

SB298 ENGROSSED



1 SB298
2 2JN1VIS-2
3 By Senator Barfoot
4 RFD: County and Municipal Government
5 First Read: 12-Feb-26



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A BILL
TO BE ENTITLED
AN ACT

Relating to Class 3 municipalities; to mandate minimum staffing requirements for municipal law enforcement agencies; to authorize the State of Alabama to assume operational oversight of a municipal police department under certain conditions; to authorize the Alabama State Law Enforcement Agency to establish a corrective action plan and take other remedial measures for municipalities in default; and to authorize the Alabama State Law Enforcement Agency to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Each Class 3 municipality shall maintain a minimum ratio of 1.9 full-time law enforcement officers for every 1,000 residents of the municipality, as determined by the 2020 federal decennial census.

(b) A Class 3 municipality that does not meet the requirements of subsection (a) on October 1, 2026, shall be granted an initial grace period of five years to achieve full compliance. The municipality shall be exempt from satisfying the requirements of subsection (a) during the grace period, provided the municipality complies with the requirements of



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29 subsection (c) and the other applicable provisions of this
30 act.

31 (c) During the grace period under subsection (b), the
32 municipality shall make annual improvements of not less than
33 10 percent of the deficit between the current officer ratio
34 and the required ratio provided under subsection (a). Annually
35 during the grace period, the governing body of the
36 municipality and the chief of police shall submit a report to
37 the Secretary of the Alabama State Law Enforcement Agency
38 demonstrating that the municipality is making the required
39 annual improvements.

40 Section 2. On an annual basis by December 1, the
41 governing body of each Class 3 municipality shall submit all
42 of the following to the Secretary of the Alabama State Law
43 Enforcement Agency:

44 (1) The number of law enforcement officers as of
45 October 31 of the current year.

46 (2) The population used for compliance calculation.

47 (3) Steps taken to recruit, hire, or train additional
48 officers.

49 Section 3. (a) If a Class 3 municipality is in
50 violation of Section 1 on or before October 1, 2031, the State
51 of Alabama, through the Secretary of the Alabama State Law
52 Enforcement Agency (ALEA), may assume operational oversight of
53 the police department of the municipality and may execute one
54 or more of the following actions:

55 (1) Establish a corrective action plan for the
56 municipality to regain compliance.



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57 (2) Deploy supplemental law enforcement personnel or
58 resources.

59 (3) Appoint a Chief Administrative Law Enforcement
60 Officer who shall have the authority to act in all matters and
61 for all purposes regarding the police department of the
62 municipality, including, but not limited to, personnel
63 actions, administrative procedures, enforcement strategies,
64 and recruitment and retention methods.

65 (4) Enter into cooperative enforcement agreements with
66 the county sheriff, adjacent jurisdictions, or state agencies.

67 (b) The operational oversight of the Class 3 municipal
68 police department pursuant to subsection (a) shall continue
69 until the passage of 365 calendar days following the
70 municipality's compliance with the requirements of this act.

71 Section 4. (a) The State of Alabama and its affected
72 agencies and any supporting political subdivision of the state
73 may petition the local circuit court for restitution to
74 enforce this act. Upon a finding that a Class 3 municipality
75 violated Section 1, the court shall award the state full
76 restitution for the cost to deploy supplemental law
77 enforcement officers during any period of operational
78 oversight of a Class 3 municipal police department pursuant to
79 Section 3. Restitution shall include, but not be limited to,
80 payment, payable to the state and its affected agencies, for
81 costs incurred implementing and administering a period of
82 operational oversight, the costs to deploy any supplemental
83 law enforcement officers, and the full costs of
84 indemnification of the state, its affected agencies, and any



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85 supporting political subdivisions.

86 (b) On behalf of the State of Alabama and its affected
87 agencies and any supporting political subdivision of the
88 state, the Attorney General shall submit a petition for
89 restitution that shall include all of the following:

90 (1) The name of the agency requesting restitution.

91 (2) The name and rank of each supplemental law
92 enforcement officer deployed for operational oversight of the
93 Class 3 municipality.

94 (3) The number of hours each supplemental law
95 enforcement officer was deployed.

96 (4) The hourly rate at which each supplemental law
97 enforcement officer was paid, including fringe benefits,
98 mileage, and per diem.

99 (5) The total amount of non-personnel operational costs
100 incurred, including costs for equipment, vehicles, and fuel.

101 (6) The cost of indemnification of any claims arising
102 from the deployment of the state, its affected agencies, and
103 any supporting political subdivisions.

104 (7) Any other additional expense incurred by the state,
105 its affected agencies, and any supporting political
106 subdivisions.

107 (8) The total amount of money requested as restitution
108 by the agency.

109 (9) Any supporting documentation necessary to establish
110 any expenditure under this subsection.

111 (c) ALEA shall maintain a detailed record of all
112 expenditures made in furtherance of this act and shall submit



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113 a report quarterly on those expenditures to the Governor, the
114 Chair of the Finance and Taxation General Fund Committee, the
115 Chair of the House Ways and Means General Fund Committee, and
116 the mayor of any municipality subject to operational
117 oversight.

118 (d) The Chief Justice of the Alabama Supreme Court,
119 upon request from the Attorney General, may appoint a sitting
120 or retired circuit judge to preside over all proceedings under
121 this section. If the Chief Justice determines that approving
122 the request would serve the public interest, he or she shall
123 appoint a visiting judge. The visiting judge shall serve until
124 the final adjudication of the matter for which he or she was
125 appointed. A visiting judge appointment shall confer on the
126 visiting judge all powers, authority, and jurisdiction of the
127 respective judgeship to which he or she has been appointed.

128 (e) The court shall hold a hearing on the petition and
129 shall grant the petition if the court is reasonably satisfied
130 from the evidence that the petitioner is entitled to
131 restitution pursuant to this section.

132 (f) (1) Following any award of restitution under this
133 section, the Class 3 municipality shall have not less than six
134 months to make complete the payment of the restitution.
135 Thereafter, if the restitution payments have not been
136 completed, the Class 3 municipality shall become ineligible to
137 receive any of the following:

138 a. Any state grant, gift, endowment, or any other sum
139 of money or aid from the State of Alabama or a department,
140 board, or agency thereof.



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141 b. Any allocation of state revenues directly shared
142 with local governing bodies not otherwise guaranteed by the
143 Constitution of Alabama of 2022, including, but not limited
144 to, revenue from the Rebuild Alabama Act, Act 2019-2, 2019 1st
145 Special Session; and the net profits derived from the proceeds
146 of the Alabama liquor stores as provided under Section
147 28-3-74, Code of Alabama 1975.

148 (2) The Finance Director shall direct the Comptroller
149 to withhold the distribution of revenue described under this
150 subsection to which the Class 3 municipality would otherwise
151 be entitled into a special fund within the State Treasury. The
152 Legislature, by independent supplemental appropriation, may
153 use monies in the special fund to satisfy the restitution
154 payments.

155 Section 5. The Secretary of the Alabama State Law
156 Enforcement Agency may adopt rules to implement and administer
157 this section.

158 Section 6. This act shall become effective on October
159 1, 2026.



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162 Senate

163 Read for the first time and referred12-Feb-26
164 to the Senate committee on County
165 and Municipal Government

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167 Read for the second time and placed24-Feb-26
168 on the calendar:
169 0 amendments

170
171 Read for the third time and passed31-Mar-26
172 as amended
173 Yeas 28
174 Nays 7
175 Abstains 0

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178 Patrick Harris,
179 Secretary.
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