

SB165 ENGROSSED



1 SB165
2 TA6G119-2
3 By Senators Coleman-Madison, Hatcher, Coleman, Stewart,
4 Singleton
5 RFD: State Governmental Affairs
6 First Read: 12-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to candidates; to amend Sections 36-25-14 and 36-25-15, Code of Alabama 1975, to provide further for the filing of statements of economic interests by candidates with the State Ethics Commission.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 36-25-14 and 36-25-15, Code of Alabama 1975, are amended to read as follows:

"§36-25-14

(a) A statement of economic interests shall be completed and filed in accordance with this chapter with the commission no later than April 30 of each year covering the period of the preceding calendar year by each of the following:

(1) All elected public officials at the state, county, or municipal level of government or their instrumentalities.

(2) Any person appointed as a public official and any person employed as a public employee at the state, county, or municipal level of government or their instrumentalities who occupies a position whose base pay is seventy-five thousand dollars (\$75,000) or more annually, as adjusted by the



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commission by January 31 of each year to reflect changes in the U.S. Department of Labor's Consumer Price Index, or a successor index.

(3) All candidates, provided the statement is filed ~~on the date the candidate files his or her qualifying papers or, in the case of an independent candidate, on the date the candidate complies with the requirements of Section 17-9-3~~in accordance with Section 36-25-15.

(4) Members of the Alabama Ethics Commission; appointed members of boards and commissions having statewide jurisdiction (but excluding members of solely advisory boards).

(5) All full-time nonmerit employees, other than those employed in maintenance, clerical, secretarial, or other similar positions.

(6) Chief clerks and chief managers.

(7) Chief county clerks and chief county managers.

(8) Chief administrators.

(9) Chief county administrators.

(10) Any public official or public employee whose primary duty is to invest public funds.

(11) Chief administrative officers of any political subdivision.

(12) Chief and assistant county building inspectors.

(13) Any county or municipal administrator with power to grant or deny land development permits.

(14) Chief municipal clerks.

(15) Chiefs of police.



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(16) Fire chiefs.

(17) City and county school superintendents and school board members.

(18) City and county school principals or administrators.

(19) Purchasing or procurement agents having the authority to make any purchase.

(20) Directors and assistant directors of state agencies.

(21) Chief financial and accounting directors.

(22) Chief grant coordinators.

(23) Each employee of the Legislature or of agencies, including temporary committees and commissions established by the Legislature, other than those employed in maintenance, clerical, secretarial, or similar positions.

(24) Each employee of the Judicial Branch of government, including active supernumerary district attorneys and judges, other than those employed in maintenance, clerical, secretarial, or other similar positions.

(25) Every full-time public employee serving as a supervisor.

(b) Unless otherwise required by law, no public employee occupying a position earning less than seventy-five thousand dollars (\$75,000) per year shall be required to file a statement of economic interests, as adjusted by the commission by January 31 of each year to reflect changes in the U.S. Department of Labor's Consumer Price Index, or a successor index. Notwithstanding the provisions of subsection



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(a) or any other provision of this chapter, no coach of an athletic team of any four-year institution of higher education which receives state funds shall be required to include any income, donations, gifts, or benefits, other than salary, on the statement of economic interests, if the income, donations, gifts, or benefits are a condition of the employment contract. Such statement shall be made on a form made available by the commission. The duty to file the statement of economic interests shall rest with the person covered by this chapter. Nothing in this chapter shall be construed to exclude any public employee or public official from this chapter regardless of whether they are required to file a statement of economic interests. The statement shall contain the following information on the person making the filing:

(1) Name, residential address, business; name, address, and business of living spouse and dependents; name of living adult children; name of parents and siblings; name of living parents of spouse. Undercover law enforcement officers may have their residential addresses and the names of family members removed from public scrutiny by filing an affidavit stating that publicizing this information would potentially endanger their families.

(2) A list of occupations to which ~~one-third~~ one-third or more of working time was given during previous reporting year by the public official, public employee, or his or her spouse.

(3) A listing of total combined household income of the public official or public employee during the most recent



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reporting year as to income from salaries, fees, dividends, profits, commissions, and other compensation and listing the names of each business and the income derived from such business in the following categorical amounts: less than one thousand dollars (\$1,000); at least one thousand dollars (\$1,000) and less than ten thousand dollars (\$10,000); at least ten thousand dollars (\$10,000) and less than fifty thousand dollars (\$50,000); at least fifty thousand dollars (\$50,000) and less than one hundred fifty thousand dollars (\$150,000); at least one hundred fifty thousand dollars (\$150,000) and less than two hundred fifty thousand dollars (\$250,000); or at least two hundred fifty thousand dollars (\$250,000) or more. The person reporting shall also name any business or subsidiary thereof in which he or she or his or her spouse or dependents, jointly or severally, own five percent or more of the stock or in which he or she or his or her spouse or dependents serves as an officer, director, trustee, or consultant where the service provides income of at least one thousand dollars (\$1,000) and less than five thousand dollars (\$5,000); or at least five thousand dollars (\$5,000) or more for the reporting period.

(4) If the filing public official or public employee, or his or her spouse, has engaged in a business during the last reporting year which provides legal, accounting, medical or health related, real estate, banking, insurance, educational, farming, engineering, architectural management, or other professional services or consultations, then the filing party shall report the number of clients of such



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141 business in each of the following categories and the income in
142 categorical amounts received during the reporting period from
143 the combined number of clients in each category: Electric
144 utilities, gas utilities, telephone utilities, water
145 utilities, cable television companies, intrastate
146 transportation companies, pipeline companies, oil or gas
147 exploration companies, or both, oil and gas retail companies,
148 banks, savings and loan associations, loan or finance
149 companies, or both, manufacturing firms, mining companies,
150 life insurance companies, casualty insurance companies, other
151 insurance companies, retail companies, beer, wine, or liquor
152 companies or distributors, or combination thereof, trade
153 associations, professional associations, governmental
154 associations, associations of public employees or public
155 officials, counties, and any other businesses or associations
156 that the commission may deem appropriate. Amounts received
157 from combined clients in each category shall be reported in
158 the following categorical amounts: Less than one thousand
159 dollars (\$1,000); more than one thousand dollars (\$1,000) and
160 less than ten thousand dollars (\$10,000); at least ten
161 thousand dollars (\$10,000) and less than twenty-five thousand
162 dollars (\$25,000); at least twenty-five thousand dollars
163 (\$25,000) and less than fifty thousand dollars (\$50,000); at
164 least fifty thousand dollars (\$50,000) and less than one
165 hundred thousand dollars (\$100,000); at least one hundred
166 thousand dollars (\$100,000) and less than one hundred fifty
167 thousand dollars (\$150,000); at least one hundred fifty
168 thousand dollars (\$150,000) and less than two hundred fifty



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169 thousand dollars (\$250,000); or at least two hundred fifty
170 thousand dollars (\$250,000) or more.

171 (5) If retainers are in existence or contracted for in
172 any of the above categories of clients, a listing of the
173 categories along with the anticipated income to be expected
174 annually from each category of clients shall be shown in the
175 following categorical amounts: Less than one thousand dollars
176 (\$1,000); at least one thousand dollars (\$1,000) and less than
177 five thousand dollars (\$5,000); or at least five thousand
178 dollars (\$5,000) or more.

179 (6) If real estate is held for investment or revenue
180 production by a public official, his or her spouse or
181 dependents, then a listing thereof in the following fair
182 market value categorical amounts: Under fifty thousand dollars
183 (\$50,000); at least fifty thousand dollars (\$50,000) and less
184 than one hundred thousand dollars (\$100,000); at least one
185 hundred thousand dollars (\$100,000) and less than one hundred
186 fifty thousand dollars (\$150,000); at least one hundred fifty
187 thousand dollars (\$150,000) and less than two hundred fifty
188 thousand dollars (\$250,000); at least two hundred fifty
189 thousand dollars (\$250,000) or more. A listing of annual gross
190 rent and lease income on real estate shall be made in the
191 following categorical amounts: Less than ten thousand dollars
192 (\$10,000); at least ten thousand dollars (\$10,000) and less
193 than fifty thousand dollars (\$50,000); fifty thousand dollars
194 (\$50,000) or more. If a public official or a business in which
195 the person is associated received rent or lease income from
196 any governmental agency in Alabama, specific details of the



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197 lease or rent agreement shall be filed with the commission.

198 (7) A listing of indebtedness to businesses operating
199 in Alabama showing types and number of each as follows: Banks,
200 savings and loan associations, insurance companies, mortgage
201 firms, stockbrokers and brokerages, or bond firms; and the
202 indebtedness to combined organizations in the following
203 categorical amounts: Less than twenty-five thousand dollars
204 (\$25,000); twenty-five thousand dollars (\$25,000) and less
205 than fifty thousand dollars (\$50,000); fifty thousand dollars
206 (\$50,000) and less than one hundred thousand dollars
207 (\$100,000); one hundred thousand dollars (\$100,000) and less
208 than one hundred fifty thousand dollars (\$150,000); one
209 hundred fifty thousand dollars (\$150,000) and less than two
210 hundred fifty thousand dollars (\$250,000); two hundred fifty
211 thousand dollars (\$250,000) or more. The commission may add
212 additional business to this listing. Indebtedness associated
213 with the homestead of the person filing is exempted from this
214 disclosure requirement.

215 (c) Filing required by this section shall reflect
216 information and facts in existence at the end of the reporting
217 year.

218 (d) If the information required herein is not filed as
219 required, the commission shall notify the public official or
220 public employee concerned as to his or her failure to so file
221 and the public official or public employee shall have 10 days
222 to file the report after receipt of the notification. The
223 commission may, in its discretion, assess a fine of ten
224 dollars (\$10) a day, not to exceed one thousand dollars



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(\$1,000), for failure to file timely.

(e) A person who intentionally violates any financial disclosure filing requirement of this chapter shall be subject to administrative fines imposed by the commission, or shall, upon conviction, be guilty of a Class A misdemeanor, or both.

Any person who unintentionally neglects to include any information relating to the financial disclosure filing requirements of this chapter shall have 90 days to file an amended statement of economic interests without penalty."

"§36-25-15

(a) Candidates at every level of government shall file a completed statement of economic interests for the previous calendar year with the State Ethics Commission: (i) not more than five days after the candidate files his or her qualifying papers with the appropriate election official the deadline to file a declaration of candidacy as provided in Section
17-13-5, or in the case of an independent candidate, not more than five days after the date the person complies with the requirements of Section 17-9-3 of the first primary election;
or (ii) for a candidate for municipal office, not more than five days after the deadline for the candidate to file his or her qualifying papers with the appropriate election official.

Nothing in this section shall be deemed to require a second filing of the person's statement of economic interests if a current statement of economic interests is on file with the commission. If a candidate has already filed a current statement of economic interests for a reason other than his or her candidacy, the candidate shall, by the deadline provided



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253 by this subsection, provide proof to the commission that a
254 current statement has already been submitted or file a new or
255 amended statement.

256 (b) Each election official who receives a declaration
257 of candidacy or petition to appear on the ballot for election
258 from a candidate, within five days of the receipt, shall
259 notify the commission of the name of the candidate, as defined
260 in this chapter, and the date on which the person became a
261 candidate. The commission, within five business days of
262 receipt of the notification, shall notify the election
263 official whether the candidate has complied with this section.

264 (c) Other provisions of the law notwithstanding, if a
265 candidate does not submit a statement of economic interests or
266 when applicable, an amended statement of economic interests in
267 accordance with the requirements of this chapter, the name of
268 the person shall not appear on the ballot and the candidate
269 shall be deemed not qualified as a candidate in that election.
270 Notwithstanding the foregoing, the commission, for good cause
271 shown, may allow the candidate an additional five days to file
272 the statement of economic interests. If a candidate is deemed
273 not qualified, the appropriate election official shall remove
274 the name of the candidate from the ballot."

275 Section 2. This act shall become effective on October
276 1, 2025.



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277
278
279 Senate

280 Read for the first time and referred12-Feb-25
281 to the Senate committee on State
282 Governmental Affairs

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284 Read for the second time and placed20-Feb-25
285 on the calendar:
286 0 amendments

287
288 Read for the third time and passed04-Mar-25
289 as amended
290 Yeas 30
291 Nays 0
292 Abstains 0

293
294
295 Patrick Harris,
296 Secretary.
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