

**SB3 ENGROSSED**



1    UIFOGD-2  
2    By Senator Chambliss   (Constitutional Amendment)  
3    RFD: Confirmations  
4    First Read: 17-Jul-23  
5    2023 Second Special Session



**SB3 Engrossed**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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 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:



## SB3 Engrossed

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 ~~{a}~~ 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



### SB3 Engrossed

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.



## SB3 Engrossed

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



## SB3 Engrossed

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 before the transmission of basic  
119 appropriations.

120 Proposed by Act \_\_\_\_."

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

123 "Yes ( ) No ( )."



## SB3 Engrossed

124  
125  
126 Senate

127 Read for the first time and referred .....17-Jul-23  
128 to the Senate committee on  
129 Confirmations

130  
131 Read for the second time and placed .....18-Jul-23  
132 on the calendar:  
133 0 amendments

134  
135 Read for the third time and passed .....19-Jul-23  
136 as amended  
137 Yeas 29  
138 Nays 0  
139 Abstains 0

140  
141  
142 Patrick Harris,  
143 Secretary.  
144