

HB508 INTRODUCED



1 HB508
2 TBDWR95-1
3 By Representative Givens (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 03-Apr-25



SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to establish the Belforest Landmark District, to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions, and to specify that the district is not a legal entity.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County, to establish the Belforest 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 purposes of this amendment, the "Belforest



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Landmark District" in Baldwin County is defined as follows:

All of Sections 11, 14, 23, 24, 25, and 36, Township 5 South, Range 2 East, and Sections 19 and 30, Township 5 South, Range 3 East of Baldwin County, Alabama.

LESS AND EXCEPT any portion of the above described property that lies within the corporate limits of the City of Daphne, Alabama.

(b) No property within the Belforest Landmark District may be annexed into any municipality by local law.

(c) Subsection (b) shall not apply to any municipality incorporated after the ratification of this amendment which includes any part of the Belforest Landmark District.

(d) The Belforest Landmark District shall not be considered a legal entity and shall not have any of the following powers or authority:

(1) Standing to sue or be sued.

(2) Taxing authority.

(3) Zoning authority.

(4) Police power and public safety authority.

(5) Authority to adopt ordinances, rules, or regulations within its boundaries.

(6) Any other authority or power commonly associated with a legal entity.

Upon ratification of this constitutional amendment, the Code Commissioner shall number and place this amendment as appropriate in the constitution omitting this instructional paragraph and may make the following nonsubstantive revisions: change capitalization, hierarchy, spelling, and punctuation



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for purposes of style and uniformity; correct manifest grammatical, clerical, and typographical errors; revise internal or external citations and cross-references; harmonize language; and translate effective dates.

END OF PROPOSED AMENDMENT

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

"Relating to Baldwin County, proposing an amendment to the Constitution of Alabama of 2022, to define the Belforest 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.

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.