

# HB302 INTRODUCED



1 HB302  
2 UN15DGX-1  
3 By Representative Kiel (Constitutional Amendment)  
4 RFD: Agriculture and Forestry  
5 First Read: 06-Mar-24



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SYNOPSIS:

Under existing law, the Commissioner of Conservation and Natural Resources has the authority to manage and supervise all sixteenth section and indemnity school lands in this state, including leasing and selling these lands, which were originally granted by Congress to each township in this state for the use of schools therein.

Also under existing law, proceeds produced by school lands are provided to schools as determined by their original grant in amounts dependent upon the type of proceeds.

This bill would propose an amendment to the Constitution of Alabama of 2022, to grant certain sixteenth section and indemnity school lands that are owned in fee simple by the Franklin County School System, are located in Fayette County and Walker County, and are for the exclusive use of schools in the Franklin County School System to the Franklin County Board of Education to manage, sell, lease, and control these lands and any timber, minerals, or other natural resource of the land, and to provide for the distribution of any proceeds and interest generated by this land.



## HB302 INTRODUCED

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A BILL

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TO BE ENTITLED

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AN ACT

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34           Proposing an amendment to the Constitution of Alabama  
35 of 2022, to grant certain sixteenth section and indemnity  
36 school lands that are owned in fee simple by the Franklin  
37 County School System, are located in Fayette County and Walker  
38 County, and are for the exclusive use of schools in the  
39 Franklin County School System to the Franklin County Board of  
40 Education; and to provide for the distribution of any proceeds  
41 and interest generated by this land.

42 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

43           Section 1. The following amendment to the Constitution  
44 of Alabama of 2022, is proposed:

45                           PROPOSED AMENDMENT

46           (a) All sixteenth section and indemnity school land  
47 that is owned in fee simple by the Franklin County School  
48 System, is located in Fayette County and Walker County, and is  
49 for the exclusive use of schools in the Franklin County School  
50 System is vested in the Franklin County Board of Education.  
51 The board may manage, sell, lease, and control the land and  
52 any timber, minerals, or other natural resource of the land.

53           (b) Any proceeds generated from the sale of timber,  
54 minerals, or other natural resource of the land, or from the  
55 lease or sale of the land or its natural resources, shall be  
56 paid to the Franklin County Board of Education and deposited



## HB302 INTRODUCED

57 into the Franklin County Board of Education General Fund.

58 (c) It is the intent of the Legislature that this  
59 amendment supersede any other provision of this constitution  
60 that may be construed as conflicting with this amendment as it  
61 relates to the land and the rights, power, and control thereof  
62 and to the sale, lease, or other disposition of the land and  
63 timber, minerals, or other natural resource of the land, and  
64 any proceeds and interest earned therefrom.

65 (d) Upon ratification of this amendment, all proceeds  
66 realized from the sale, lease, or other disposition of the  
67 land or the sale of timber, minerals, or other natural  
68 resource of the land occurring before ratification of this  
69 amendment, and held in trust by the State of Alabama, shall  
70 continue to be held in trust, and any proceeds and interest  
71 derived from those transactions shall be paid to the Franklin  
72 County Board of Education.

73 Upon ratification of this constitutional amendment, the  
74 Code Commissioner shall number and place this amendment as  
75 appropriate in the constitution omitting this instructional  
76 paragraph and may make the following nonsubstantive revisions:  
77 change capitalization, hierarchy, spelling, and punctuation  
78 for purposes of style and uniformity; correct manifest  
79 grammatical, clerical, and typographical errors; revise  
80 internal or external citations and cross-references; harmonize  
81 language; and translate effective dates.

82 END OF PROPOSED AMENDMENT

83 Section 2. An election upon the proposed amendment  
84 shall be held in accordance with Sections 284 and 285 of the



## HB302 INTRODUCED

85 Constitution of Alabama of 2022, and the election laws of this  
86 state. The appropriate election official shall assign a ballot  
87 number for the proposed constitutional amendment on the  
88 election ballot and shall set forth the following description  
89 of the substance or subject matter of the proposed  
90 constitutional amendment:

91 "Proposing an amendment to the Constitution of Alabama  
92 of 2022, to grant certain sixteenth section and indemnity  
93 school land that is owned in fee simple by the Franklin County  
94 school system, is located in Fayette County and Walker County,  
95 and is for the exclusive use of schools in the Franklin County  
96 School System to the Franklin County Board of Education; and  
97 to provide for the distribution of any proceeds and interest  
98 generated by this land to the Franklin County Board of  
99 Education.

100 Proposed by Act \_\_\_\_."

101 This description shall be followed by the following  
102 language:

103 "Yes( ) No( )."

104 Section 3. The proposed amendment shall become valid as  
105 a part of the Constitution of Alabama of 2022, when approved  
106 by a majority of the qualified electors voting thereon.

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