

HB333 ENGROSSED



1 HB333
2 SLLSF55-2
3 By Representatives Faulkner, Shaw, Sellers, Datcher
4 RFD: County and Municipal Government
5 First Read: 25-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to municipalities; to allow two or more municipalities to establish a regional law enforcement training facility authority to maintain and operate a regional law enforcement training facility; and to provide for the composition, terms, and powers of the board of directors of the regional law enforcement training facility authority, including the issuance of bonds by the authority.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The municipal council of two or more municipalities, by resolution and with the initial consent of their respective mayors, may establish a regional law enforcement training facility authority for the purpose of constructing, maintaining, and operating a regional law enforcement training facility.

(b) A municipality which desires to join an existing regional law enforcement training facility authority, by resolution and with the initial consent of the mayor, may request participation in the existing regional law enforcement training facility authority. The regional law enforcement training facility authority, by resolution, may approve the



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29 requesting municipality's participation in the authority and,
30 if approved, the municipality shall participate with all
31 rights and obligations of the original municipalities
32 participating in the regional law enforcement training
33 facility authority.

34 Section 2. The regional law enforcement training
35 facility authority shall constitute a public body corporate
36 and politic, exercising public and essential governmental
37 functions and shall have all the powers necessary or
38 convenient to carry out the purposes and provisions of this
39 act including, but not limited to, all of the following:

40 (1) To sue and be sued in its own name in civil
41 actions, subject to the limitations provided in Chapter 93 of
42 Title 11 of the Code of Alabama 1975, and, except as otherwise
43 provided in this act, to defend civil actions against it.

44 (2) To adopt and make use of a corporate seal and to
45 alter the seal at pleasure.

46 (3) To have perpetual succession.

47 (4) To make and, from time to time, amend and repeal
48 bylaws, rules, and regulations to carry into effect the powers
49 and purposes of the authority.

50 (5) To make, enter into, and execute contracts,
51 agreements, leases, and other instruments and to take other
52 actions as may be necessary or convenient to accomplish any
53 purpose for which the authority was organized or to exercise
54 any power expressly granted under this section.

55 (6) To acquire, receive, take, or dispose of, by
56 purchase, sale, gift, lease, devise, or otherwise, and to hold



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57 property of every description, real, personal, or mixed, that
58 the authority may deem necessary to accomplish its purposes.

59 (7) To plan, establish, develop, acquire, purchase,
60 lease, construct, reconstruct, renovate, enlarge, improve,
61 maintain, equip, and operate a regional law enforcement
62 training facility. The regional law enforcement training
63 facility may include a shooting range to be used for training.

64 (8) To sell and issue bonds in order to provide funds
65 for any corporate function, use, or purpose, pursuant to the
66 same rules and regulations established for water, sewer, and
67 fire protection districts as found in Chapter 89 of Title 11
68 of the Code of Alabama 1975.

69 (9) To borrow money for any of its purposes.

70 (10) To appoint, employ, contract with, and provide for
71 the compensation of officers, employees, and agents as the
72 purposes of the authority may require, including, but not
73 limited to, engineers, architects, attorneys, management
74 consultants, private construction management firms, fiscal
75 advisers, and in particular, a superintendent to manage the
76 regional law enforcement training facility, and facility
77 personnel as necessary to operate and maintain the facility.

78 Section 3. (a) The regional law enforcement training
79 facility authority shall be governed by a board of directors
80 composed of the following:

81 (1) Two members appointed by the municipal council of
82 any municipality having a population of 20,000 or more. One of
83 the members from each municipality may be a member of the
84 municipal council.



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85 (2) One member from any other municipality appointed by
86 the municipal council of each respective municipality. The
87 member may be a member of the municipal council.

88 (3) The mayor of each municipality.

89 (b) Except with regard to the mayors, the members of
90 the board of directors of the authority shall serve at the
91 pleasure of the municipal council appointing them.

92 Section 4. (a) After a regional law enforcement
93 training facility is operational, the facility shall give
94 first priority to the training of law enforcement officers for
95 each participating municipality.

96 (b) The superintendent of the facility shall be
97 selected by the members of the board of directors and shall
98 serve at their pleasure. The superintendent, according to
99 written policies and procedures adopted by the members of the
100 board of directors, shall have and exercise control and
101 authority over the law enforcement training facility.

102 Section 5. (a) The regional law enforcement training
103 facility authority is a governmental entity as defined in
104 Section 11-93-1 of the Code of Alabama 1975, and the services
105 the authority performs are declared to be governmental
106 functions.

107 (b) The employees of the authority may participate in
108 the Employees' Retirement System of Alabama.

109 Section 6. For the purpose of attaining the objectives
110 of this act, any municipality participating in the regional
111 law enforcement training facility authority, upon agreed
112 terms, and with or without consideration as the authority may



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113 determine, may do all of the following:

114 (1) Lend or donate money to the authority or perform
115 services for the benefit thereof.

116 (2) Donate, sell, convey, transfer, lease, or grant to
117 the authority, without the necessity of authorization at any
118 election of qualified voters, any property of any kind.

119 (3) Do any and all other things permissible by law that
120 are necessary or convenient to aid and cooperate with the
121 authority in attaining the objectives of this act whether or
122 not specifically authorized in this section.

123 (4) Pay to the authority the proceeds of any special
124 tax appropriated, apportioned, or allocated to the authority
125 or to or for the benefit of any facility owned or operated by
126 the authority.

127 Section 7. The property and income of the regional law
128 enforcement training facility authority, all bonds issued by
129 the authority, the income from the bonds, conveyances by or to
130 the authority, and leases, mortgages, and deeds of trust by or
131 to the authority shall be exempt from all state taxes. The
132 exemption provided in this section shall not apply to taxes
133 levied by any county, municipality, or other political
134 subdivision of the state unless approved by resolution or
135 ordinance adopted by the local governing body. A county
136 commission, by resolution, may exempt an authority from the
137 payment of any fees, taxes, or costs to the judge of probate
138 in respect of an authority's incorporation, the amendment of
139 its certificate of incorporation, or the recording of any
140 document.



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141 Section 8. All obligations created or assumed and all
142 bonds issued or assumed by the authority shall be solely and
143 exclusively an obligation of the authority and shall not
144 create an obligation or debt of any municipality nor count
145 against the constitutional debt limit of a participating
146 municipality. This section shall not be construed to release
147 the original obligor from liability on any bond or other
148 obligation assumed by the authority.

149 Section 9. At any time when a regional law enforcement
150 training facility authority has no bonds or other obligations
151 outstanding, its board may by affirmative vote of a majority
152 of its members, and with the prior approval of the municipal
153 council of each municipality participating in the authority,
154 adopt a resolution declaring its intent that the authority
155 shall be dissolved. Written notice of intent to dissolve shall
156 be immediately delivered to the municipal council of each
157 municipality participating in the authority. Dissolution shall
158 not take place less than 60 days following the written notice.
159 At the expiration of 60 days and upon the filing for record of
160 a certified copy of the dissolution resolution in the office
161 of the judge of probate of the municipality in which the
162 authority's certificate of incorporation was filed, the
163 authority shall thereupon stand dissolved and, if the
164 authority owned any property at the time of its dissolution,
165 the title to all its property shall thereupon pass to and be
166 divided and apportioned among the municipalities included in
167 the authority.

168 Section 10. This act shall become effective June 1,

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House of Representatives

Read for the first time and referred25-Feb-25
to the House of Representatives
committee on County and Municipal
Government
Read for the second time and placed05-Mar-25
on the calendar:
1 amendment
Read for the third time and passed18-Mar-25
as amended
Yeas 101
Nays 1
Abstains 1

John Treadwell
Clerk