

HB368 INTRODUCED



1 HB368
2 PYKUREG-1
3 By Representative Rafferty (Constitutional Amendment)
4 RFD: Economic Development and Tourism
5 First Read: 21-Mar-24



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SYNOPSIS:

Under the constitution, the state may not lend money or lend its credit except as expressly authorized by the constitution and may not incur certain debt. Also under the constitution, the Legislature may not authorize any county or municipality to lend its credit or grant public money to any person.

This bill would propose an amendment to the Constitution of Alabama of 2022, to authorize the Legislature, by law, to authorize counties and municipalities to provide for the incorporation of innovation districts as public corporations and provide for their powers and to exempt innovation districts from certain laws.

This bill would authorize the Legislature, by law, to authorize the state and political subdivisions of the state, without an election, to provide for use of public funds, revenues, property, and services to, or for the benefit of, innovation districts.

This bill would authorize the Legislature, by law, to authorize innovation districts to provide any public funds, revenues, or property of or under the control of innovation districts to, or for the benefit of, any public or private person or entity.



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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, relating to economic development; to authorize the
36 Legislature, by law, to authorize counties and municipalities
37 to provide for the incorporation of innovation districts as
38 public corporations and provide for their powers and exempt
39 the innovation districts from specific state laws, to
40 authorize the state and political subdivisions of the state,
41 without an election, to provide for the use of public funds,
42 revenues, property, and services to or for the benefit of
43 innovation districts, and to authorize innovation districts to
44 provide any public funds, revenues, or property of or under
45 the control of a district to or for the benefit of a public or
46 private person or entity.

47 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

50 PROPOSED AMENDMENT

51 Notwithstanding any provision of the constitution to
52 the contrary, the Legislature, by general or local law, may
53 authorize all of the following:

54 (1) Counties and municipalities in this state to
55 provide for the incorporation of innovation districts and
56 their corporate nature, governance, operations, and powers as



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57 public corporations of the state, and to provide for the
58 appointment and qualifications of members of the governing
59 bodies of innovation districts.

60 (2) To exempt innovation districts from the
61 applicability, effect, and operation of, and compliance with,
62 such state laws as the Legislature determines.

63 (3) The state and each county, municipality, public
64 corporation, or taxing authority of the state, to provide,
65 without an election and for use in furtherance of legislative
66 purposes, public funds, revenues, property, and services to,
67 or for the benefit of, any one or more innovation districts
68 without regard to the jurisdiction or location of the
69 innovation district or whether any county or municipality has
70 authorized the innovation district to which its contributions
71 shall be made.

72 (4) An innovation district, in its sole discretion, to
73 provide any public funds, revenues, or property of or under
74 the control of the innovation district to, or for the benefit
75 of, any public or private person or entity.

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



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85 END OF PROPOSED AMENDMENT

86 Section 2. An election upon the proposed amendment
87 shall be held in accordance with Sections 284 and 285 of the
88 Constitution of Alabama of 2022, and the election laws of this
89 state. The appropriate election official shall assign a ballot
90 number for the proposed constitutional amendment on the
91 election ballot and shall set forth the following description
92 of the substance or subject matter of the proposed
93 constitutional amendment:

94 "Proposing an amendment to the Constitution of Alabama
95 of 2022, to authorize the Legislature, by law, to authorize
96 counties and municipalities to provide for the incorporation
97 of innovation districts as public corporations and provide for
98 their powers, to exempt innovation districts from specified
99 laws, to authorize the state, counties, municipalities, and
100 taxing authorities to provide public funds, revenues,
101 property, and services to innovation districts, and to
102 authorize innovation districts to provide public funds or
103 property of or under the control of the district to any public
104 or private person or entity.

105 Proposed by Act ____."

106 This description shall be followed by the following
107 language:

108 "Yes() No()."

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

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