540 (d) The Legislative Council, House Legislative Council,
541 and Senate Legislative Council shall be subject to the Alabama
542 Open Meetings Act, Chapter 25A, ~~(commencing with Section~~
543 ~~36-25A-1)~~, Title 36, except that a meeting may be called with
544 the same notice requirements as a meeting of a committee of
545 the House or Senate under the rules of the House of
546 Representatives or Senate.

547 (e) The Legislative Council, House Legislative Council,
548 and Senate Legislative Council may make use of the employees
549 of the Legislative Department, including employees of the
550 respective houses, as needed in carrying out their respective
551 functions.

552 (f) The Legislative Council shall conduct an
553 orientation program for its members upon its formation and at
554 the start of each quadrennium thereafter. The orientation
555 shall cover all of the duties and responsibilities of
556 membership on the council. The Legislative Council shall also
557 provide an orientation to any member who serves on the council
558 due to election or appointment within 60 days of the
559 personindividual joining the council. ~~The Legislative Council~~
560 ~~shall utilize the Legislative Reference Service, Legislative~~



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561 ~~Fiscal Office, and Alabama Law Institute to prepare materials~~
562 ~~for use at this orientation~~The orientation shall be conducted
563 by the Secretary of the Legislative Council."

564 "§29-6-7

565 (a) In addition to the powers otherwise provided in
566 this chapter, the Legislative Council shall:

567 (1) Approve budget requests~~;~~ provide accounting
568 services~~;~~ make purchases~~;~~ and provide mail distribution,
569 property inventory, telephone service, electronic media
570 services, recycling services, and building maintenance
571 services for the Legislative Department~~,~~ and all agencies and
572 entities~~,~~ ~~respectively,~~ therein.

573 (2) Allocate space in any building designated as the
574 Alabama State House, including to the Senate and the House of
575 Representatives; and shall have the authority to contract with
576 an appropriate party, including, but not limited to, the
577 Retirement Systems of Alabama, to construct and maintain a
578 building that, upon completion, would be designated as the
579 Alabama State House. In carrying out its responsibilities
580 under this subdivision, the Legislative Council may charge and
581 collect rent from any entity allocated space in the Alabama
582 State House at a rate set by the council. The council may
583 establish a special fund in the State Treasury to receive
584 funds from any source to maintain the State House property.
585 Funds in the special fund are continuously appropriated for
586 the exclusive use of the Legislative Council, shall be
587 maintained separately, and shall be in addition to any other
588 funds appropriated to the Legislative Council. Any unused



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589 funds collected by or appropriated to any entity for the
590 maintenance of the State House property remaining at the close
591 of the fiscal year in which they were collected or for which
592 they were appropriated shall be transferred to the fund
593 created pursuant to this subdivision.

594 (3) Maintain a website of legislative expenditures that
595 includes, but is not limited to, the names, salaries, and
596 expenses of the members, officers, and employees of the
597 Legislative Department and any contracts entered into by the
598 Legislative Council for the benefit of any entity or agency of
599 the Legislative Department. This requirement may be met
600 through publication of the required information on a site that
601 discloses this information on a statewide basis for other
602 state government entities.

603 (4) Maintain the computer operations of the
604 Legislature, including management and control of the
605 Legislative Data Center and employ a director of technology
606 who shall oversee the operations of the Legislative Data
607 Center and maintain all computer guidelines of the Legislative
608 Department and all agencies and entities therein, except that
609 production of legislative proceedings of the respective Houses
610 shall be under the control of the Secretary of the Senate and
611 the Clerk of the House of Representatives, respectively.

612 (5) After consulting with the Secretary of the Senate
613 and Clerk of the House, provide security for the Alabama State
614 House, the Senate, the House of Representatives, and those
615 portions of the State Capitol under the control of the
616 Legislature, the House of Representatives, or the Senate;



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617 provided, however, that security for the Senate and House
618 chambers, their entrances, and galleries shall be under the
619 absolute supervision and control of the Secretary and Clerk,
620 respectively. The Legislative Council shall also establish
621 protocol for the cooperation between the persons providing
622 security for the Legislature and such other law enforcement
623 agencies as necessary.

624 (6) Reduce and contain the cost associated with the
625 operation and maintenance of the Legislative Department to the
626 fullest extent reasonably possible and practical. In
627 accomplishing the reduction, the Legislative Council, to the
628 fullest extent possible, shall look for methods to save public
629 funds and contain costs.

630 (7) Annually review the performance of the Director of
631 the Legislative Services Agency.

632 (8) Employ a director of human resources who shall
633 handle the human resources related functions for the
634 Legislative Services Agency. The Director of Human Resources
635 shall provide services at the direction of the Legislative
636 Council, including providing lists of applicants for open
637 positions and the written application for employment for each,
638 providing assistance in the determination of salary schedules,
639 benefits, and terms of employment, maintaining custody of
640 records as requested, and providing consultation on employee
641 discipline.

642 (b) In addition to the powers otherwise provided in
643 this chapter, the Senate Legislative Council, upon the
644 recommendation of the Director of Human Resources, shall



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645 establish the job classifications, salary schedules, and
646 benefits for all employees of the President Pro Tempore of the
647 Senate. Notwithstanding the foregoing, there shall be a
648 position of chief of staff who shall serve at the pleasure of
649 the President Pro Tempore, under terms and conditions set by
650 the President Pro Tempore; provided further, persons who serve
651 at the pleasure of the Senate Majority Leader and the Senate
652 Minority Leader serve under terms and conditions set by the
653 Senate Majority Leader and the Senate Minority Leader,
654 respectively; and provided further, persons employed under
655 this sentence shall be paid from funds appropriated to the
656 Office of the President Pro Tempore at a salary or other
657 compensation approved by the President Pro Tempore.

658 (c) In addition to the powers otherwise provided in
659 this chapter, the House Legislative Council, upon the
660 recommendation of the Director of Human Resources, shall
661 establish the job classifications, salary schedules, and
662 benefits for all employees of the Speaker of the House.
663 Notwithstanding the foregoing, there shall be a position of
664 chief of staff who shall serve at the pleasure of the Speaker,
665 under terms and conditions set by the Speaker; provided
666 further, persons who serve at the pleasure of the House
667 Majority Leader and the House Minority Leader serve under
668 terms and conditions set by the House Majority Leader and the
669 House Minority Leader, respectively; and provided further,
670 persons employed under this sentence shall be paid from funds
671 appropriated to the Office of the Speaker at a salary or other
672 compensation approved by the Speaker.



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673 (d) The salary schedules, benefits, and terms of
674 employment for all staff of the Legislative Department shall
675 be as uniform as practical.

676 (e) Employees of the Legislative Services Agency,
677 Speaker of the House, and President Pro Tempore of the Senate
678 shall be under the direction and control of the Director of
679 the Legislative Services Agency, Speaker of the House, and
680 President Pro Tempore of the Senate, respectively.

681 (f) The Director of the Legislative Services Agency
682 shall annually review the performance of each employee subject
683 to his or her supervision and report thereon to the
684 Legislative Council.

685 (g) The Legislative Council, after considering in a
686 timely manner ~~persons~~individuals recommended for hire by the
687 Secretary of the Senate and Clerk of the House, shall hire
688 joint employees of the Legislature. The Legislative Council
689 shall ~~utilize~~use the services of the Director of Human
690 Resources for all joint employees, including providing lists
691 of applicants for open positions and the written application
692 for employment for each, providing assistance in determination
693 of job classifications, salary schedules, benefits, and terms
694 of employment, maintaining custody of records as requested,
695 and providing consultation on employee discipline."

696 "§41-5A-16

697 (a) There shall be a Legislative Committee on Public
698 Accounts to exercise general supervision and control over the
699 actions of the ~~chief examiner~~Chief Examiner and the Department
700 of Examiners of Public Accounts.



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701 (b) The Legislative Committee on Public Accounts shall
702 have 12 members. Five members shall be elected by the House of
703 Representatives from its membership and five members shall be
704 elected by the Senate from its membership. The President Pro
705 Tempore of the Senate shall be a member of the committee and
706 the chair of the committee. The Speaker of the House of
707 Representatives shall be a member of the committee and the
708 vice-chair of the committee. Beginning January 1, 2020, the
709 President Pro Tempore of the Senate and the Speaker of the
710 House shall alternate service as chair and vice-chair of the
711 committee every two years. Members of the committee shall be
712 elected at the ~~first regular~~ organizational session of each
713 quadrennium and shall hold office as long as they remain
714 legislators and until their successors are elected.

715 (c) Vacancies shall be filled by the remaining members
716 of the committee from members of the House of Representatives
717 or the Senate, depending upon in which representation the
718 vacancy occurs, until the next organizational, regular, or
719 special session of the Legislature, at which time the
720 vacancies shall be filled by the appropriate house."

721 "§41-9-370

722 The Commission on Uniform State Laws is continued in
723 existence as an advisory commission to the Legislature. The
724 commission consists of three members of the bar appointed by
725 the Governor for a term of four years or until their
726 successors are appointed, a member of the Senate appointed by
727 the President of the Senate, a member of the House of
728 Representatives appointed by the Speaker of the House, the



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729 Director of the Legislative Services Agency, and the Deputy
730 Director of the Legislative Services Agency, ~~Legal~~Law Revision
731 Division."

732 "§41-9-374

733 (a) The Commission on Uniform State Laws shall annually
734 present its ~~budget~~dues requirement to the Legislative Council
735 for ~~approval~~payment.

736 (b) ~~From funds appropriated for the commission, the~~
737 ~~commission shall:~~

738 ~~(1) Reimburse~~ Reimbursement of members of the
739 commission for their necessary expenses in ~~performing the~~
740 ~~duties of their offices, including travel for~~ attending the
741 meeting of the National Conference of Commissioners on Uniform
742 State Laws, ~~subject to the approval of the Legislative Council~~
743 shall be the obligation of the body or agency the member
744 represents or by the appointing authority in the case of
745 individuals who are not public officials or public employees.
746 No reimbursement of expenses shall be made for life members
747 who are no longer otherwise public officials or public
748 employees.

749 ~~(2) Pay the cost of printing the commission's reports.~~

750 ~~(3) Pay the dues of this state to the National~~
751 ~~Conference of Commissioners on Uniform State Laws.~~

752 ~~(c) The amount of expenses and dues shall be certified~~
753 ~~to the state Comptroller by the chair of the commission, and~~
754 ~~the state Comptroller shall draw warrants and the State~~
755 ~~Treasurer shall pay the warrants for these purposes from funds~~
756 ~~appropriated for the commission."~~



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757 Section 2. Section 29-4-62 is added to the Code of
758 Alabama 1975, to read as follows:

759 §29-4-62

760 (a) The Speaker of the House of Representatives, on the
761 date of the general election at which members of the House of
762 Representatives are elected to four-year terms, shall continue
763 to serve as Speaker of the House of Representatives until
764 elections for Speaker are held pursuant to Section 48.01 of
765 the Constitution of Alabama of 2022.

766 (b) If a vacancy occurs in the office of the Speaker of
767 the House of Representatives for any reason, the Speaker Pro
768 Tempore of the House of Representatives shall assume the
769 duties of the Speaker of the House of Representatives for the
770 remainder of the term of office or until a successor Speaker
771 is elected pursuant to Section 48.01 of the Constitution of
772 Alabama of 2022.

773 Section 3. Section 29-5A-24 of the Code of Alabama
774 1975, authorizing the Code Commissioner to prepare an official
775 recompilation of the Constitution of Alabama of 1901, and
776 Section 29-6-6, Code of Alabama 1975, relating to the duties
777 of the Legislative Council in relation to the Legislative
778 Reference Service, and Sections 17-16-50 through 17-16-53,
779 Code of Alabama 1975, relating to a contested election of a
780 member of the Legislature, are repealed.

781 Section 4. This act shall become effective on the first
782 day of the third month following its passage and approval by
783 the Governor, or its otherwise becoming law.



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784
785
786 Senate

787 Read for the first time and referred19-Apr-23
788 to the Senate committee on Fiscal
789 Responsibility and Economic
790 Development
791
792 Read for the second time and placed27-Apr-23
793 on the calendar:
794 1 amendment
795
796 Read for the third time and passed02-May-23
797 as amended
798 Yeas 31
799 Nays 0
800 Abstains 0

801
802
803 Patrick Harris,
804 Secretary.
805