

SB165 INTRODUCED



1 SB165
2 TA6G119-1
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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SYNOPSIS:

Under existing law, each candidate at every level of government must file a statement of economic interests with the State Ethics Commission not more than five days after the date he or she files his or her qualifying papers or for an independent candidate, not more than five days after he or she files the necessary petition to have his or her name put on the ballot.

This bill would provide that a statement of economic interests must be filed by a candidate not more than five days after the deadline to file his or her candidacy as provided by law or for independent candidates, not more than five days after the first primary election.

This bill would also provide that if a candidate has previously filed a statement for a reason other than his or her status as a candidate, he or she need only provide proof to the commission that a current statement has already been filed.

A BILL
TO BE ENTITLED
AN ACT



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29
30 Relating to candidates; to amend Sections 36-25-14 and
31 36-25-15, Code of Alabama 1975, to provide further for the
32 filing of statements of economic interests by candidates with
33 the State Ethics Commission.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

37 "§36-25-14

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

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

45 (2) Any person appointed as a public official and any
46 person employed as a public employee at the state, county, or
47 municipal level of government or their instrumentalities who
48 occupies a position whose base pay is seventy-five thousand
49 dollars (\$75,000) or more annually, as adjusted by the
50 commission by January 31 of each year to reflect changes in
51 the U.S. Department of Labor's Consumer Price Index, or a
52 successor index.

53 (3) All candidates, provided the statement is filed ~~on~~
54 ~~the date the candidate files his or her qualifying papers or,~~
55 ~~in the case of an independent candidate, on the date the~~
56 ~~candidate complies with the requirements of Section 17-9-3~~in



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57 [accordance with Section 36-25-15.](#)

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

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

65 (6) Chief clerks and chief managers.

66 (7) Chief county clerks and chief county managers.

67 (8) Chief administrators.

68 (9) Chief county administrators.

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

71 (11) Chief administrative officers of any political
72 subdivision.

73 (12) Chief and assistant county building inspectors.

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

76 (14) Chief municipal clerks.

77 (15) Chiefs of police.

78 (16) Fire chiefs.

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

81 (18) City and county school principals or
82 administrators.

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



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85 (20) Directors and assistant directors of state
86 agencies.

87 (21) Chief financial and accounting directors.

88 (22) Chief grant coordinators.

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

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

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

99 (b) Unless otherwise required by law, no public
100 employee occupying a position earning less than seventy-five
101 thousand dollars (\$75,000) per year shall be required to file
102 a statement of economic interests, as adjusted by the
103 commission by January 31 of each year to reflect changes in
104 the U.S. Department of Labor's Consumer Price Index, or a
105 successor index. Notwithstanding the provisions of subsection
106 (a) or any other provision of this chapter, no coach of an
107 athletic team of any four-year institution of higher education
108 which receives state funds shall be required to include any
109 income, donations, gifts, or benefits, other than salary, on
110 the statement of economic interests, if the income, donations,
111 gifts, or benefits are a condition of the employment contract.
112 Such statement shall be made on a form made available by the



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113 commission. The duty to file the statement of economic
114 interests shall rest with the person covered by this chapter.
115 Nothing in this chapter shall be construed to exclude any
116 public employee or public official from this chapter
117 regardless of whether they are required to file a statement of
118 economic interests. The statement shall contain the following
119 information on the person making the filing:

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

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

132 (3) A listing of total combined household income of the
133 public official or public employee during the most recent
134 reporting year as to income from salaries, fees, dividends,
135 profits, commissions, and other compensation and listing the
136 names of each business and the income derived from such
137 business in the following categorical amounts: less than one
138 thousand dollars (\$1,000); at least one thousand dollars
139 (\$1,000) and less than ten thousand dollars (\$10,000); at
140 least ten thousand dollars (\$10,000) and less than fifty



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141 thousand dollars (\$50,000); at least fifty thousand dollars
142 (\$50,000) and less than one hundred fifty thousand dollars
143 (\$150,000); at least one hundred fifty thousand dollars
144 (\$150,000) and less than two hundred fifty thousand dollars
145 (\$250,000); or at least two hundred fifty thousand dollars
146 (\$250,000) or more. The person reporting shall also name any
147 business or subsidiary thereof in which he or she or his or
148 her spouse or dependents, jointly or severally, own five
149 percent or more of the stock or in which he or she or his or
150 her spouse or dependents serves as an officer, director,
151 trustee, or consultant where the service provides income of at
152 least one thousand dollars (\$1,000) and less than five
153 thousand dollars (\$5,000); or at least five thousand dollars
154 (\$5,000) or more for the reporting period.

155 (4) If the filing public official or public employee,
156 or his or her spouse, has engaged in a business during the
157 last reporting year which provides legal, accounting, medical
158 or health related, real estate, banking, insurance,
159 educational, farming, engineering, architectural management,
160 or other professional services or consultations, then the
161 filing party shall report the number of clients of such
162 business in each of the following categories and the income in
163 categorical amounts received during the reporting period from
164 the combined number of clients in each category: Electric
165 utilities, gas utilities, telephone utilities, water
166 utilities, cable television companies, intrastate
167 transportation companies, pipeline companies, oil or gas
168 exploration companies, or both, oil and gas retail companies,



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169 banks, savings and loan associations, loan or finance
170 companies, or both, manufacturing firms, mining companies,
171 life insurance companies, casualty insurance companies, other
172 insurance companies, retail companies, beer, wine, or liquor
173 companies or distributors, or combination thereof, trade
174 associations, professional associations, governmental
175 associations, associations of public employees or public
176 officials, counties, and any other businesses or associations
177 that the commission may deem appropriate. Amounts received
178 from combined clients in each category shall be reported in
179 the following categorical amounts: Less than one thousand
180 dollars (\$1,000); more than one thousand dollars (\$1,000) and
181 less than ten thousand dollars (\$10,000); at least ten
182 thousand dollars (\$10,000) and less than twenty-five thousand
183 dollars (\$25,000); at least twenty-five thousand dollars
184 (\$25,000) and less than fifty thousand dollars (\$50,000); at
185 least fifty thousand dollars (\$50,000) and less than one
186 hundred thousand dollars (\$100,000); at least one hundred
187 thousand dollars (\$100,000) and less than one hundred fifty
188 thousand dollars (\$150,000); at least one hundred fifty
189 thousand dollars (\$150,000) and less than two hundred fifty
190 thousand dollars (\$250,000); or at least two hundred fifty
191 thousand dollars (\$250,000) or more.

192 (5) If retainers are in existence or contracted for in
193 any of the above categories of clients, a listing of the
194 categories along with the anticipated income to be expected
195 annually from each category of clients shall be shown in the
196 following categorical amounts: Less than one thousand dollars



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197 (\$1,000); at least one thousand dollars (\$1,000) and less than
198 five thousand dollars (\$5,000); or at least five thousand
199 dollars (\$5,000) or more.

200 (6) If real estate is held for investment or revenue
201 production by a public official, his or her spouse or
202 dependents, then a listing thereof in the following fair
203 market value categorical amounts: Under fifty thousand dollars
204 (\$50,000); at least fifty thousand dollars (\$50,000) and less
205 than one hundred thousand dollars (\$100,000); at least one
206 hundred thousand dollars (\$100,000) and less than one hundred
207 fifty thousand dollars (\$150,000); at least one hundred fifty
208 thousand dollars (\$150,000) and less than two hundred fifty
209 thousand dollars (\$250,000); at least two hundred fifty
210 thousand dollars (\$250,000) or more. A listing of annual gross
211 rent and lease income on real estate shall be made in the
212 following categorical amounts: Less than ten thousand dollars
213 (\$10,000); at least ten thousand dollars (\$10,000) and less
214 than fifty thousand dollars (\$50,000); fifty thousand dollars
215 (\$50,000) or more. If a public official or a business in which
216 the person is associated received rent or lease income from
217 any governmental agency in Alabama, specific details of the
218 lease or rent agreement shall be filed with the commission.

219 (7) A listing of indebtedness to businesses operating
220 in Alabama showing types and number of each as follows: Banks,
221 savings and loan associations, insurance companies, mortgage
222 firms, stockbrokers and brokerages, or bond firms; and the
223 indebtedness to combined organizations in the following
224 categorical amounts: Less than twenty-five thousand dollars



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225 (\$25,000); twenty-five thousand dollars (\$25,000) and less
226 than fifty thousand dollars (\$50,000); fifty thousand dollars
227 (\$50,000) and less than one hundred thousand dollars
228 (\$100,000); one hundred thousand dollars (\$100,000) and less
229 than one hundred fifty thousand dollars (\$150,000); one
230 hundred fifty thousand dollars (\$150,000) and less than two
231 hundred fifty thousand dollars (\$250,000); two hundred fifty
232 thousand dollars (\$250,000) or more. The commission may add
233 additional business to this listing. Indebtedness associated
234 with the homestead of the person filing is exempted from this
235 disclosure requirement.

236 (c) Filing required by this section shall reflect
237 information and facts in existence at the end of the reporting
238 year.

239 (d) If the information required herein is not filed as
240 required, the commission shall notify the public official or
241 public employee concerned as to his or her failure to so file
242 and the public official or public employee shall have 10 days
243 to file the report after receipt of the notification. The
244 commission may, in its discretion, assess a fine of ten
245 dollars (\$10) a day, not to exceed one thousand dollars
246 (\$1,000), for failure to file timely.

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

251 Any person who unintentionally neglects to include any
252 information relating to the financial disclosure filing



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253 requirements of this chapter shall have 90 days to file an
254 amended statement of economic interests without penalty."

255 "§36-25-15

256 (a) Candidates at every level of government shall file
257 a completed statement of economic interests for the previous
258 calendar year with the State Ethics Commission not more than
259 five days after ~~the candidate files his or her qualifying~~
260 ~~papers with the appropriate election official~~ the deadline to
261 file a declaration of candidacy as provided in Section
262 17-13-5, or in the case of an independent candidate, not more
263 than five days after the date ~~the person complies with the~~
264 ~~requirements of Section 17-9-3~~ of the first primary election.
265 Nothing in this section shall be deemed to require a second
266 filing of the person's statement of economic interests if a
267 current statement of economic interests is on file with the
268 commission. If a candidate has already filed a current
269 statement of economic interests for a reason other than his or
270 her candidacy, the candidate shall, by the deadline provided
271 by this subsection, provide proof to the commission that a
272 current statement has already been submitted or file a new or
273 amended statement.

274 (b) Each election official who receives a declaration
275 of candidacy or petition to appear on the ballot for election
276 from a candidate, within five days of the receipt, shall
277 notify the commission of the name of the candidate, as defined
278 in this chapter, and the date on which the person became a
279 candidate. The commission, within five business days of
280 receipt of the notification, shall notify the election



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281 official whether the candidate has complied with this section.

282 (c) Other provisions of the law notwithstanding, if a
283 candidate does not submit a statement of economic interests or
284 when applicable, an amended statement of economic interests in
285 accordance with the requirements of this chapter, the name of
286 the person shall not appear on the ballot and the candidate
287 shall be deemed not qualified as a candidate in that election.
288 Notwithstanding the foregoing, the commission, for good cause
289 shown, may allow the candidate an additional five days to file
290 the statement of economic interests. If a candidate is deemed
291 not qualified, the appropriate election official shall remove
292 the name of the candidate from the ballot."

293 Section 2. This act shall become effective on October
294 1, 2025.