

# HB343 INTRODUCED



1 HB343  
2 LD3VAYW-1  
3 By Representative Holk-Jones (Constitutional Amendment)  
4 RFD: Baldwin County Legislation  
5 First Read: 19-Mar-24



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SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County to define the Bon Secour Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

A BILL  
TO BE ENTITLED  
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to define the Bon Secour Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

PROPOSED AMENDMENT

(a) For the purposes of this amendment, the "Bon Secour Landmark District" in Baldwin County is defined as follows: Beginning at the intersection of the centerline of County Road



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29 12 S and the centerline County Road 49; thence run Easterly  
30 along the centerline of County Road 12 S to the intersection  
31 of the centerline of County Road 12 S and the centerline of  
32 County Road 65; thence run Southerly along the centerline of  
33 County Road 65 a distance of 3,192 feet, more or less, to a  
34 point; thence run Easterly 30 feet, more or less, to the  
35 projected west boundary line of parcel  
36 05-61-04-39-0-000-001.000; thence run Easterly along the north  
37 line of said parcel to the centerline of Bon Secour River;  
38 thence run Southwesterly following the meanderings along the  
39 centerline and of Bon Secour River approximately 2,500 feet,  
40 more of less, to the intersection of Keller Road; thence run  
41 Easterly along the centerline of Keller Rd to the intersection  
42 of the centerline of Keller Road and the centerline of Helton  
43 Drive; thence run Southerly along the centerline of Helton  
44 Drive to the intersection of the centerline of Helton Drive  
45 and the centerline of County Road 10; thence run Westerly  
46 along the centerline of County Road 10 a distance of 170 feet,  
47 more or less, to a point; thence run Southerly 40 feet, more  
48 or less, to the projected northeast corner of parcel  
49 05-61-04-19-0-000-042.002; thence run Southerly along a  
50 boundary line of said parcel 90 feet, more or less, to a  
51 corner of said parcel; thence run Easterly along a boundary  
52 line of said parcel 9 feet, more or less, to a corner of said  
53 parcel; thence run Southerly along a boundary line of said  
54 parcel 66 feet, more or less, to a corner of said parcel;  
55 thence run Easterly along a boundary line of said parcel 42  
56 feet, more or less to a corner of said parcel; thence run



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57 along the eastern boundary of parcel 05-61-04-19-0-000-042.002  
58 Southerly 44 feet, more or less, to the southeast corner of  
59 said parcel; thence run Westerly along the north boundary line  
60 of parcel 05-61-04-19-0-000-043.000 223 feet, more or less, to  
61 the northwest corner of said parcel; thence run Southerly  
62 along the west boundary lines of parcels  
63 05-61-04-19-0-000-043.000 and 05-61-04-19-0-000-043.001 a  
64 distance of 200 feet, more or less, to the southwest corner of  
65 parcel 05-61-04-19-0-000-043.001; thence run Westerly along  
66 the north boundary of parcel 05-61-04-19-0-000-045.000 a  
67 distance of 322 feet, more or less, to the northwest corner of  
68 said parcel; thence run Southerly along the west boundary  
69 lines of parcels 05-61-04-19-0-000-045.000,  
70 05-61-04-19-0-000-046.000, 05-61-04-19-0-000-047.001, and  
71 05-61-04-19-0-000-048.000 a distance of 860 feet, more or  
72 less, to the southwest corner of parcel  
73 05-61-04-19-0-000-048.000; thence run Easterly along the  
74 projected southern boundary of said parcel 668 feet, more of  
75 less, to the centerline of Helton Drive; thence run Southerly  
76 along the centerline of Helton Drive to the intersection of  
77 the centerline of Helton Drive and the centerline of Helton  
78 Lane; thence run Easterly along the centerline of Helton Lane  
79 to the intersection of the centerline of Helton Lane and the  
80 centerline of Fairmont Drive; thence run Southerly to the  
81 centerline of Boggy Branch; thence run Westerly following the  
82 meanderings along the centerline and of Boggy Branch to the  
83 intersection of the centerline of Boggy Branch and the  
84 centerline of the Bon Secour River; thence run Southwesterly



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85 following the meanderings of the centerline of Bon Secour  
86 River to the eastern margin of Bon Secour Bay; thence run  
87 Northwesterly following the meanderings of the eastern margin  
88 of Bon Secour Bay to the intersection of the eastern margin of  
89 Bon Secour Bay and the eastern of boundary of Section 33  
90 Township 8 South Range 3 East; thence run Northerly to the  
91 intersection of the eastern boundary of Section 28 Township 8  
92 South Range 3 East and the intersection of the centerline of  
93 County Road 49; thence run Northerly 18,170 feet more or less,  
94 to the Point of Beginning.

95 (b) No property within the Bon Secour Landmark District  
96 may be annexed into any municipality by local law.

97 (c) Subsection (b) shall not apply to any municipality  
98 incorporated after the ratification of this amendment which  
99 includes any part of the Bon Secour Landmark District.

100 (d) The Bon Secour Landmark District shall not be  
101 considered a legal entity and shall not have any of the  
102 following powers or authority:

103 (1) Standing to sue or be sued.

104 (2) Taxing authority.

105 (3) Zoning authority.

106 (4) Police power and public safety authority.

107 (5) Authority to adopt ordinances, rules, or  
108 regulations within its boundaries.

109 (6) Any other authority or power commonly associated  
110 with a legal entity.

111 Upon ratification of this constitutional amendment, the  
112 Code Commissioner shall number and place this amendment as



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113 appropriate in the constitution omitting this instructional  
114 paragraph and may make the following nonsubstantive revisions:  
115 change capitalization, hierarchy, spelling, and punctuation  
116 for purposes of style and uniformity; correct manifest  
117 grammatical, clerical, and typographical errors; revise  
118 internal or external citations and cross-references; and  
119 translate effective dates.

120 END PROPOSED AMENDMENT

121 Section 2. An election upon the proposed amendment  
122 shall be held in accordance with Sections 284, 284.01, and 285  
123 of the Constitution of Alabama of 2022, and the election laws  
124 of this state. The appropriate election official shall assign  
125 a ballot number for the proposed constitutional amendment on  
126 the election ballot and shall set forth the following  
127 description of the substance or subject matter of the proposed  
128 constitutional amendment:

129 "Relating to Baldwin County, proposing an amendment to  
130 the Constitution of Alabama of 2022, to define the Bon Secour  
131 Landmark District within the county and to prohibit the  
132 annexation by local law of any property within the district  
133 into any municipality except under certain conditions.

134 Proposed by Act \_\_\_\_."

135 This description shall be followed by the following  
136 language:

137 "Yes( ) No( )."

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



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