

SB49 INTRODUCED



1 SB49
2 N45YJTT-1
3 By Senator Allen (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 06-Feb-24



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SYNOPSIS:

Existing law does not provide for the merger of county and municipal governments. This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Tuscaloosa County, to authorize the merger of the Tuscaloosa County government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Tuscaloosa County, to authorize a referendum on the merger of the county government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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



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PROPOSED AMENDMENT

(a) In order to facilitate the operation of local government, to prevent duplication of services, and to promote efficient and economical management of the affairs of local government, the voters in Tuscaloosa County may merge county government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

(b) This amendment shall be applicable to merge Tuscaloosa County government and the municipal governments of the City of Tuscaloosa and the City of Northport. This amendment shall not be effective unless approved by a majority of those voting in the election on the amendment in the City of Tuscaloosa and the City of Northport.

(c) (1) The Legislature, by local law, may provide conditions for the merger of the Tuscaloosa County government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

(2) An Advisory Council on Metro Government shall be established to propose a charter for the Metro Government of Tuscaloosa County, including the establishment of a Metro Council of Tuscaloosa County. The advisory council shall be appointed as follows:

a. The judge of probate shall appoint four members, who shall be representative of Tuscaloosa County and its diversity, to be approved by vote of the county commission.

b. The Mayor of the City of Tuscaloosa shall appoint four members, who shall be residents of the city and shall



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57 reflect all sections of the city, to be approved by vote of
58 the city council.

59 c. The Mayor of the City of Northport shall appoint two
60 members, who shall reflect all sections of the city, to be
61 approved by vote of the city council.

62 (3) The advisory council shall elect a chair. The
63 advisory council shall hold regular public meetings. The time
64 and place of all meetings of the advisory council shall be
65 announced and advertised in a local newspaper. The advisory
66 council shall establish an office by vote of the advisory
67 council. All costs of the operations of the advisory council
68 shall be funded 50 percent by Tuscaloosa County, 40 percent by
69 the City of Tuscaloosa, and 10 percent by the City of
70 Northport.

71 (4) The advisory council shall submit a proposed
72 charter to the qualified electors in the area to which this
73 amendment applies at the 2026 General Election. The charter
74 shall provide for the election of the Metro Council and for
75 the operation of the Metro Government subject to any
76 limitations in this amendment.

77 (d) The Metro Council shall exercise all powers
78 previously granted to the City of Tuscaloosa and the City of
79 Northport within the corporate limits of each respective
80 municipality and all powers previously granted to Tuscaloosa
81 County within the county until the time the Legislature by
82 general or local law shall amend, repeal, or expand the
83 powers, including expansion outside of the political
84 subdivision in which are currently applicable. In addition,



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85 any ordinance or resolution of the county governing body, the
86 municipal governing body of the City of Tuscaloosa, or the
87 municipal governing body of the City of Northport shall
88 continue to be effective in the county or in each respective
89 municipal corporate limits and police jurisdiction where
90 applicable until the Legislature by general or local law
91 affects the power of the county or the municipality to adopt
92 the ordinance or resolutions, or otherwise authorizes or
93 provides for the expansion of the power of the Metro Council
94 to make the ordinance or resolution applicable to any area
95 where the ordinance or resolution is not currently applicable.

96 (e) Notwithstanding the foregoing, neither the
97 Legislature or the Metro Government Charter may authorize any
98 additional ad valorem tax except as otherwise authorized by
99 this constitution nor may any additional sales and use tax be
100 levied unless the sales and use tax is approved by a
101 referendum of the qualified electors in the area affected by
102 the tax.

103 (f) In addition, notwithstanding the other provision of
104 this amendment, any zoning in the unincorporated area of the
105 county prior to 2042 may only be authorized by local law to be
106 implemented by a zoning board elected by the qualified
107 electors of the area affected and the Legislature may not
108 otherwise expand the authority of the Metro Council to zone
109 any property outside of the corporate limits of the City of
110 Tuscaloosa or the City of Northport through a unified planning
111 and zoning board until the year 2043.

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113 (g) The election of the Metro Council shall be
114 nonpartisan. The elections shall be conducted in the same
115 manner as provided for municipal elections by general law,
116 unless otherwise specifically provided by local law.

117 (h) The Mayor of Metro Tuscaloosa County shall be
118 elected by the qualified electors of Tuscaloosa County. The
119 Metro Council shall be elected from single-member districts in
120 the county apportioned based on population. The mayor shall be
121 a full-time position and the council shall serve on a
122 part-time basis.

123 (i) The Tuscaloosa County Metro Government shall employ
124 a comptroller pursuant to civil service board rules. The
125 merger of all financial operations of any area to which this
126 amendment applies shall be effective January 1, 2028.

127 Upon ratification of this constitutional amendment, the
128 Code Commissioner shall number and place this amendment as
129 appropriate in the constitution omitting this instructional
130 paragraph and may make the following nonsubstantive revisions:
131 change capitalization, hierarchy, spelling, and punctuation
132 for purposes of style and uniformity; correct manifest
133 grammatical, clerical, and typographical errors; revise
134 internal or external citations and cross-references; and
135 translate effective dates.

136 END PROPOSED AMENDMENT

137 Section 2. An election upon the proposed amendment
138 shall be held in accordance with Sections 284, 284.01, and 285
139 of the Constitution of Alabama of 2022, and the election laws
140 of this state. The appropriate election official shall assign



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141 a ballot number for the proposed constitutional amendment on
142 the election ballot and shall set forth the following
143 description of the substance or subject matter of the proposed
144 constitutional amendment:

145 "Relating to Tuscaloosa County, proposing an amendment
146 to the Constitution of Alabama of 2022, to allow Tuscaloosa
147 County, the City of Tuscaloosa, and the City of Northport to
148 merge into an urban-county form of government and to provide
149 the procedure for the merger and subsequent operations.

150 Proposed by Act ____."

151 This description shall be followed by the following
152 language:

153 "Yes() No()."

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

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