

SB60 ENROLLED



1 SB60
2 5FUVMM3-2
3 By Senator Albritton
4 RFD: Finance and Taxation General Fund
5 First Read: 04-Feb-25



SB60 Enrolled

1 Enrolled, An Act,

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4 Relating to the finance and construction and renovation
5 of prisons; to amend Section 14-2-12, Code of Alabama 1975, to
6 allow the the Alabama Corrections Institution Finance
7 Authority to increase the amount of bonds issued to implement
8 the existing prison modernization plan to a total of one
9 billion two hundred eighty-five million dollars
10 (\$1,285,000,000).

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Section 14-2-12, Code of Alabama 1975, is
13 amended as follows:

14 "§14-2-12

15 (a) The authority is hereby authorized, from time to
16 time, to sell and issue, in addition to all bonds heretofore
17 authorized to be issued by the authority, its bonds in such
18 aggregate principal amounts as may be determined by the
19 corporation to be necessary for For the purpose of providing
20 funds for the acquisition of sites, for the construction,
21 reconstruction, alteration, and improvement of facilities, for
22 the procurement and installation of equipment therefor, and
23 for payment of obligations incurred and the principal of and
24 interest on any temporary loans made for any of the purposes. ~~7~~
25 ~~the authority is hereby authorized, from time to time, to sell~~
26 ~~and issue, in addition to all bonds heretofore authorized to~~
27 ~~be issued by the authority, its bonds in such aggregate~~
28 ~~principal amounts as may be determined by the corporation to~~



~~be necessary for the purposes, but~~ The aggregate principal amount of additional bonds authorized pursuant to this subsection shall not to exceed twenty-five million dollars (\$25,000,000), plus an additional seven million five hundred thousand dollars (\$7,500,000) pursuant to Act 97-950, ~~in aggregate principal amount.~~

(b) In addition to the authorization provided in subsection (a), the authority is hereby authorized, from time to time, to sell and issue its bonds in amounts determined by the authority to be necessary for the acquisition, construction, reconstruction, alteration, and improvement of facilities. Additional bonds may be issued to provide for additional bedspace by improving properties currently owned by the Department of Corrections or the authority. The total additional bonds authorized by this subsection shall not exceed sixty million dollars (\$60,000,000) ~~\$60 million.~~

(c) (1) Subject to subdivision (2), in addition to any other authorization provided in this chapter, the authority is hereby authorized, from time to time, to sell and issue bonds in multiple series and in amounts determined by the authority to be necessary to replace existing bed space in Department of Corrections facilities through the implementation of the phased plan set forth in Act 2021-546. The total additional bonds authorized ~~by~~ to facilitate the phased plan set forth in Act 2021-546 may not exceed one billion two hundred eighty-five million dollars (\$1,285,000,000) ~~\$785 million.~~

(2) The additional bonds authorized under subdivision (1) shall be issued by the authority as necessary for the



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projects specified in each phase:

a.1. PHASE 1: Effective October 1, 2021, the authority shall be authorized to issue bonds as necessary, and subject to the limitation in this subsection, to fund the following Phase 1 projects:

(i) The construction of the specialized men's prison facility.

(ii) The construction of the Escambia men's prison facility.

2. Within one year from the completion of the specialized men's prison facility and the Escambia men's prison facility, the Staton, Elmore, and Kilby facilities shall all be closed.

3. At a time to be determined by the Department of Corrections, and following the closure of the facilities described in subparagraph 2., the next major Department of Corrections facility to be closed shall be the St. Clair Correctional Facility.

b. PHASE 2: Upon substantial completion of at least 60 percent of the construction of Phase 1 projects, in the aggregate, or anytime thereafter, as certified by the Commissioner of Corrections, and upon certification by the Director of Finance, the Chair of the House Ways and Means General Fund Committee, and the Chair of the Senate Finance and Taxation General Fund Committee that the General Fund can support additional lease payments from the department to the authority or that the funding otherwise exists to complete any of the Phase ~~1~~2 projects and it is in the best interest of



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the state to do so, the authority shall be authorized to issue bonds as necessary, and subject to the limitation in this subsection, to fund any of the following Phase 2 projects:

1. The construction of a women's prison facility.

Within one year of completion of this women's facility, the Julia Tutwiler Prison shall be closed.

2. The renovation and improvement, or, if necessary, the demolition and reconstruction, of existing state-owned prison facilities in Jefferson and Limestone Counties.

3. The renovation and improvement, or, if necessary, the demolition and reconstruction, of an existing state-owned men's prison facility to be selected by the authority and to be located in Barbour or Bullock County.

c. PHASE 3: Prior to substantial completion of 75 percent of the renovation and improvement of Phase 2 projects, in the aggregate, as certified by the Commissioner of Corrections, the Department of Corrections, in consultation with the Joint Legislative Prison Oversight Committee, shall perform an evaluation of men's prison facilities based on a current facilities assessment and inmate population trends to determine if additional facility beds need to be replaced. This evaluation shall include a site assessment of the Bibb Correctional Facility to determine the feasibility of repurposing the existing facility, on existing property, into a correctional or rehabilitation facility or for any other purpose. A copy of the evaluation shall be provided to the Legislature.

(3) If bond proceeds exceed the amount authorized in



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subdivision (1) due to receipt of original issue premium in connection with the sale of bonds or due to any other reason, the bond proceeds in excess of those amounts shall be allocated by the authority for the expense of issuance, including capitalized interest, or as determined necessary for the purposes provided in subdivision (1).

(4) Within 30 days of the completion of any bond sale pursuant to this subsection, the authority shall provide a report in concise, simple language to the Legislature which reflects the date of the issuance of the bonds pursuant to this subsection, total amount of the bonds, maturity date, schedule of payments, including interest and principal, amount of attorney fees, architect fees and bond attorney fees, underwriting fees, and all other costs incurred in the issuance of and sale of the bonds herein authorized, and to what person, firm, corporation, company, or other entity to which any such fees or money is to be or has been paid.

(d) Any monetary transactions by the authority completed pursuant to Act 2010-729 and Act 2021-546 shall be fully disclosed to the public.

(e) Any bonds issued pursuant to this section shall be sold pursuant to the terms of Section 14-2-16.

(f)(1) The authority is strongly encouraged to utilize businesses and companies in all aspects of the bond portions of this chapter that reflect the racial and ethnic diversity of the state.

(2) It is the intent of the Legislature that the authority encourage participation by minority businesses in



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141 the construction of prison facilities as provided by ~~the~~ Act
142 2021-546. Accordingly, the authority shall adopt a plan that
143 achieves to the greatest extent possible a level of
144 participation by minority businesses, with a focus on ethnic
145 minority businesses, including prevailing ethnic minority
146 businesses. The authority shall administer training programs
147 and other educational activities to enable eligible minority
148 businesses to compete for participation on an equal basis, and
149 shall focus on developing ethnic minority businesses,
150 including prevailing ethnic minority businesses. The authority
151 shall monitor the results of minority business participation
152 and shall report at least on a quarterly basis the results of
153 minority business participation, with specificity, to the
154 Governor, the President Pro Tempore of the Senate, the Speaker
155 of the House of Representatives, the Senate Minority Leader,
156 and the House Minority Leader."

157 Section 2. This act shall become effective on July 1,
158 2025.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

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Senate 18-Feb-25

I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives

Passed: 01-Apr-25

By: Senator Albritton