

SB249 INTRODUCED



1 SB249
2 ZQGPFKR-1
3 By Senators Allen, Orr, Melson
4 RFD: County and Municipal Government
5 First Read: 18-Mar-25



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SYNOPSIS:

Under existing law, a municipality may enact an ordinance or resolution to levy a new tax or license fee or to increase the rate of any existing tax or license fee when the tax or license fee is otherwise authorized by law.

This bill would provide that a municipality may only levy a new tax or license fee, or increase the rate of a tax or license fee, by ordinance.

This bill would provide that the ordinance may not be considered for adoption until after a public hearing, and would require at least 30 days' notice before the public hearing.

This bill would also provide for the requirements of the notice.

A BILL
TO BE ENTITLED
AN ACT

Relating to municipalities; to amend Section 11-45-2, Code of Alabama 1975, to further provide for the procedure regarding certain taxes and fees; and to require notice in



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29 certain circumstances.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Section 11-45-2, Code of Alabama 1975, is
32 amended to read as follows:

33 "§11-45-2

34 (a) The style of an ordinance of a city or town shall
35 be, "Be it ordained by the city (or town) council of _____
36 as follows:" inserting the name of the city or town as the
37 case may be.

38 (b) (1) No ordinance or resolution intended to be of
39 permanent operation shall be adopted by the council at the
40 same meeting at which it is introduced, unless unanimous
41 consent of those present is given for the immediate
42 consideration of ~~such~~the ordinance or resolution, ~~such~~with
43 consent to be shown by a vote taken by yeas and nays, and the
44 names of the members voting shall be entered upon the
45 minutes~~.~~.

46 (2) ~~and no~~No ordinance or resolution intended to be of
47 permanent operation shall become a law unless on its final
48 passage a majority of the members elected to ~~said~~the council
49 in cities of over 12,000 inhabitants ~~shall~~ vote in its favor.

50 (3) In all towns and in cities of less than 12,000
51 population, an affirmative vote of a majority of the whole
52 number of members of the council to which the corporation is
53 entitled, including the mayor, shall be required to enact any
54 ordinance or resolution intended to be of permanent operation.

55 (c) (1) a. Notwithstanding subsection (b), any action of
56 a council to adopt a new tax or license fee, or to increase



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57 the rate of a tax or license fee, shall be subject to this
58 subdivision.

59 b. After the ordinance is introduced at a council
60 meeting, a public hearing shall be held by the council after
61 not less than 30 days' notice of the public hearing is given.

62 c. The notice shall state all of the following:

63 1. The substance of the proposed ordinance.

64 2. The amount of any proposed new tax or license fee,
65 or the amount of the increase in any tax or license fee.

66 3. The date, time, and place of the public hearing.

67 4. That a copy of the proposed ordinance may be
68 obtained from the office of the municipal clerk.

69 d. The notice shall be published in a newspaper of
70 general circulation published in the municipality or otherwise
71 in the same manner as the publication of an ordinance is
72 provided for in Section 11-45-8(b).

73 e. A representative of the municipality shall post a
74 copy of the proposed ordinance on the website of the
75 municipality, if the municipality has a website, and on the
76 Secretary of State's open meetings website.

77 f. After the public hearing, the proposed ordinance may
78 be considered by the council at a regular council meeting.

79 (c) The council shall award no contract on bids except
80 by resolution."

81 Section 2. This act shall become effective on October
82 1, 2025.