

SB46 ENROLLED



1 SB46
2 EM3DCC2-2
3 By Senators Sessions, Williams, Figures (N & P)
4 RFD: Mobile County Legislation
5 First Read: 04-Feb-25



SB46 Enrolled

1 Enrolled, An Act,

2

3

4 SYNOPSIS:

5

6 A BILL

7 TO BE ENACTED

8 AN ACT

9

10 Relating to Class 2 municipalities; to amend Section
11 22-40A-12 of the Code of Alabama 1975, relating to the Alabama
12 Scrap Tire Environmental Quality Act, to authorize the
13 governing body of a Class 2 municipality to establish a
14 delegation agreement with the Alabama Department of
15 Environmental Management to enforce the act; to authorize
16 enforcement in a Class 2 municipality in municipal court; and
17 to provide for criminal penalties of certain violations.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 22-40A-12 of the Code of Alabama
20 1975, is amended to read as follows:

21 "§22-40A-12

22 (a) County commissions and the governing body of any
23 Class 2 municipality may request primacy on enforcement and
24 establish delegation agreements with the department for
25 enforcement of this chapter. The department shall establish by
26 regulation rule the procedures for delegation. Counties A
27 county or a Class 2 municipality that wish to voluntarily
28 establish such establishes a delegation-agreements agreement



SB46 Enrolled

29 with the department for local enforcement shall have all of
30 the following responsibilities:

31 (1) Provide quarterly reports to the department on all
32 scrap tire activities within that quarter on a form prepared
33 and provided by the department.

34 (2) Provide a written investigation—reports report to
35 the department within 10 days of ~~the~~ an initial investigation.

36 (3) Investigate all reports and complaints regarding
37 scrap tires within the respective county or Class 2
38 municipality.

39 (4) Investigate illegal dumping of scrap tires.

40 (5) Review manifests of scrap tires at businesses

41 (b) Notwithstanding any other provision of law, in a
42 Class 2 municipality, the municipal court shall have
43 jurisdiction over violations of this chapter.

44 (c) In any Class 2 municipality, in lieu of the
45 penalties provide in Section 22-40A-19, the following
46 penalties shall apply:

47 (1) A person who accumulates scrap tires in violation
48 of this chapter as provided in Section 22-40A-19(a)(1), upon
49 conviction, shall be guilty of a Class C misdemeanor.

50 (2) A person who processes scrap tires in violation of
51 this chapter as provided in Section 22-40A-19(a)(2), upon
52 conviction, shall be guilty of a Class B misdemeanor.

53 (3) A person who transports scrap tires in violation of
54 this chapter as provided in Section 22-40A-19(a)(3), upon
55 conviction, shall be guilty of a Class A misdemeanor."

56 Section 2. This act shall become effective June 1,

SB46 Enrolled



57 2025.



SB46 Enrolled

58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB46
Senate 04-Mar-25
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 08-Apr-25

By: Senator Sessions