



House State Government Reported Substitute for SB3

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A BILL
TO BE ENTITLED
AN ACT

Proposing to amend Section 71.01 of the Constitution of Alabama of 2022, to authorize the Legislature to sign and transmit local laws **or constitutional amendments** before the transmission of basic appropriations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed and shall become valid as a part of the constitution when approved by a majority of the qualified electors voting thereon at the statewide primary election held on March 5, 2024, and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 2022:

PROPOSED AMENDMENT

Section 71.01 of the Constitution of Alabama of 2022, is amended to read as follows:

"Section 71.01

(A) The following words and phrases, whenever used in this amendment, shall have the following respective meanings:



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29 "Basic Appropriations" means, with respect to any
30 regular session of the legislature, such appropriations as the
31 legislature may deem appropriate for the expenditures by the
32 state during the ensuing budget period for the ordinary
33 expenses of the executive, legislative and judicial
34 ~~departments~~ branches of the state, for payment of the public
35 debt, and for education (excluding, however, any item within
36 the scope of the foregoing that is at the time provided for by
37 a continuing appropriation or otherwise).

38 "Budget Period" means a fiscal year of the state or
39 such period other than ~~fa~~ a fiscal year as may hereafter be
40 fixed by law as the period with respect to which state budgets
41 are prepared and state appropriations are made.

42 (B) On or before the second legislative day of each
43 regular session of the legislature, ~~beginning with the first~~
44 ~~regular session after January 1, 1983,~~ the governor shall
45 transmit to the legislature for its consideration a proposed
46 budget for the then next ensuing budget period.

47 (C) The duty of the legislature at any regular session
48 to make the basic appropriations for any budget period that
49 will commence before the first day of any succeeding regular
50 session shall be paramount; and, accordingly, ~~beginning with~~
51 ~~the first regular session held after January 1, 1983,~~ no bill
52 (other than a bill making any of the basic appropriations)
53 shall be signed by either the presiding officer of the house
54 or senate and transmitted to the other house until bills
55 making the basic appropriations for the then ensuing budget
56 period shall have been signed by the presiding officer of each

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57 house of the legislature in accordance with Section 66 of this
58 Constitution and presented to the governor in accordance with
59 Section 125 of this Constitution; provided, that this
60 paragraph (C) shall not affect the passage of local laws or
61 local constitutional amendments, the adoption of resolutions,
62 or the conduct of any ~~other~~ legislative functions that do not
63 require a third reading; and provided further, that following
64 adoption, by vote of either house of not less than
65 three-fifths of a quorum present, of a resolution declaring
66 that the provisions of this paragraph (C) shall not be
67 applicable in that house to a particular bill, which shall be
68 specified in said resolution by number and title, the bill so
69 specified may proceed to final passage therein.

70 (D) Upon the signing and presentation to the governor
71 in accordance with ~~the said~~ Sections 66 and 125 of bills
72 making the basic appropriations, the provisions of the
73 foregoing paragraph (C) prohibiting the final passage of bills
74 in the house and senate (other than bills making any part of
75 the basic appropriations) shall cease to be effective and
76 shall not be revived or become again effective as a result of
77 (i) the subsequent legislative history of any bill so signed
78 and presented, including any veto, return with executive
79 amendment, or any other action, or failure to act, by either
80 the governor or the legislature under the provisions of the
81 said Section 125; or (ii) a determination, by either judicial
82 decree or opinion of the justices of the Alabama Supreme
83 Court, that any bill so signed and presented is wholly or in
84 part invalid.



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85 (E) The legislature may, by statute or rule, make such
86 further provisions for the timely passage of bills making the
87 basic appropriations as are not inconsistent with the
88 provisions of this Constitution.

89 (F) Nothing contained herein shall be construed as
90 requiring the legislature to make any appropriation not
91 otherwise required by this Constitution to be made.

92 (G) Notwithstanding any provision of this amendment,
93 any resolution authorizing the consideration of a bill
94 proposing a local law adopted before ~~November 8, 2016~~March 5,
95 2024, that conformed to the rules of either body of the
96 Legislature at the time it was adopted, is ratified, approved,
97 validated, and confirmed, and the application of any such
98 resolution is effective from the date of original adoption."

99 Upon ratification of this constitutional amendment, the
100 Code Commissioner shall number and place this amendment as
101 appropriate in the constitution omitting this instructional
102 paragraph and may make the following nonsubstantive revisions:
103 change capitalization, spelling, and punctuation for purposes
104 of style and uniformity; correct manifest grammatical,
105 clerical, and typographical errors; and correct incorrect
106 cross-references.

107 Section 2. An election upon the proposed amendment
108 shall be held in accordance with Sections 284 and 285 of the
109 Constitution of Alabama of 2022, and the election laws of this
110 state.

111 Section 3. The appropriate election official shall
112 assign a ballot number for the proposed constitutional



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113 amendment on the election ballot and shall set forth the
114 following description of the substance or subject matter of
115 the proposed constitutional amendment:

116 "Proposing an amendment to the Constitution of Alabama
117 of 2022, to amend Section 71.01 authorizing the Legislature to
118 sign and transmit local laws or constitutional amendments
119 before the transmission of basic appropriations.

120 Proposed by Act ____."

121 This description shall be followed by the following
122 language:

123 "Yes() No()."

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124
125
126 Senate

127 Read for the first time and referred17-Jul-23
128 to the Senate committee on
129 Confirmations
130
131 Read for the second time and placed18-Jul-23
132 on the calendar:
133 0 amendments
134
135 Read for the third time and passed19-Jul-23
136 as amended
137 Yeas 29
138 Nays 0
139 Abstains 0
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Patrick Harris,
Secretary.