

SB20 INTRODUCED



1 SB20
2 VS27VVV-1
3 By Senator Elliott (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 06-Feb-24
6 PFD: 25-Jan-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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