

HB486 INTRODUCED



1 HB486
2 W1VJ39E-1
3 By Representative Givens (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 01-Apr-25



SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to provide for the continuation of the existing levy of a two mill ad valorem tax for public hospital purposes in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 in the county as the precincts existed on January 1, 2025.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to provide for the continuation of the existing levy of a two mill ad valorem tax for public hospital purposes in certain election precincts in the county.

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) The special district tax now levied and collected for public hospital purposes pursuant to Section 2-10.41,



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Constitution of Alabama of 2022, in election precincts one through seven of Baldwin County, as the precincts existed on July 27, 1965, shall be continued, as provided in subsection (b), upon approval of this amendment and by simultaneous approval of a majority of the qualified electors in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of Baldwin County as the precincts existed on January 1, 2025, voting thereon in the constitutional election ratifying this proposed amendment.

(b) Upon ratification, the Baldwin County Commission shall continue to levy and cause to be collected annually, beginning October 1, 2027, for a period of 20 years, in addition to any taxes now authorized or that may be hereafter authorized by the constitution and laws of this state, a special district tax of two mills on each one dollar (\$1) assessed valuation of taxable property in election precincts 1, 2, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of Baldwin County, Alabama as the precincts existed on January 1, 2025, to be used exclusively for public hospital purposes, as defined in Section 215.03, within these election precincts.

(c) The Baldwin County Commission, in anticipation of tax proceeds, may issue, without further election, interest bearing tax anticipation bonds, warrants, or certificates of indebtedness of the county payable solely from and secured by a pledge of a sufficient amount of the annual proceeds from the tax received by the county.

(d) The Baldwin County Commission may designate, as the



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57 agency of the county, any public corporation heretofore or
58 hereafter organized for hospital purposes in the county, to
59 construct, acquire, equip, operate, and maintain public
60 hospital facilities for election precincts 1, 2, 4, 5, 6, 7,
61 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 26, 27, and 45 of
62 Baldwin County, Alabama, as the precincts existed on January
63 1, 2025. When a public corporation has been designated, the
64 proceeds of the tax thereafter collected shall be paid to it
65 and shall be used for any one or more public hospital purpose;
66 provided, that payments of the proceeds of the tax to the
67 public corporation shall be made only to the extent as will
68 not result in the impairment of the obligation of any contract
69 made with respect to the tax. The public corporation may
70 anticipate the proceeds from the tax by issuing, for any one
71 or more of the purposes for which the tax has been voted, the
72 bonds, warrants, or certificates of indebtedness of the
73 corporation, and may pledge for the payment of the principal
74 thereof and interest thereon a sufficient amount of the annual
75 proceeds from the tax.

76 (e) (1) No securities issued or contracts made by
77 Baldwin County under the authority of this amendment, which
78 are payable solely out of the proceeds of the tax, and no
79 securities issued or contracts made by the corporation,
80 whether or not issued or made under the authority of this
81 amendment, shall be construed to be bonds of Baldwin County or
82 of a political subdivision of the county within the meaning of
83 Section 222, or construed to create or constitute an
84 indebtedness of the county within the meaning of Section 224.



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85 (2) The securities shall be construed to be negotiable
86 instruments notwithstanding the fact that the bonds may be
87 payable solely from a limited source.

88 (f) All pledges of the tax and all contracts made with
89 respect to the tax pursuant to this amendment shall take
90 precedence in the order in which the pledges are made and
91 shall create a charge on the proceeds of the tax prior to the
92 expenses of operating and maintaining any public hospital
93 facilities.

94 (g) This amendment shall be self-executing.

95 Upon ratification of this constitutional amendment, the
96 Code Commissioner shall number and place this amendment as
97 appropriate in the constitution omitting this instructional
98 paragraph and may make the following nonsubstantive revisions:
99 change capitalization, hierarchy, spelling, and punctuation
100 for purposes of style and uniformity; correct manifest
101 grammatical, clerical, and typographical errors; revise
102 internal or external citations and cross-references; harmonize
103 language; and translate effective dates.

104 END PROPOSED AMENDMENT

105 Section 2. An election upon the proposed amendment
106 shall be held in accordance with Sections 284, 284.01, and 285
107 of the Constitution of Alabama of 2022, and the election laws
108 of this state. The appropriate election official shall assign
109 a ballot number for the proposed constitutional amendment on
110 the election ballot and shall set forth the following
111 description of the substance or subject matter of the proposed
112 constitutional amendment:



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"Relating to Baldwin County, proposing an amendment to the Constitution of Alabama of 2022, to provide for the continuation of the existing levy of a two mill ad valorem tax for public hospital purposes in election precincts one, two, four, five, six, seven, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty-one, twenty-six, twenty-seven, and forty-five in the county.

Proposed by Act ____."

This description shall be followed by the following language:

"Yes() No()."

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