

A LEGISLATOR’S GUIDE TO ALABAMA’S TAXES

**A SUMMARY OF THE MAJOR REVENUE SOURCES OF
THE STATE OF ALABAMA**



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LEGISLATIVE SERVICES AGENCY
FISCAL DIVISION

Kirk Fulford
Deputy Director

Alabama State House
11 South Union Street, Suite 613
Montgomery, Alabama 36130-3525

(334) 261-0600
kfulford@lsa.state.al.us

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To the Legislature of Alabama:

This is the 30th edition of a publication that the Legislative Fiscal Office first completed in January of 1979. It is intended as a reference source for the most basic information about Alabama's taxes and revenues.

This publication involved the entire staff of the Legislative Services Agency-Fiscal Division. John Friedenreich directed the project and was responsible for editing the final edition. The research and data collection were accomplished by the staff analysts. Collection information has been updated to include fiscal year 2022 receipts. The legislative history for each revenue source (available in the online version of this publication only) was updated through the 2022 Regular Session.

The primary statutory sources used in compiling this information were the *Code of Alabama 1975*, and the Acts of Alabama. The data for revenue collections was obtained primarily from the Department of Revenue's Revenue Abstract reports and revenue reports prepared by the Department of Finance.

Except where noted, all references to years concern fiscal years, which extends from October 1 through September 30. We would appreciate your suggestions as to how we might make future editions of more value to you.

Sincerely,

A handwritten signature in black ink that reads "Kirk Fulford". The signature is written in a cursive style.

Kirk Fulford
Deputy Director



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Part I: Education Trust Fund and State General Fund Receipts

Education Trust Fund Receipts: Fiscal Years 2019 – 2022

	Actual FY 19	Actual FY 20	Actual FY 21	Actual FY 22
Beer Tax	22,594,709	22,313,702	23,444,102	22,347,818
Court Costs	-	-	8,526	59,439
Hydroelectric Tax	401,355	508,205	1,152,768	575,509
Income Tax	4,548,470,728	4,657,167,330	5,643,876,383	7,182,568,354
Insurance Premium Tax ¹	30,993,296	30,993,296	-	-
Miscellaneous	5,009	36,521	12,423	7,313
Mobile Telecomm Tax	11,924,391	9,804,426	7,854,607	7,876,760
Sales Tax	2,013,911,327	2,084,997,958	2,320,781,188	2,479,655,623
Store Licenses	125,217	108,039	114,194	113,521
Unclassified	-	14,705	4,630	-
Use Tax	150,447,230	171,835,152	189,176,846	224,561,280
Use Tax Remote	11,251,938	11,862,146	13,021,155	15,838,365
Use Tax Simplified Sellers	23,292,598	46,259,499	64,247,692	77,625,559
Utility Tax	401,311,662	388,005,780	379,592,951	406,487,071
Subtotal	7,214,729,460	7,423,906,759	8,643,287,465	10,417,716,613
Transfers And Reversions	546,743	664,981 ²	525,598	1,814,985
Total³	7,215,276,203	7,424,571,740 ⁴	8,643,813,063	10,419,531,598

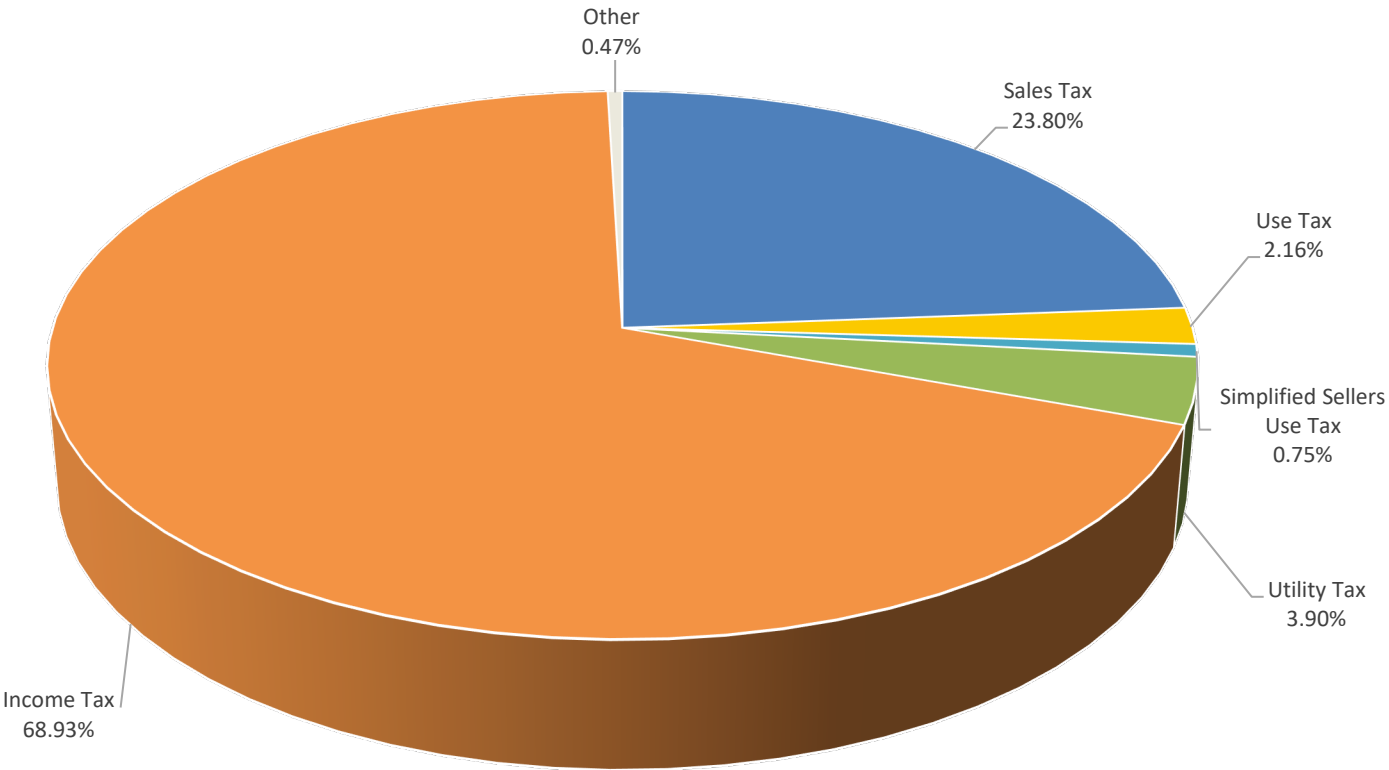
¹ Capped at \$30,993,296, until distribution of that amount was changed to General Fund by Act 2019-392 beginning in FY2021.

² Excludes one-time transfer of \$15,000,000 from Education Trust Fund Advancement and Technology Fund and temporary transfer of \$301,665,743 from the Budget Stabilization Fund for cash flow purposes.

³ Totals may not sum due to rounding.

⁴ Represents real revenues.

Education Trust Fund Receipts by Tax: Fiscal Year 2022



State General Fund Receipts: Fiscal Years 2019 – 2022

	Actual FY 19	Actual FY 20	Actual FY 21	Actual FY 22
Abandoned Property Tax	61,000,000	55,000,000	45,000,000	45,000,315
A.B.C. Board	122,599,970	139,932,450	156,732,629	170,158,894
Ad Valorem Tax	164,661,076	173,618,373	182,200,778	192,180,118
Alabama Trust Fund	104,228,915	114,945,748	123,577,185	122,499,814
Auto Title Tax	22,587,317	21,635,240	23,704,396	22,506,253
Cigarette Tax	148,920,124	148,507,163	143,374,979	132,170,597
Corporation Taxes	95,856,519	96,428,940	98,708,994	98,997,911
Court Costs-Judicial Article	59,708,762	54,294,712	59,644,764	60,190,411
Deed Record Tax	11,058,210	11,597,437	16,858,744	20,142,854
Driver License Fees	17,033,989	17,023,255	17,044,392	16,976,517
Financial Instit. Excise Tax	39,686,474	35,261,905	90,417,436	73,617,451
Freight Line & Equip. Co. Tax	4,725,315	4,809,329	5,336,768	5,374,349
Hazardous Waste	(231,287)	143,056	59,371	36,862
Estate Tax	-	10,493	(9,341)	(1,152)
Insurance Premium Tax	385,145,244	412,104,979	489,046,539	553,986,900
Interest On State Deposits	62,955,355	51,525,314	19,643,087	40,373,733
Judicial Admin Fees	88,712	75,857	71,890	73,317
Lease Tang. Pers. Prop.	82,463,257	83,804,669	91,707,455	98,834,020
Lodgings Tax	58,855,436	49,980,777	63,099,773	77,371,409
Manufactured Home Fees	525,918	502,962	499,415	507,011
Misc. Dept Fees & Receipts	4,651,629	4,607,356	4,413,369	5,360,286
Mobile Telecom Tax	19,348,781	15,108,791	11,209,213	11,253,521
Mortgage Record Tax	31,506,248	43,508,120	58,472,446	56,741,223
Motor Veh License	46,872,246	46,800,765	50,461,399	50,853,625
Oil Co Licenses	8,890,802	7,936,157	8,211,500	8,837,903
Oil And Gas Production	32,210,824	18,843,884	21,846,688	39,266,075
Pari-Mutuel Tax	1,297,972	2,203,928	4,111,998	5,221,293
Privilege License Tax	4,779,709	5,368,407	5,839,548	6,336,932
Public Safety Misc.	17,745,967	17,099,445	15,962,622	17,409,680
Public Utility Rec Tax	24,694,412	24,350,133	23,422,421	18,774,314
Sales Tax On Autos	111,941,527	116,094,535	143,006,190	145,511,169
Sales Tax Discount ⁵	22,564,286	20,882,822	31,154,065	28,670,093
State Securities Comm.	11,793,513	11,915,101	12,806,825	14,590,551
Tobacco - Medicaid Waiver	2,364,291	2,241,575	2,582,821	2,650,945
Tobacco Tax	10,166,162	10,935,832	12,405,621	11,437,902
Use Tax	205,423,028	210,745,590	237,521,604	272,360,512
Use Tax Remote	33,755,908	35,586,528	39,063,533	47,515,206
Use Tax Simplified Sellers	69,877,794	138,778,497	192,743,077	232,876,678
Use Tax Discount	4,118,373	4,707,057	5,812,825	6,589,896
Unclassified	75	336	11,922	1,401
Vapor Products	2,256,443	2,191,805	2,806,680	3,382,085
Sub-Total	2,108,129,298	2,211,109,324	2,510,585,621	2,777,752,621
Transfers And Reversions	43,744,358 ⁶	88,067,476 ⁷	50,947,048 ⁸	61,113,747
Total⁹	2,151,873,656	2,299,176,800	2,561,532,668	2,777,752,621

⁵ Includes amount pledged for debt service on state parks and historical sites bonds and the SGF per Act 2000-731.

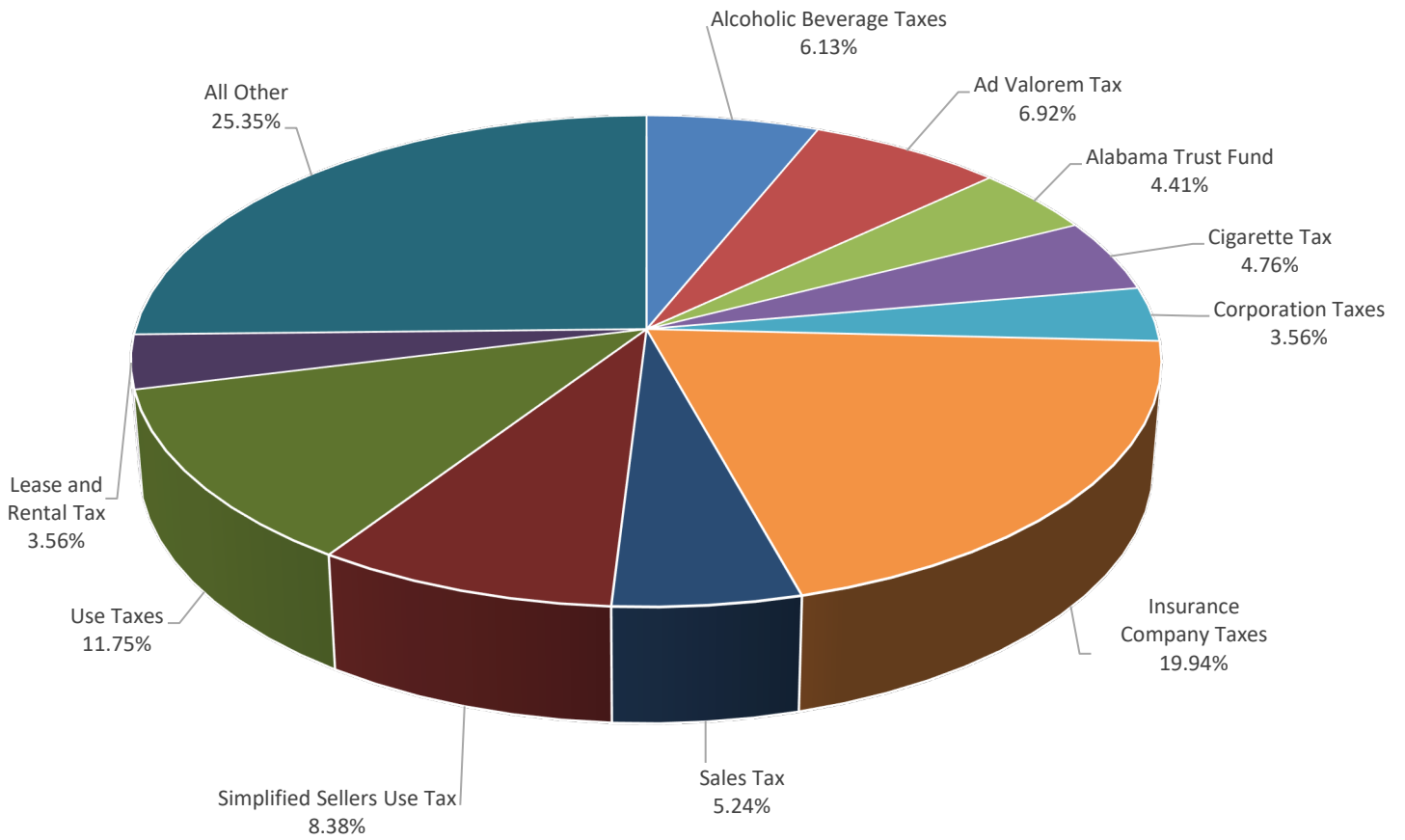
⁶ Includes one-time transfer of \$12,321,200 from tobacco balances.

⁷ Includes one-time transfer of \$11,788,340 from tobacco balances and \$22,437,457 from excess motor vehicle registrations.

⁸ Includes one-time transfer of \$13,327,539 from tobacco balances.

⁹ Totals may not sum due to rounding.

State General Fund Receipts by Tax: Fiscal Year 2022



Part II: Revenue Sources of the State of Alabama

A.B.C. Licensing and Penalty Review

Statutory Authority:

Sections 28-3-1, 28-3A-1 through 28-3A-26, 28-4A-1 through 28-4A-6, 28-7-5 through 28-7-15, and 28-10-1 through 28-10-8, *Code of Alabama 1975*.

Tax Base:

Licenses and associated filing fees are required of distillers, manufacturers, importers, wholesalers, and retailers for the privilege of distributing alcoholic beverages within the State of Alabama.

Tax Rate:

	State Fee
Application filing fees , original application only	\$50
Filing fee for transfer of a license	\$50
Responsible vendor fee	\$35
Annual License Fees:	
Lounge Retail Liquor - Class I	\$300
Lounge Retail Liquor - Class II (Package)	\$300
Restaurant Retail Liquor	\$300
Club Liquor - Class I	\$300
Club Liquor - Class II	\$750
Retail Beer (On or Off Premises)	\$150
Retail Beer (Off Premises Only)	\$150
Retail Table Wine (On or Off Premises)	\$150
Retail Table Wine (Off Premises Only)	\$150
Liquor Wholesale	\$500
Wholesale Beer Only	\$550
Wholesale Table Wine Only - 16.5% or Less	\$550
Wholesale Table Wine & Beer Combined	\$750
Warehouse License	\$200
Additional Warehouse Wine, Beer, or Both	\$200
Special Events Retail	\$150
Special Retail License - 30 Days or Less	\$100
Special Retail - More than 30 Days	\$250
Retail Common Carrier	\$150
Manufacturer	\$500
Importer	\$500
Brewpub	\$1,000
International Motor Speedway	\$300
Non-Profit Tax Exempt	\$0
Wine Festival License	\$50
Wine Festival Participant License	\$15
Direct Wine Shipper	\$200
Wine Fulfillment Center	\$500
Additional Wine Fulfillment Center	\$100
Delivery Service License	\$250
Off-Site Tasting Permit	\$0
Retail Tobacco Sales	\$0

Counties and municipalities may levy additional license fees on any of the licenses listed in Annual License Fees above.

Collections:

By the Alcoholic Beverage Control (ABC) Board. Licenses are due and payable on or before October 1 of each year; county license fees are deposited to the State Treasury and paid semiannually to the respective county; state license fees are deposited to the credit of the Beer Tax and License Fund and paid to the State General Fund and the ABC Board Fund no later than the end of the following month.

Fiscal Year	Collections (\$) ¹⁰	Percent Change
2022	2,696,207	(14.17)
2021	3,141,197	(38.82)
2020	5,134,186	47.70
2019	3,476,153	(1.47)
2018	3,528,105	1.95

Source: "Comparative Summary of Revenue Source" Report.

Distribution:

1. County license fees to the levying county
2. License, filing, and permit fees to the State General Fund
3. Responsible vendor fees to the ABC Board Fund

¹⁰ State only.

Abandoned Property Act

Constitutional Provision:

Section 258 of the *Constitution of Alabama of 2022*. Provides that the estates of deceased persons who die without leaving a will or heir shall be used or applied to the furtherance of education.

Statutory Authority:

Sections 35-12-70 through 35-12-96, *Code of Alabama 1975*.

Description:

This revenue source is not a tax but a provision for the orderly disposition of unclaimed or abandoned property. Every person or entity holding funds or other property, tangible or intangible, presumed abandoned must file a report with and deliver the property to the Treasurer. This property includes, but is not limited to, monies kept on deposit in financial institutions, traveler's checks, money orders, debit cards or other payment instruments, safe deposit box contents, monies owed to policyholders by insurance companies, utility deposits, corporate stocks, securities and dividends held by brokers and fiduciaries. The Treasurer is required to attempt to notify the apparent owners of abandoned property in a cost-effective manner. All abandoned property (other than money and securities) delivered to the State Treasurer is sold to the highest bidder at public sale within three years after its delivery (unless the treasurer determines that the probable cost of sale exceeds the proceeds of the sale).

Collections:

All funds received, including the proceeds from the sale of abandoned property, are collected by the Treasurer.

Fiscal Year	Gross Collections (\$)	Claims Paid	Net Collections	Percent Change
2022	106,704,205	43,282,409	63,421,796	(20.27)
2021	112,711,809	33,169,470	79,542,339	18.53
2020	103,715,459	36,610,684	67,104,774	30.15
2019	86,873,763	35,315,446	51,558,317	(2.11)
2018	89,494,645	24,112,574	65,382,071	18.65

Source: State Treasurer's Office Unclaimed Property Division.

Fiscal Year	State General Fund Receipt Collections (\$)	Percent Change
2022	45,000,315	0.00
2021	45,000,000	(18.18)
2020	55,000,000	(9.84%)
2019	61,000,000	0.00
2018	61,000,000	17.31

Source: "General Fund – Summary Comparison of Net Receipts" Report.

Distribution:

All funds and proceeds received from the sale of abandoned property are deposited as follows:

1. Funds from the estates of persons who died without leaving a will or heir are deposited into the Public School Fund.
2. All other funds are deposited into the Unclaimed Property Reserve Fund from which the Treasurer pays claims duly allowed and transfers funds to the State Treasury Operations Fund as necessary to pay all costs and expenses of administering the program and all costs and expenses of administering the Office of the Treasurer. Surpluses in the Unclaimed Property Reserve Fund are deposited into the State General Fund on a quarterly schedule.

Major Exemptions:

- Municipalities, incorporated municipal boards, counties, county boards, and electric cooperatives are exempted from reporting property as abandoned.
- Gift certificates, gift cards, or in-store credits issued by persons primarily engaged in a retail business.
- Property held, due, and owing in a foreign country and arising out of a foreign transaction.

Ad Valorem Tax

Constitutional Authority:

Levying Provisions:

Section 214 of the *Constitution of Alabama of 2022*. Limited total state property tax levied for state purposes to 6.5 mills.

Section 260 of the *Constitution of Alabama of 2022* (proposed by Act 1956-82, 1st Ex. Sess., proclaimed ratified September 7, 1956). Provides a tax of 3 mills for the educational fund to be applied to support and furtherance of education and restated the authority of the Legislature to levy a total state ad valorem tax up to 6.5 mills, including the 3 mills provided by this section, for the educational fund.

Exemption Provisions:

Section 91 of the *Constitution of Alabama of 2022*. Prohibited the Legislature from taxing the real or personal property of the state, counties or municipal corporations or cemeteries and certain property used exclusively for religious worship, schools or for purely charitable purposes. (See also Section 217).

Other Provisions:

Section 217 of the *Constitution of Alabama of 2022*, "Lid Bill" (proposed by Act 1978-6, 2nd Ex. Sess., proclaimed ratified November 20, 1978, effective October 1, 1978):

- Established the current classes of property, assessment ratios and the maximum total amount of ad valorem tax payable on any item in any one year (as a percentage of fair market value).
- Provided the option of current use value for Class III property.
- Provided that taxable property be assessed uniformly by local governments at the state ratio effective October 1, 1978 and further provided for the adjustment of the ratios (within a prescribed range of assessment ratios of 5% to 35%) as applied to property taxes levied by local authorities.
- Established procedures for increasing local millage rates above limits otherwise provided in the *Constitution* as follows:
 - proposal by the local governing body after a public hearing;
 - approval by the Legislature;
 - approval by a majority of affected voters in a special election.
- Provided that, on or after October 1, 1978, taxing authorities may levy and collect up to 2 mills property tax for reimbursement for certain reappraisal costs, with any collections above the reassessment costs in the year the tax terminates to be used for general purposes.
- Restated exemption of property devoted exclusively to religious, educational, or charitable purposes (see also Section 91) and provided additional exemptions.

Statutory Authority:

Sections 38-4-12, 38-4-12.1, 38-4-13, and 40-1-1 through 40-11-6, *Code of Alabama 1975*.

Tax Base:

A property tax is levied on the owners of real and personal property within Alabama. All property is assessed in one of four classes at the ratios and maximums payable below:

Class	Description	Assessment Ratio	Annual Max. Payable	
			(as % of Market Value) ¹¹	Total Millage Equivalent
I	All property of utilities	30%	2.00%	66.7
II	All property not otherwise classified	20%	1.50%	75
III	All agricultural, forest and single-family, owner-occupied residential property, including owner-occupied residential manufactured homes, located on land owned by the manufactured homeowner, and historical buildings and sites	10%	1.00%	100
IV	All private passenger automobiles and motor trucks of the type commonly known as "pickup trucks" used for personal use	15%	1.25%	83.3

Tax Rate:

State levy of 6.5 mills per dollar of assessed value. (A mill is 1/1000 of a dollar or 1/10 of a cent, so that 6.5 mills equal \$.0065 or .65% of \$1. One mill equals \$1 of taxes per \$1,000 of assessed value of property.)

Example of application of state millage rate to determine state ad valorem taxes due: Assuming a home has an appraised value of \$100,000 and the homeowner (taxpayer) is eligible for the \$4,000 state homestead exemption.

\$100,000	(appraised value)
x 10%	(assessment ratio of Class III property)
\$ 10,000	(assessed value)
-4,000	(homestead exemption)
\$ 6,000	
x .0065	(6.5 mills)
\$ 39	(State ad valorem tax due)

¹¹ Total (including state and all applicable local levies) payable per taxpayer per property. The cities of Mountain Brook, Vestavia Hills and Huntsville are exempted from the ceiling by Section 217 "Lid Bill." Other cities may be exempted by constitutional amendment. The fair and reasonable market value of the property (to which the appropriate assessment ratio is applied) is determined by the local tax assessor and local Board of Equalization, except in the case of public utility property where the Department of Revenue makes the determinations.

Collections:

By County Tax Collector or Revenue Commissioner; remitted to State Treasury on the 5th and 20th of each month.

Fiscal Year	Collections (\$) (State Only)¹²	Percent Change
2022	437,672,004	6.05
2021	412,709,280	5.04
2020	392,907,368	5.57
2019	372,182,990	3.82
2018	358,482,745	2.52

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Property Tax Relief Fund Collections:

Fiscal Year	Collections (\$)	Percent Change
2022	63,541,834	4.57
2021	60,764,835	4.52
2020	58,137,693	4.57
2019	55,599,404	4.40
2018	53,254,158	2.99

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. 3 mills to the Public School Fund
2. 2.5 mills to the State General Fund
3. 1 mill distributed as follows:
 - a. \$20,773,500 to the Department of Human Resources for "old age pension purposes"
 - b. One percent of the entire 1 mill levy to the Alabama Historical Commission for capital improvements and maintenance of the Confederate Memorial Park in Chilton County
 - c. Administrative costs to the Department of Revenue as appropriated by the Legislature
 - d. The amount required by the Department of Human Resources for pension payments to Confederate soldier and sailor widows
 - e. The remaining balance to the Alabama Veterans' Assistance Fund.
 - f. County, municipal, and other special tax district levies are generally earmarked.

Major Exemptions:

- Sections 91 and 217 of the *Constitution of Alabama of 2022* exempts the real and personal property of the state, counties, or other municipal corporations, or cemeteries and property devoted exclusively to religious, educational, or charitable purposes.
- Section 217 also exempts household and kitchen furniture, all farm tractors, all farming implements when used exclusively in connection with agricultural property and all stocks of goods, wares, and merchandise (inventory).
- Several sections, between 40-9-1 through 40-9-38, *Code of Alabama 1975*, provide a listing of additional property tax exemptions for various organizations and for various types of property.

¹² Does not include property tax relief replacement revenues from income tax receipts. Section 40-18-58, *Code of Alabama 1975*, provides an appropriation from income tax receipts to the Property Tax Relief Fund (Section 40-9-24) to replace revenue losses which result from homestead exemptions. The transferred amount is distributed as are other state property tax receipts.

- Among these are a \$4,000 (in assessed value) homestead exemption from state taxes for those 65 or under (up to 160 acres) and a total exemption from state ad valorem taxes on homesteads for those over 65 years of age or those who are retired due to total and permanent disability, regardless of age, or who are blind, regardless of age.
- Municipal industrial development projects, county industrial development projects and property and projects of Municipal Industrial Development Boards, Downtown Redevelopment Authorities, County Industrial Development Boards, County Industrial Development Authorities, and Municipal Medical Clinic Boards may be exempt from certain ad valorem taxes as provided by the *Code of Alabama 1975*, Sections 11-54-31, 11-20-12, 11-54-96, 11-54A-14, 11-20-47, 11-92A-18 and 11-58-14, respectively.
- Numerous other statutes exempt other authorities, facilities, commissions, corporations, districts, and foundations from property taxes.

Local Rates:

County School Mills

<u>Mills</u>	<u>Constitutional Authorization</u>	<u>Implementation Status</u>
1 – Countywide	Section 269	Section 16-13-160. Upon petition of at least 200 qualified electors to the county commission, an election is held and a 3/5 approval required.
3 – Countywide	Section 269.01	Section 16-13-180. Upon petition of at least 200 qualified electors to the county commission an election is held.
3 – District	Section 269.02	Section 16-13-180. Upon the request of county or city board of education to the county commission, an election is held.
5 – Countywide	Section 269.04	Because of conflicting language in the Section, it is recommended that both a petition of 200 electors and a request by the local board of education be made to the county commission for an election.
3 – District	Section 269.05	Lacking implementation language in the Section, the procedures for Section 269.02 (above) should be followed.

County Government Mills

<u>Mills</u>	<u>Constitutional Authorization</u>	<u>Implementation Status</u>
5 – For general purposes*	Section 215	Section 22-3-10; up to 5 mills may be levied for maintenance of a full-time county health officer and full-time health department; Section 11-9-1; for sanitary waste disposal systems. No election required.
2.5 – For public buildings, bridges, or roads – excess may be used for general purposes	Section 215	Section 11-14-11; for public buildings, bridges or roads; Section 11-14-10; for courthouses, jails and hospitals; Section 11-14-16; for courthouses or jails. No election required.
.1 – For county hospitals	Section 215.01 (Mobile and Montgomery Counties exempted)	Section 11-14-10; for courthouses, jails, and hospitals. Election required.

4 – For county hospitals and health facilities	Section 215.02 (Mobile, Montgomery, and Jefferson Counties exempted)	Section 11-14-10; for courthouses, jails, and hospitals. Election required.
.5 – For public library	Section 215.05	None. Election required.
Per acre tax (for forest fire protection). Local levy limited to the amount that, when combined with the state levy (currently \$.10), would result in a total tax of no more than \$.20.	Section 214.01	Section 9-13-197; Local legislative act required.

* May be higher if county has levied and is collecting the special 2 mill property tax authorized by Section 217 (e) of the *Constitution of Alabama of 2022*.

Municipal Government Mills (may be levied by ordinance)

<u>Mills</u>	<u>Constitutional Authorization</u>	<u>Implementation Status</u>
5 – For general purposes	Section 216 (authorizes certain cities to levy more than 5 mills)	None. No election required.
7.5 – For general purposes	Section 216.04	None. Election required.
.5 – For public library	Section 215.05	None. Election required.

Additional Notes Regarding Local Levies:

- Local governments may levy additional mills for schools or other purposes
 - under the provisions of Section 217 (“Lid Bill”) outlined under Constitutional Authority,
 - by local constitutional amendment, or
 - by general constitutional amendment.
 - A general constitutional amendment requires passage of a legislative act by 3/5 votes of both houses and statewide approval of voters.
 - A local constitutional amendment requires passage of a legislative act by 3/5 votes of both houses with no dissenting votes cast and approval of the Local Constitutional Amendment Commission with subsequent approval only by voters in the affected area. If there is a dissenting vote, then statewide approval is required.
- Section 16-13-23, *Code of Alabama 1975*, requires that each school system receive an amount of local tax proceeds equivalent to 10 mills of school district tax in order to participate in the Foundation Program.
- Numerous constitutional amendments and local implementation acts authorize certain local governments to levy additional property taxes for specified purposes.
- Countywide school mill revenues are distributed to local school districts on the basis of the total calculated costs of the Foundation Program for those local school districts.
- District school mill revenues are distributed directly to the district school system.
- Local governments may also levy and collect the special 2 mills property tax authorized by Section 217 (l) of the *Constitution of Alabama of 2022*, related to reimbursement for certain reappraisal costs, if they have not already done so.

Alabama Trust Fund

Constitutional Authority:

Section 219.02 of the *Constitution of Alabama of 2022*, (proposed by Act 1985-79, 1st Ex. Sess., proclaimed ratified June 4, 1985). Establishes the Alabama Trust Fund and provides for distribution of Trust Fund earned income.

Section 219.03 of the *Constitution of Alabama of 2022*, (proposed by Act 1988-550, proclaimed ratified November 23, 1988). Redefines the investment authority of the Alabama Trust Fund to equate to that of the Teachers' and State Employees' Retirement Systems.

Section 219.04 of the *Constitution of Alabama of 2022* (proposed by Act 2000-491, proclaimed ratified December 13, 2000). Provides for the distribution of trust income and capital gains earned by the Alabama Trust Fund; provided for the distribution of offshore oil and gas lease payments beginning October 1, 2001 (see Revenue Source and Distribution; see also Lease of Oil and Gas Rights, pg. 106) and authorized the board to transfer up to 75% of capital gains each fiscal year.

Section 219.05 of the *Constitution of Alabama of 2022*, (proposed by Act 1999-393, proclaimed ratified December 13, 2000). Places the distributions to the County Government Capital Improvement Fund and the Municipal Government Capital Improvement Fund that were previously provided by general law into the constitution. Similar provisions are also provided in Section 219.04.

Section 219.07 of the *Constitution of Alabama of 2022*, (proposed by Act 1991-219, proclaimed ratified February 2, 1993). Provides for the acquisition, maintenance and protection of unique lands and water areas in the state (The Forever Wild Land Trust Act).

Funding for this purpose was provided from a percentage of the trust income earned from the Alabama Trust Fund that would have been reinvested in the fund. This funding would have expired beginning with fiscal year 2013 but the program was extended by Section 219.08 (see Distribution).

Section 219.08 of the *Constitution of Alabama of 2022*, (proposed by Act 2011-315, proclaimed ratified December 13, 2012). Reauthorizes the Forever Wild Land Trust for a 20-year period ending in fiscal year 2032.

Section 219.09 of the *Constitution of Alabama of 2022*, (proposed by Act 2012-490, proclaimed ratified October 9, 2012). Provides for the transfer of \$145,796,943 from the Alabama Trust Fund (ATF) to the State General Fund for each of the fiscal years 2013, 2014, and 2015 and revised the method of distributions from the Alabama Trust Fund beginning with the 2013 fiscal year. Repeals the previous process of distributing annual interest earnings and capital gains in the ATF and replaced it with a process which bases annual distributions on the amount of royalties received in the previous fiscal year and the average market value of invested assets in the ATF as of the end of the three fiscal years prior to the beginning of the fiscal year for which distributions are being made.

Section 219.043 of the *Constitution of Alabama of 2022*, (proposed by Act 2013-266, proclaimed ratified December 1, 2014). Increased the total amount of bonding authority authorized by Section 219.04 by \$50 million. Proceeds from such bond issuance are to be used for plans, construction, and maintenance of Alabama National Guard armories. Oil and gas capital payments received by the Alabama Trust Fund are to be used for repayment of any bond issuances pursuant to this Section.

Section 260.01 of the *Constitution of Alabama of 2022*, (proposed by Act 2001-1066, proclaimed ratified June 19, 2002). Provides for the creation of the Education Trust Fund Rainy Day Account within the Alabama Trust Fund.

Up to 6% of Education Trust Fund appropriations for fiscal year 2002 (approximately \$248 million) were credited to the Account to be drawn upon in the event of proration in the Education Trust Fund. In fiscal year 2003, \$179,993,229 was transferred from the Rainy Day Account in the Alabama Trust Fund to the Education Trust Fund.

Section 260.02 of the *Constitution of Alabama of 2022*, (proposed by Act 2008-508, proclaimed ratified December 1, 2008). Reestablished the Education Trust Fund Rainy Day Account (ETFRDA) within the Alabama Trust Fund, and created a General Fund Rainy Day Account (GFRDA) within the Alabama Trust Fund. The ETFRDA is limited to an amount equal to 6.5% of the immediately preceding fiscal year’s appropriations from the Education Trust Fund. The Legislature must replenish from withdrawals to the ETFRDA within six years. The GFRDA is limited to an amount equal to 10% of the immediately preceding fiscal year’s appropriations from the General Fund. The Legislature must replenish from withdrawals to the GFRDA within ten years.

The initial balance in the ETFRDA was \$437,390,828. The entire amount was withdrawn in fiscal year 2009 in order to reduce proration in the Education Trust Fund and was repaid in full in fiscal year 2015. The initial balance of the GFRDA was \$188,329,374. In fiscal year 2010, \$161,565,874 was withdrawn in order to reduce proration in the State General Fund and was repaid in full in fiscal year 2017 with bond proceeds payable from revenues received from state claims against BP Petroleum and Exploration, Inc. pursuant to Act 2016-469.

Revenue Source:

The Alabama Trust Fund is a perpetual trust established in June 1985 with an initial trust capital of \$333,583,680 from cash bonus payments and royalties paid to the state from offshore oil and gas leases. The trust capital was augmented from time to time by the deposit of proceeds of any offshore oil and gas payment (including royalty payments) received after August 14, 1984. The lands division of the Department of Conservation and Natural Resources received 4% of the original lease payment of \$347,483,000 and receives 1% of any payments made subsequent to August 14, 1984. The Alabama Trust Fund receives 32% of the balance of oil and gas capital payments received by the state; however, this amount is reduced by an amount necessary to make an additional transfer to the Capital Improvement Trust Fund to pay debt service (see Section 219.043 of the *Constitution of Alabama of 2022*) and 33% is distributed pursuant to the annual spending plan (see Section 219.09). The remaining 35% is transferred to:

- (1) the County and Municipal Government Capital Improvement Trust Fund (7%); and
- (2) the Alabama Capital Improvement Trust Fund (28%).

As of September 30, 2022, the trust capital of the Alabama Trust Fund totaled \$3.32 billion.

Collections:

Pursuant to the revised spending plan adopted by Section 219.09: Distributions are made quarterly as adopted by the Alabama Trust Fund Board.

Fiscal Year	Trust Distributions (\$)	Percent Change
2022	122,499,815	(0.87)
2021	123,577,185	7.51
2020	114,945,747	10.28
2019	104,228,915	7.69
2018	96,782,802	(1.28)

Source: State Treasurer’s Office.

Distribution:

Pursuant to Section 219.09, 33% of the royalties received in the previous fiscal year plus 5% of the average market value of invested assets in the ATF as of the end of the three fiscal years prior to the beginning of the fiscal year for which distributions are being made:

1. 1% (up to a maximum of \$5 million) - Senior Services Trust Fund
2. 10% - County Government Capital Improvement Fund.
3. 10% - Municipal Government Capital Improvement Fund.
4. 10% (up to a maximum of \$15 million) – Forever Wild Land Trust.
5. Remainder – State General Fund.

Aviation Gasoline Tax

Statutory Authority:

Sections 40-17-325 through 4-17-326, 40-17-340, and 40-17-360, *Code of Alabama 1975*.

Tax Base:

Tax on the sale of aviation gasoline and jet fuel to licensed and non-licensed aviation fuel purchasers.

Tax Rate:

Aviation gasoline	\$.095 per gallon
Jet fuel	\$.035 per gallon

Aviation gasoline sold to a non-licensed aviation fuel purchaser is taxed as gasoline, and aviation jet fuel sold to a non-licensed aviation fuel purchaser is taxed as diesel fuel.

Collections:

By the Department of Revenue due on or before the 22nd of each month.

Fiscal Year	Collections (\$) ¹³	Percent Change
2022	2,277,339	23.62
2021	1,842,161	(2.01)
2020	1,879,951	(25.56)
2019	2,491,879	(0.66)
2018	2,508,545	20.32

Source: Department of Revenue's "Revenue Abstract."

Distribution:

Paid to the Alabama Department of Transportation (ALDOT) State Airport Development Fund, less the cost of collection.

Used for:

1. Paying the cost of acquiring, engineering, construction, improvement, and maintenance of existing or proposed airports and other air navigation facilities within the state
2. Payment of the salaries of all employees who have been transferred from the Alabama Department of Aeronautics to the Department of Transportation under Article 12 of Chapter 1 of Title 23
3. Payment of administrative expenses incurred by ALDOT in performing aeronautical activities
4. Creating a sinking fund for the payment of the interest and retirement of the principal of all bonds which may be hereafter lawfully issued, sold, and delivered for funds to be used exclusively for the enumerated purposes.

¹³ Gross collections.

Refunds/Exemptions:

- A licensed air carrier with a hub operation in the state may apply for a refund on a quarterly basis for any purchases of jet fuel used to propel aircraft.
- A licensed aviation fuel purchaser can apply for a monthly refund of the excise taxes paid to Alabama on the gallons of jet fuel sold to a licensed air carrier that purchases jet fuel to propel aircraft powered by jet or turbine engines operated in scheduled all-cargo operations being conducted on international flights or in international commerce.
- K-1 kerosene or aviation jet fuel produced at a refinery in Alabama and is either exported directly by the operator of the refinery or sold for immediate export by the operator to a license exporter with proper documentation.
- Motor fuel exported from the state for which proof of export is available in the form of a terminal issued destination state shipping document that is:
 - Exported by a supplier who is licensed in the destination state or
 - Sold by a supplier to a licensed exporter for immediate export to a state for which the applicable destination state motor fuel excise tax has been collected by the supplier who is licensed to remit the tax to the destination state.
- Sales of dyed diesel fuel.
- Gasoline blendstocks when sold to:
 - Licensed supplier or
 - Person who will not be using blendstocks in the manufacture of gasoline or as a motor fuel (with exemption certificate).
- Fuel sold by licensed supplier or licensed permissive supplier to an exempt agency under Section 40-17-332 (United States government or agency thereof, any county governing body of state, any incorporated municipal governing body of state, city and county boards of education of state, Alabama Institute for the Deaf and Blind and Alabama Department of Youth Services school district, and private and church schools as defined in Section 16-28-1).
- Motor fuel delivered by licensed supplier from one terminal to another terminal when ownership in the motor fuel has not changed or by a licensed supplier from a terminal to a refinery operated by the licensed supplier.

Beer Tax

Statutory Authority:

Sections 28-3-1 and 28-3-183 through 28-3-199, *Code of Alabama 1975*.

Tax Base:

Excise tax on the sale, storage, or receipt for the purpose of distribution of malt or brewed beverages.

Tax Rate:

State levy of \$.05 per 12 fluid ounces or fraction thereof. Local beer taxes are uniform at the rate of \$.01625 per 4 fluid ounces or fraction thereof.

Collections:

By the Alcoholic Beverage Control (ABC) Board on a monthly basis. Deposits are made into the State Treasury.

Fiscal Year	Collections (\$)	Percent Change
2022	55,869,545	(4.68)
2021	58,610,254	5.07
2020	55,784,253	(1.24)
2019	56,486,772	3.31
2018	54,678,773	(1.62)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distributions:

1. \$.015 to the State General Fund.
2. \$.005 divided equally among the wet counties.
3. \$.01 to the Public Welfare Trust Fund (Department of Human Resources) for general welfare purposes.
4. \$.02 to the Education Trust Fund, of which as much as may be necessary to pay the principal and interest on bonds not exceeding \$30,000,000 in aggregate principal that have been issued and sold by the Alabama Trade School and Junior College Authority.

Major Exemptions:

- Sales between wholesalers or distributors.
- Sales to certain agencies of the U.S. armed forces.

Boat Registration Fees

Statutory Authority:

Sections 33-5-1 through 33-5-20, *Code of Alabama 1975*.

Base:

An annual certificate of registration fee on every vessel on the waters of the State of Alabama.

A change of ownership fee.

An inspection fee on all homemade vessels that require a hull identification number.

Fees:

Class 1. Less than 16ft	\$18, plus \$2 issuance fee
Class 2. 16ft or over and less than 26ft	\$23, plus \$2 issuance fee
Class 3. 26ft or over and less than 40ft	\$73, plus \$2 issuance fee
Class 4. 40ft or over	\$98, plus \$2 issuance fee
<i>There is an additional \$5 fee for every Class 1 through 4 vessel.</i>	
<i>The above stated fees also apply to livery boats.</i>	
Change of Ownership Fee	\$3, plus \$2 issuance fee
Duplicate Fee	\$3, plus \$2 issuance fee
Class 5. Dealer or Manufacturer; temporary license	\$23, plus \$2 issuance fee
Inspection Fee	\$25 for each homemade vessel that requires a hull identification number.
Issuance fees are retained by the probate judge or issuing officer (if on a fee basis) or deposited to the county treasury.	
Optional Fees - five-year distinctive vessel identification sticker	\$50 plus \$2 issuance fee

Collections:

By probate judges or any other official authorized to issue automobile plates; due to the Alabama State Law Enforcement Agency no later than 10 days after the 1st of each month. Registrations are issued on a staggered basis like motor vehicle registrations.

Fiscal Year	Boat Registration Fees		Boat Ownership Transfer Fees	
	Collections (\$)	Percent Change	Collections (\$)	Percent Change
2022	7,184,114	14.59	79,980	(12.02)
2021	6,269,638	3.73	90,902	17.63
2020	6,044,169	(0.72)	77,276	(0.43)
2019	6,088,267	0.38	77,613	1.96
2018	6,065,329	(1.62)	76,121	(4.81)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. All proceeds (except issuance fees and optional fees) are deposited to the credit of the Public Safety Fund to be used solely for the administration of the registration program.
2. The additional \$5 registration fee is deposited into the State Reservoir Management Grant Fund to provide matching grants to qualified local entities for projects related to reservoir management.
3. The proceeds from the optional \$50 distinctive identification sticker fee are distributed as follows:
 - a. Actual cost of production and delivery, not to exceed 14% (maximum of \$7), to the Alabama Correctional Industries Division of the Department of Corrections
 - b. Actual cost of processing applications, not to exceed 6% (maximum of \$3), to the Alabama State Law Enforcement Agency
 - c. One-half of the remainder (a minimum of \$20) to the sponsoring organization
 - d. One-half of the remainder (a minimum of \$20) to the Department of Conservation and Natural Resources, designated for the operation of state parks.

Major Exemptions:

- A vessel operating under valid temporary certificate or number.
- A vessel already covered by a number in full force and effect which has been awarded to it pursuant to federal law or a federally approved numbering system of another state; provided that the vessel shall not have been within this state for period in excess of 90 consecutive days.
- A vessel under registry from a country other than the U.S. temporarily using the waters of this state.
- A vessel owned by the United States, or a state, county, or municipality.
- A ship's lifeboat.
- A vessel not propelled by machinery, except sail boats and boats for hire.

Bureau of Loans Fees

Statutory Authority:

Sections 5-2A-80 through 5-2A-83 (Bureau of Loans), 5-18-1 through 5-18-23 (Alabama Small Loan Act), 5-18A-1 through 5-18A-22 (Alabama Deferred Presentment Services Act), 5-19-1 through 5-19-33 (Alabama Consumer Credit Act), 5-19A-1 through 5-19A-20 (Alabama Pawnshop Act), 5-25-1 through 5-25-18 (Alabama Mortgage Brokers Licensing Act), and 5-26-1 through 5-26-20 (Alabama Secure and Fair Enforcement for Mortgage Licensing Act, also known as the Alabama SAFE Act), *Code of Alabama 1975*.

Base:

Initial application investigation, annual license, and examination fees for the privilege of:

1. Operating a small loan company making loans of less than \$1,500 (Alabama Small Loan Act)
2. Offering cash advances by accepting and holding a check for a specified period of time (Alabama Deferred Presentment Services Act)
3. Extending consumer credit or taking assignments of consumer credit contracts (Alabama Consumer Credit Act)
4. Business of lending money on the security of pledged goods left in pawn (Alabama Pawnshop Act)
5. Soliciting, processing, placing, and negotiating mortgage loans (Alabama Mortgage Brokers Licensing Act)
6. Engaging in the business of mortgage loan origination (Alabama SAFE Act)

Fees:

Annual license fee for each office, branch, or place of business covered under the following:

- Alabama Small Loan Act
- Deferred Presentment Services Act
- Mortgage Brokers Licensing Act \$500
- Alabama Consumer Credit Act

Companies licensed under both the Alabama Small Loan Act and the Alabama Consumer Credit Act pay only the consumer credit \$500 annual license fee.

Investigation fee accompanying the initial application \$100

Examination fees which are set by the Superintendent of Banks.

Examinations of licensees must be conducted at least annually, with examination fees due at the time of the examination. \$100 per person per day

Pawnbroker licenses

Annual license \$100
Initial application fee \$50

Mortgage Loan Originator initial license fee

License fee is in addition to the fees required to apply through the Nationwide Mortgage Licensing System and Registry (Alabama SAFE Act). \$75

The above fees are in addition to any applicable business license fee found in Title 40, *Code of Alabama 1975*.

Collections:

By the State Banking Department; annual license fees are due each October 1 for the one-year period ending the following September 30. Pawnbroker license fees and Mortgage Brokers license fees are due by December 1 of each year for the next calendar year. Deferred Presentment Services license fees and Consumer Loan license fees are due each January 1 for the one-year period ending the following December 31.

Alabama Small Loan Act			Consumer Credit Act	
Fiscal Year	Collections (\$) ¹⁴	Percent Change	Collections (\$) ¹⁵	Percent Change
2022	124,400	(17.15)	1,826,250	15.20
2021	150,150	8.26	1,585,350	9.36
2020	138,700	(23.71)	1,449,625	6.55
2019	181,800	(7.00)	1,360,550	(2.28)
2018	195,475	(21.73)	1,392,267	(0.52)

Alabama Mortgage Brokers Licensing Act			Alabama Deferred Presentment Services Act	
Fiscal Year	Collections (\$) ¹⁵	Percent Change	Collections (\$) ¹⁵	Percent Change
2022	252,700	32.79	234,050	(9.19)
2021	190,300	34.56	257,750	17.63
2020	141,425	36.38	287,500	(0.43)
2019	103,700	(4.78)	301,600	1.96
2018	108,900	16.97	315,500	(9.21)

Alabama Pawn Shop Act		
Fiscal Year	Collections (\$) ¹⁶	Percent Change
2022	77,800	(8.58)
2021	85,100	(5.81)
2020	90,350	(3.88)
2019	94,000	(9.53)
2018	103,900	(6.73)

Source: "Comparative Summary of Revenues by Fund" Report.

Distribution:

License fees, investigation fees, and examination fees are deposited into the Banking Assessment Fees Fund for use by the State Banking Department.

¹⁴ Collections shown include annual license fees only. One-time investigation fees and examination fees are not included in these amounts.

¹⁵ Gross collections.

¹⁶ Gross collections.

Major Exemptions:

The Alabama Small Loan Act does not apply to:

- Any person doing business under the authority of the state or U.S. Government relating to banks, trust companies, savings or building and loan associations, credit unions, or pawnbroking businesses.
- Any person making loans to their tenants engaged in agriculture.
- Agricultural suppliers who make loans to persons whose principal business is farming.
- Agricultural credit corporations or associations organized under an Act of Congress.
- The financing of the purchase of motor vehicles, refrigerators, or other personal property.
- Loans insured or guaranteed by the U.S. Government.

The Deferred Presentment Services Act does not apply to:

- Banks, credit unions, savings associations, savings banks, and thrift institutions organized pursuant to laws of any state or of the United States and any parent of the foregoing entities.
- Trust companies, life insurance companies, and federally constituted agencies.
- The Alabama Consumer Credit Act (Mini-Code) does not apply to:
- Any person doing business under the authority of the state or U.S. Government relating to consumer credit transactions involving an interest in real property, banks, trust companies, savings or building and loan associations, credit unions, life insurance companies, or pawnbroking businesses.
- Federally constituted agencies.

The Alabama Mortgage Brokers Licensing Act does not apply to:

- Any depository institution, as defined in Section 3 of the Federal Deposit Insurance Act, any subsidiary institution that is owned and controlled by a depository institution, and employees of any of the foregoing. Bank holding companies and subsidiaries of bank holding companies, thrift holding associations, savings banks and other thrift institutions, credit unions, and all other affiliates of each of the above persons if more than 50 percent of the affiliate's shares or other ownership interests are owned or controlled by a person, and federally or state constituted agencies and employees of any of the foregoing.
- Any person licensed to make consumer loans or take assignments of consumer credit contracts.
- An attorney licensed to practice law in Alabama who is not principally engaged in negotiating mortgage loans when the attorney renders services in the course of his or her practice as an attorney.
- Any person performing any act relating to mortgage loans under order of any court.
- A natural person who is employed by a licensed mortgage broker or person exempted from the licensing requirements of this chapter when acting within the scope of employment with the licensee or exempted person; or who solicits mortgage loans exclusively on behalf of a licensed mortgage broker or person exempted from the licensing requirements of this chapter when the natural person is acting within the scope of the agency of the licensee or exempted person.
- Any licensed real estate salesperson or broker who provides mortgage loan assistance in the course of doing business unless the real estate salesperson or broker is compensated for providing mortgage loan assistance.

The Alabama Pawnshop Act does not apply to:

- Any bank which is regulated by the State Banking Department of Alabama.
- The Comptroller of the Currency of the United States.
- The Federal Deposit Insurance Corporation.
- The Board of Governors of the Federal Reserve System, or any other federal or state authority, and all affiliates thereof and any bank or savings and loan association whose deposits or accounts are eligible for insurance by the Bank Insurance Fund or the Savings Association Insurance Fund or other fund administered by the Federal Deposit Insurance Corporation all affiliates thereof.
- Any state or federally chartered credit union.
- Any finance company subject to licensing and regulation by the State Banking Department pursuant to the Alabama Consumer Credit Act.

The Alabama SAFE Act does not apply to:

- Registered mortgage loan originators, loan processors, loss mitigation specialists, and other employees when acting for an entity that is a depository institution, a subsidiary that is owned and controlled by a depository institution and is regulated by a Federal banking agency, or an institution regulated by the Farm Credit Administration.
- Any individual who offers or negotiates terms of a residential mortgage loan with or on behalf of an immediate family member of the individual.
- Any individual who offers or negotiates terms of a residential mortgage loan secured by a dwelling that served as the individual's residence.
- A licensed attorney who negotiates the terms of a residential mortgage loan on behalf of a client as an ancillary matter to the attorney's representation of the client, unless the attorney is compensated by a lender, a mortgage broker, or other mortgage loan originator or by any agent of a lender, mortgage broker, or other mortgage loan originator.

Business Privilege Tax

Constitutional Authority:

Section 229 of the *Constitution of Alabama of 2022*, (proposed by Act 2012-275, proclaimed ratified December 13, 2012). States that the Legislature shall pass general law for the payment by businesses of a tax on the privilege of doing business in Alabama, or otherwise under the laws of Alabama. Exempts strictly benevolent, educational or religious corporations from payment of the tax on their withdrawable or re-purchasable shares.

Opinion of the Justices, 756 So. 2d 21 (Ala. 1999). The Legislature is required to impose a franchise tax but may levy a franchise tax on domestic corporations based upon the amount of their net worth in this state.

Statutory Authority:

Sections 40-14A-1 and 40-14A-2, 40-14A-21 through 40-14A-29, and 40-14A-41 through 40-14A-43, *Code of Alabama 1975*.

Tax Base:

Privilege tax on every corporation, limited liability entity, and disregarded entity doing business in Alabama or registered under the laws of Alabama. The tax is based on the taxpayer's net worth in Alabama provided for in Sections 40-14A-23 and 40-14A-24 *Code of Alabama 1975*.

Tax Rate:

The rate is determined by the taxpayer's taxable income apportioned and allocated to Alabama. The following schedule details the tax rates:

Taxable Income		Tax Rate
At least	But less than	(Per \$1,000 of net worth)
-	\$1	\$.25
\$1	\$200,000	\$1.00
\$200,000	\$500,000	\$1.25
\$500,000	\$2,500,000	\$1.50
\$2,500,000	-	\$1.75

The minimum tax for all taxpayers, except financial institutions, is \$100. Beginning after tax year ending December 31, 2022, taxpayers who would owe the minimum tax of \$100 will pay \$50. Beginning after tax year ending December 31, 2023, taxpayers who would owe the minimum tax of \$100 will pay no tax and have no filing requirement.

For financial institutions, the minimum tax is based on the financial institution's total deposits in Alabama as determined by the following table:

Financial Institution's Total Deposits in Alabama	Tax Rate (per \$1,000 of deposits)
Less than \$1 billion	\$.125
\$1 billion – \$6 billion	\$.17
\$6 billion or more	\$.225

For purposes of determining total deposits in Alabama, all members of an affiliated group, as defined by Section 40-14A-22(f)(1)a, must aggregate their deposits. The maximum tax for all taxpayers except financial institution groups, insurance companies, nonprofit corporations organized solely to hold title to property and pay related expenses, and

electing family limited liability entities is \$15,000. The maximum tax for financial institution groups and insurance companies is \$3 million. The maximum tax for nonprofit corporations organized solely to hold title to property and pay related expenses is \$100. The maximum tax for electing family limited liability entities, as defined in Section 40-14A-1(h), is \$500.

Collections:

By the Department of Revenue. The tax return is due two and one-half months following the beginning of a tax year for a corporation or limited liability entity. The tax return is due three and a half months after the beginning of a financial institution group's tax year.

Fiscal Year	Collections (\$) ¹⁷	Percent Change
2022	206,849,001	10.71
2021	186,835,001	8.55
2020	172,126,748	7.28
2019	160,441,186	5.76
2018	151,698,950	0.94

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deduction of the amount appropriated to the Department of Revenue as its costs of collection, the balance of the tax is distributed as follows:

1. Each county receives the amount that it received from franchise tax collections during the fiscal year ending September 30, 1999. This amount is increased by .75% each year beginning in the fiscal year ending September 30, 2000.
2. Each county and each local ad valorem tax recipient agency within each county receives the amount that it received from the domestic corporation assessment of shares tax during the fiscal year ending September 30, 1999. This amount is increased by .75% each year beginning in the fiscal year ending September 30, 2000.
3. The remaining balance is distributed to the State General Fund.

Major Exemptions:

- Organizations described in 26 U.S.C. Section 501(a).
- Counties, municipalities, municipal corporations, the State of Alabama, and any corporation or association owned solely by counties, municipalities, or the State of Alabama.
- Community chests, funds, and foundations.
- Entities organized and operated exclusively for religious purposes.
- Homeowners' associations.
- Political parties, political action committees, and political campaign committees.
- Agricultural cooperatives.

¹⁷ Gross collections.

Cigarette Tax

Statutory Authority:

Sections 40-25-1 through 40-25-29 and 40-25-40 through 40-25-47, and 40-25-70, *Code of Alabama 1975*.

Tax Base:

Privilege and use tax on the sale, storage, or distribution of cigarettes by wholesalers and retailers, and use by consumers. Tax is paid at wholesale level by affixing stamps to each individual package. (See also Tobacco Tax, pg. 131).

Tax Rate:

33.75 mills per cigarette (\$.675 per pack of 20 cigarettes).

Collections:

By the Department of Revenue on a monthly basis. Privilege (stamp) tax is collected on the 20th of each month. Wholesalers and jobbers are allowed a 4.75% discount. Prior to October 1, 2015, the discount was 7.5%.

Fiscal Year	Collections (\$)	Percent Change
2022	144,375,590	(8.69)
2021	158,112,000	(2.54)
2020	162,248,926	(0.83)
2019	163,604,869	(3.46)
2018	169,462,445	(5.37)

Source: Department of Revenue's "Revenue Abstract." Collection amount represents net cigarette tax collections after discounts and refunds.

Distribution:

38.82% as follows:

1. 6.06% to the State Public Welfare Trust Fund for general welfare purposes.
2. 9.09% for:
 - a. Maturing bonds issued by the State Industrial Development Authority.
 - b. Balance credited to the "General and Mental Health Fund" and distributed as follows:
 - i. 36% to the State Health Officer for expenses incident to general health work.
 - ii. 58% to the Department of Mental Health for mental health services.
 - iii. 6% to the Alabama Mental Health Board to provide services for people with an intellectual disability.
3. 12.12% for:
 - a. Acquiring and constructing mental health facilities and paying the principal and interest on the bonded debt issued by the Alabama Mental Health Finance Authority.
 - b. Balance to the "General and Mental Health Fund" and distributed as follows:
 - i. 30% to the State Health Officer for expenses incident to general health work.
 - ii. 70% to the Department of Mental Health to provide mental health services.
4. 6.06% for:
 - a. Maturing bonds of the State Parks Development Authority.
 - b. Balance to the "State Parks Fund."
5. 66.67% to the State General Fund.

The remaining 61.18% as follows:

1. Up to \$2 million annually to the various counties levying a cigarette tax to offset administrative expenses of obtaining local stamps and to provide a discount to wholesalers and jobbers.
2. Remaining revenues to the State General Fund for Medicaid Services.

Major Exemptions:

- A qualified wholesaler or jobber in Alabama may sell non-stamped tobacco products to:
 - A person outside the state, provided certain criteria defined in Section 40-25-15, *Code of Alabama 1975*, is met.
 - The United States or to any instrumentality thereof for resale to or for use or consumption by members of the Armed Services of the United States.
 - Ships regularly engaged in foreign commerce or coastwise shipping between points in this state and points outside this state for resale to or for use or consumption upon such ship or in foreign commerce.

Note Regarding Local Rates:

The state tax is in lieu of any other or additional local taxes and/or license fees other than those imposed by an act of the Legislature or an ordinance or resolution by a taxing authority passed or established prior to May 2004. The Department of Revenue maintains a current list of local tax rates on its website.

Coal Severance Tax

Statutory Authority:

Sections 40-13-1 through 40-13-10 and 40-13-30 through 40-13-36, *Code of Alabama 1975*.

Tax Base:

Privilege tax levied on every person severing coal within Alabama.

Tax Rate:

The state collects two levies of \$.135 per ton and \$.20 per ton, which total \$.335 per ton of coal or lignite severed. The \$.135 per ton levy expires October 1, 2031.

Collections:

The severance tax levies are collected by the Department of Revenue and are due on or before the 20th of each month.

Fiscal Year	Collections (\$.135/ton)	Collections (\$.20/ton)	Collections Total¹⁸	Percent Change
2022	1,252,757	1,835,810	3,088,567	(0.08)
2021	1,361,788	2,009,597	3,371,385	(9.79)
2020	1,511,567	2,225,535	3,737,102	(21.41)
2019	1,930,399	2,824,864	4,755,263	12.14
2018	1,728,228	2,512,413	4,240,641	5.66

Source: Department of Revenue's "Revenue Abstract." Collection Amounts represent net collections after refunds.

Distribution:

1. Proceeds from the \$.135 per ton levy are credited to the Alabama State Docks Bulk Handling Facility Trust Fund and are available to pay the principal and interest on revenue bonds, if revenues earned by the State Docks from its coal handling operation are insufficient to pay the principal and interest on the bonds.
 - a. The balance of the proceeds remaining in the Bulk Handling Facility Trust Fund is transferred as follows:
 - i. First \$300,000 to the Alabama Mining Academy
 - ii. \$500,000 to the Jefferson County General Fund
 - iii. 60% to the general fund of the county of severance based on the ratio of the per ton coal severance tax collections from within the county to the total coal severance tax collections, except;
 1. \$100,000 sent to the Walker County Economic and Industrial Development Authority
 2. \$50,000 to the Marion County Community Development Association, Inc.
 3. \$50,000 to the West Alabama Development Association of Fayette County
 4. \$100,000 to the West Alabama Economic Development Association
 5. \$100,000 to the Winston County General Fund. Any remaining monies will be distributed to the Surface Mining Commission.

¹⁸ Does not include collections from the temporary tax levied by Act 2017-369 (repealed August 1, 2019).

2. Beginning in FY 2022
 - a. Coal severed in a county that is at least 10% greater than the average amount of coal severed in that county for fiscal years 2018 through 2020 to the county of severance
 - b. Except if any coal attributed to this distribution was loaded for shipping in another county, then 75% of this new distribution shall go to the county of severance and 25% shall go to the county where the coal was loaded.
3. Any remaining distribution currently transferred annually to the State General Fund goes to a fund in the State Treasury that is continuously appropriated for the Surface Mining Commission.
4. Proceeds from the \$.20 per ton levy are distributed to the cities and counties in which the coal was severed.

Contractors' Gross Receipts Tax

Statutory Authority:

Section 40-23-50, *Code of Alabama 1975*.

Tax Base:

Privilege tax on any person or corporation contracting to construct, reconstruct, or build any public highway, road, bridge, or street.

Tax Rate:

5% of the gross receipts derived from the performance of such contracts. "Gross Receipts" is defined to include only those amounts derived and received by the contractor from the performance of contracts.

Collections:

By the Department of Revenue; due on the 20th of each month for the previous month's gross receipts.

Fiscal Year	Collections (\$) ¹⁹	Percent Change
2022	34,764,691	4.88
2021	33,146,461	(22.65)
2020	42,854,149	(12.24)
2019	48,832,408	(5.49)
2018	51,670,118	25.87

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After the cost of administration and collection is deducted, 15% is deposited into the Pensions and Security Trust Fund and 85% is deposited into the Alabama Special Mental Health Trust Fund.

Major Exemptions:

- Gross receipts received from contracts made exclusively with any county or incorporated city or town.
- That portion of the gross receipts received by the contractor under contractual escalation provisions allowing for an increase in the contract price for escalations in construction costs.

¹⁹ Gross collections.

Corporation and Business Entity Filing Fees

Statutory Authority:

Sections 10A-1-4.31, and 10A-10-1.13, *Code of Alabama 1975*.

Base:

Fees paid by corporations and other types of business entities for filing documents and issuing certificates and for miscellaneous charges and penalties.

Fees:

Fees for filing documents and issuing certificates for business entities:	State of Alabama	Probate Judge
Certificate of formation for all entities	\$200	-
Amendment to a certificate of formation and a restated certificate of formation	\$100	-
Name reservations and notice of transfer of name reservation	\$25	-
Certificates, articles, or statements of dissolution or cancellation	\$100	-
Foreign entity registration including a statement of foreign limited liability partnership	\$150	-
Certificate of existence	\$25	-
Certificates, articles, or statements of merger, conversion, and share exchange	\$100	-
Any other filing instrument required or permitted to be delivered to the Secretary of State for filing pursuant to Title 10A	\$100	\$100
Certified copy of statements of authority, denial, and cancellation thereof, permitted to be filed with the judge of probate	-	\$100
Certified copy of certificates, articles, or statements of merger and conversion filed pursuant to Chapters 1, 2A, 5A, 8A, 9A, or 10	-	\$5
Copies/Certifying - \$2 per page for copying and \$10 for certifying a copy of any filed document	\$12	\$12

Collections:

By Probate Judges and/or the Secretary of State.

Fiscal Year	Secretary of State Gross Collections (\$) ²⁰	Percent Change
2022	13,232,002	3.4
2021	12,796,764	33.03
2020	9,619,583	3.54
2019	9,290,304	6.37
2018	8,734,360	10.14

Source: "Comparative Summary of Revenues by Revenue Source" Report.

²⁰ Includes collections deposited to the credit of the Secretary of State's Entity Fund and to the State General Fund.

Distribution:

1. From the \$200 fee collected by the Secretary of State for the filing of a certificate of formation in final irrevocable full payment of immediately available funds, the Secretary of State pays \$100 to the county treasurer for the county in which the office of the initial registered agent for that entity is located, which sum shall constitute the entire fee due to that county for the formation of that entity.
2. Funds collected by Probate Judges are deposited into county treasuries.
3. Funds collected by the Secretary of State from corporations, partnerships, real estate investment trusts, and mergers of business entities are deposited 70% to the State General Fund and 30% to the Secretary of State Entity Fund.

Credit Union Fees

Statutory Authority:

Section 5-17-7, Code of Alabama 1975.

Base:

Annual operating fee for the privilege of operating a credit union, an annual operating assessment, and a one-time application fee for a certificate of organization.

Fees:

All state chartered and corporate credit unions pay an annual operating fee, the exact amount to be fixed by the Administrator of the Alabama Credit Union Administration. The fee cannot exceed the fee calculated according to the following scale or the administrator may authorize payment of the schedule used by federal credit unions, if deemed appropriate by the administration:

Assets	Base Fee	Fee per \$100 of Assets
\$0 to \$500,000	None	\$0.12 (\$200 maximum)
\$500,000 to \$1,000,000	\$600	\$0.05
\$1,000,000 to \$5,000,000	\$850	\$0.035
\$5,000,000 to \$10,000,000	\$2,250	\$0.02
\$10,000,000 to \$20,000,000	\$3,250	\$0.018
\$20,000,000 to \$50,000,000	\$5,050	\$0.016
\$50,000,000 to \$100,000,000	\$9,850	\$0.013
\$100,000,000 or more	\$16,350	\$0.011

The Administrator may fix an annual operating assessment that is approved by the Credit Union Board to ensure the Alabama Credit Union Administration is not operated in a deficit.

Application fee, not to exceed \$1,000, is required whenever application is made for permission to organize a credit union.

Collections:

Fiscal Year	Collections (\$)	Percent Change
2022	2,600,110	6.63
2021	2,438,549	24.22
2020	1,963,147	6.85
2019	1,837,299	1.83
2018	1,804,287	2.71

Source: "Comparative Summary of Revenues by Fund" Report.

Distribution:

All proceeds are deposited into the Alabama Credit Union Administration Special Fund to cover the expenses of operating the Alabama Credit Union Administration.

Deed Record Tax

Statutory Authority:

Sections 11-62-18(c), 11-97-18(c), and 40-22-1 through 40-22-12, *Code of Alabama 1975*.

Tax Base:

License or privilege tax on deeds, bills of sale, and other instruments that convey real or personal property or convey any interest in such property within the state. The tax applies only to the value in excess of any lien on which the mortgage record tax has been paid. When several deeds are executed for the same consideration, only one of such deeds is taxable.

Tax Rate:

\$.50 for each \$500 or fraction thereof in value of property conveyed.

Collections:

By the probate judge of each county at the time of recording such instrument. The tax on deeds conveying property situated in more than one county is also collected by the judge of probate, but only after a petition is made to the Department of Revenue and the Department determines the amount of tax due and the distribution of proceeds.

Fiscal Year	Collections (\$)²¹	Percent Change
2022	20,142,854	19.48
2021	16,858,744	45.37
2020	11,597,437	4.88
2019	11,058,210	9.70
2018	10,080,344	1.02

Source: "General Fund Net Receipts of Revenues" Report.

Distribution:

After 2.5% of the total amount collected is deducted for the administrative costs of the Probate Judge proceeds are distributed as follows: 2/3 to the State General Fund and 1/3 to the county treasury.

Major Exemptions:

- Recordings by churches and other religious organizations are exempt if they result from division into two or more similar organizations or from the consolidation of two or more religious organizations into a single organization.
- Transfer of mortgages on real or personal property upon which the mortgage tax has been paid.
- The re-recording of corrected mortgages or deeds for the purpose of perfecting the title to real estate.
- Deeds executed for a nominal consideration for the purpose of perfecting title.
- Deeds executed before October 1, 1923.
- Deeds filed to convey to or from or create any property interest in or by a Municipal Special Health Care Facility Authority created pursuant to Chapter 62 of Title 11.
- Deeds filed to convey to or from or create any property interest in or by a public corporation organized pursuant to Chapter 97 of Title 11.

²¹ General Fund collections only.

Driver Record Report Fee

Statutory Authority:

Sections 32-2-8, 32-6-49.15, and 32-7-4, *Code of Alabama 1975*.

Base:

A fee paid by persons who request a motor vehicle operator’s driver record abstract.

Fees:

\$5.75 for a three-year driver record history and \$15 for a lifetime driver record history.

Collections:

By the Department of Public Safety (within the Alabama Law Enforcement Agency).

Fiscal Year	Collections (\$)	Percent Change
2022	11,448,564	12.07
2021	10,215,530	(7.95)
2020	11,097,811	(2.61)
2019	11,394,917	1.51
2018	11,225,144	0.27

Source: “Comparative Summary of Revenues by Revenue Source” Report.

Distribution:

All proceeds for a three-year driver record history are deposited into the State General Fund. For a lifetime driver record history, \$10 is deposited into the State General Fund and \$5 is deposited into the Public Safety Fund.

Driver's License Fees

Statutory Authority:

Sections 13A-12-294, 32-6-1 through 32-6-21, and 32-6-49.1 through 32-6-49.24, *Code of Alabama 1975*.

Base:

Privilege tax upon the operator of a motor vehicle using the highways of Alabama.

Fees:

License Class	License Fee	Test Fee
Commercial		
Class A Commercial License (CDL) Any combination of vehicles with a gross vehicle weight of 26,001 lbs. or more, provided the weight of the vehicle(s) being towed is more than 10,000 lbs.	\$66.25	\$25.00
Class B Commercial License (CDL) Any single vehicle with a gross vehicle weight of 26,001 lbs. or more and any vehicle towing a vehicle with a gross weight not in excess of 10,000 lbs.	\$56.25	\$25.00
Class C Commercial License (CDL) Any single vehicle with a gross vehicle weight of less than 26,001 lbs. or any vehicle towing a vehicle with a gross vehicle weight not in excess of 10,000 lbs. if those vehicles are (a) designed to transport 16 or more passengers, including the driver, or (b) used in the transportation of hazardous materials which require the vehicle to be placarded.	\$36.25	\$25.00
CDL Permit	\$36.25	\$25.00
CDL Duplicate	\$31.25	n/a
<ul style="list-style-type: none"> • There is also a \$15 retest fee for the written portion of the CDL test, a \$20 fee for the skills portion of the license test, and a hazardous materials endorsement fee, which shall not exceed the cost of conducting a background check. • The holder of a valid commercial license may drive all vehicles for which that license is issued and all lesser classes of vehicles including Class D (vehicles for which only a regular operator's license is required), except motorcycles (Class M). 		
Regular Non-Commercial		
Class D Operator License	\$36.25	\$5.00
Motor Driven Cycle License <150cc	\$36.25	\$5.00
Motorcycle License	\$36.25	\$5.00
Vessel License	\$36.25	\$5.00
Learner's License	\$36.25	\$5.00
Duplicate License	\$31.25	n/a
Non-Driver ID	\$36.25	n/a
Non-Driver ID - Duplicate	\$31.25	n/a
Non-Driver ID, more than 62 years old (lifetime)	\$5.50	n/a
Non-Driver ID, handicapped (lifetime)	\$2.50	n/a
Duplicate, non-driver ID (lifetime)	\$31.25	n/a
Out of State Transfers (Class D License or Non-Driver ID)	\$41.25	n/a
Reinstatement		

For first application for reinstatement for a canceled, suspended, or revoked license due to a drug or alcohol related offense	\$275
For first application for reinstatement of a revoked license due to a non-drug or alcohol related offense	\$175
For first application for reinstatement of a canceled or suspended license due to a non-drug or alcohol related offense	\$100
<ul style="list-style-type: none"> • \$5 for second and subsequent applications for reinstatement. • An additional reinstatement fee of \$25 is charged if the license was suspended pursuant to Section 13A-12-294, which requires suspension of a driver's license for an additional 6 months upon conviction of certain drug related crimes. 	

Collections:

License fees are collected by the probate judges or license commissioners of each county who remit the state share each month to the State Treasury. License Duplicate fees, reinstatement fees, and examination fees are collected by the Alabama Law Enforcement Agency.

Fiscal Year	Licenses (\$) ²²	Reinstatements (\$)	Examinations (\$)	Total (\$)	Percent Change
2022	16,182,311	5,003,469	794,156	21,979,936	0.35
2021	16,238,378	4,859,350	806,014	21,903,742	(0.49)
2020	16,362,498	4,987,220	661,007	22,010,725	(1.52)
2019	16,209,522	5,317,043	824,467	22,351,032	6.31
2018	14,912,182	5,274,925	837,794	21,024,901	(4.88)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. Each probate judge and/or county retains a total of \$1.50 for each license or identification card issued, and the balance is deposited into the State General Fund to be appropriated for public safety use.
2. \$20.75 of the \$36.25 license fee for (1) a regular (Class D) license, (2) a nondriver's identification card, or (3) a learner's license is deposited to the Public Safety Fund for the Alabama Law Enforcement Agency and \$.50 is allocated and appropriated to the Alabama Veterans Living Legacy Trust Fund.
3. The additional \$25 reinstatement fee levied pursuant to Section 13A-12-294 for conviction of certain drug related crimes is deposited to the Public Safety Fund for the Alabama Law Enforcement Agency.
4. Examination fees are deposited to the State General Fund, and fees for reinstatement of canceled, revoked, or suspended licenses are deposited to the State General Fund and the Public Safety Fund.
5. Fees for a duplicate of a lost or destroyed license are credited to the Public Safety Fund for the Alabama Law Enforcement Agency rather than to the State General Fund,
 - a. except for \$1.50 retained by the county and
 - b. \$.50 collected and appropriated to the Alabama Veterans Living Legacy Trust Fund.
6. Also, \$.75 of each commercial driver license application fee is distributed to the Peace Officers' Annuity and Benefit Fund, and the hazardous materials endorsement fee is distributed to the Automated Fingerprint Identification System Fund.

²² State General Fund amounts only (excludes portion of fees retained by county or deposited to the Public Safety Fund). Includes Class D drivers' and learners' licenses, commercial driver licenses, nondrivers' identification cards, and duplicate cards.

Major Exemptions:

- Any employee of the federal government while driving an official motor vehicle in the service of their employer.
- Any person while driving any road machine or farm tractor that is temporarily moved on a highway.
- Any 16-year-old or older nonresident who has a valid driver's license from his home state or country.
- Any 16-year-old or older nonresident whose home state or country does not require a driver's license is exempt for a 90-day period if the motor vehicle driven is registered in their home state or country.
- Any active-duty military or National Guard personnel operating government vehicles, farmers operating certain commercial motor vehicles, firefighters and operators of emergency equipment exempt from licensing provisions of the federal Commercial Motor Vehicle Safety Act of 1986 (Title XII of Pub. Law 99-570), and drivers of vehicles used for personal use, such as recreational vehicles, are exempt from the commercial driver's license requirement.
- Students who meet the definition of a homeless child or youth under federal law are exempt from the payment of certain fees associated with obtaining a driver's license, non-driver identification card, renewal fee, and examination fee.

Financial Institution Excise Tax

Statutory Authority:

Sections 40-16-1 through 40-16-11, *Code of Alabama 1975*.

Tax Base:

Excise tax on net income of any credit union, bank, banking association, trust company, loan company or association, or person or institution coming into competition with the business of national banks.

Tax Rate:

6.5% of taxable net income.

Collections:

Returns are due by institutions no later than the due date, including applicable extensions, for its corresponding federal income tax or federal information return, with checks payable to the Department of Revenue.

Fiscal Year	Collections (\$) ²³	Percent Change
2022	164,262,623	2.5
2021	160,262,349	6.68
2020	150,228,046	48.18
2019	101,382,707	39.53
2018	72,662,290	20.63

Source: Department of Revenue’s “Revenue Abstract.”

Distribution:

1. The Department of Revenue shall distribute the balance of financial institutions excise tax revenue, net of refunds, quarterly as follows:
 - a. 50% to the State General Fund
 - b. 33.3% to municipalities
 - c. 16.7% to counties.
2. Beginning with the 2019 municipal financial institution excise tax distribution, each municipality shall receive a percentage share of the total municipal financial institution excise tax revenue equal to its average percentage share of the total municipal financial institution revenue distribution over the five years ending in 2018.
3. County financial institution excise tax revenue
 - a. The first twenty percent (20%) of total county financial institution excise tax revenue shall be distributed equally among all counties.
 - b. The remaining eighty percent (80%) of county financial institution excise tax revenue shall be distributed among the counties based on each county’s share of total Alabama population as determined in the most recent federal census prior to the distribution.

²³ Gross collections.

Exemptions and Credits:

- Moneyed capital employed in the business and the shares of all financial institutions are exempted from ad valorem taxation.
- Financial institutions are allowed dollar-for-dollar credits against their excise tax liabilities for amounts paid in other taxes levied, including but not limited to sales and use taxes, utility taxes, and portions of certain local license taxes.
- The following tax credits may be claimed against this tax:
 - Capital Tax Credit
 - Alabama New Markets Development Act Tax Credit
 - Full Employment Act of 2011 Credit
 - "Heroes for Hire" Tax Credit Act of 2012
 - Employee Credit
 - Rehabilitation, Preservation, and Development Credit
 - Alabama Veterans and Rural Jobs Act
 - Alabama Jobs Act
 - Apprentice Tax Credit Act of 2016.

Fireworks and Explosives Permit Fees

Statutory Authority:

Sections 8-17-210 through 8-17-226, 8-17-240 through 8-17-256, 13A-10-190, 13A-10-193.1 through 13A-10-193.2, and 13A-10-205, *Code of Alabama 1975*.

Base:

Permit required prior to engaging in the manufacture or sale within the state, or shipment into the state, of any fireworks. A permit is required for each location at which fireworks are to be offered for sale. Permits expire each December 31.

Certification required prior to detonating explosive materials or supervising the conduct of a blasting operation. Blasting contractor license required prior to engaging in blasting or other use of explosives for commercial purposes. Certification and licenses expire one year following the date of issuance.

Permit required for the manufacture of destructive devices. Permit expires one year following the date of issuance.

Fees:

Fireworks:

Manufacturer	\$3,000
Distributor	\$3,000
Wholesaler	\$1,000
Annual Retailer, per location:	
of Aerial Devices, Sparkling Devices, Audible Ground Devices, and Novelties	\$300
of only Sparkling Devices and Novelties	\$150
of only Novelties	\$50
Seasonal Retailer, per location:	
of Aerial Devices, Sparkling Devices, Audible Ground Devices, and Novelties	\$300
of only Sparkling Devices and Novelties	\$150
Seasonal Retailer, application filed after July 10, per location:	
of Aerial Devices, Sparkling Devices, Audible Ground Devices, and Novelties	\$150
of only Sparkling Devices and Novelties	\$75
Display:	
Application filed at least 10 business days before display date	\$75
Application filed less than 10 business days before display date	\$300

Explosives:

Certification	\$132
Blasting contractor license	\$2,640
Variation request application	Up to \$66 per applicant ²⁴
Municipal explosives use permit	\$25 per applicant

Destructive Devices:

Initial application for permit	\$360
Annual review of permit	\$240

²⁴ Fee established by Fire Marshal's Office

Collections:

Fiscal Year	Fireworks		Explosives	
	Collections (\$)	Percent Change	Collections (\$)	Percent Change
2022	340,000	30.03	119,328	(1.92)
2021	261,544	0.60	121,662	18.03
2020	259,990	(12.64)	103,080	(7.63)
2019	297,600	8.25	111,600	16.54
2018	274,920	(10.21)	95,760	(5.90)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Fire Marshal Revolving Fund, except municipal explosives use permit which is retained by the municipality.

Major Exemptions:

- A distributor permit is not required for resale of special fireworks (those classified as Class B explosives by the U.S. Department of Transportation) for public display at The Alabama June Jam.
- Public displays of fireworks in accordance with regulations governed by the Bureau of Alcohol Tobacco and Firearms.
- U.S. and state military or naval forces or peace officers.
- Section 8-17-220 lists items that are not to be considered "fireworks" for permitting purposes including model rockets, certain toy pistol caps, emergency flares, and blank cartridges.
- Sections 8-17-254 and 8-17-242(b) list exceptions to explosives certification and licensing requirements, including surface coal mining operations and public utilities.

Fishing Licenses - Freshwater

Constitutional Authority:

Section 219.01 of the *Constitution of Alabama of 2022*, (ratified December 13, 1967). Created the Game and Fish Fund and provided that all monies derived from the sale of hunting and fishing licenses or permits are to be deposited into said fund.

Statutory Authority:

Sections 9-11-32 through 9-11-43, 9-11-53, 9-11-53.3, 9-11-53.6, 9-11-54 through 9-11-55.1, 9-11-55.3 through 9-11-56, 9-11-56.4, 9-11-65, 9-11-65.2, 9-11-68, 9-11-71, and 9-11-73 *Code of Alabama 1975*.

Base:

A fee paid by persons desiring to fish in Alabama waters. Annual licenses are valid from September 1 or the date of issuance to the next August 31.

Fees:

For fees, visit <https://www.outdooralabama.com/freshwater-fishing-licenses/fw-rec-fishing-licenses-resident>.

License fees and accompanying issuance fees for all licenses, except for migratory waterfowl stamp and commercial fowl preserve license, are subject to annual increases based on the percentage increase in the Consumer Price Index (CPI) if recommended by the Commissioner and approved by the Department's Advisory Board.

Collections:

By the probate judges, license commissioners, or other person authorized and designated to issue fishing licenses due to the Department of Conservation and Natural Resources on the 1st of each month.

Fiscal Year	Annual License Collections (\$) ²⁵	Lifetime License Collections (\$) ²⁶	Wildlife Heritage License Collections (\$)	Totals (\$)	Percent Change
2022	6,967,859	627,172	65,589	7,660,620	(1.35)
2021	7,091,603	612,388	61,650	7,765,641	(1.09)
2020	7,252,424	543,010	55,462	7,850,896	10.02
2019	6,658,558	443,496	34,070	7,136,124	3.37
2018	6,421,920	444,606	36,628	6,903,154	(8.02)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

²⁵ Includes collections from annual freshwater and trip licenses.

²⁶ Includes receipts from lifetime freshwater licenses only.

Distribution:

1. Resident freshwater fishing license fees - 100% to Game and Fish Fund.
2. Resident lifetime freshwater fishing license fees and lifetime combination hunting/freshwater fishing license fees - 100% to Alabama Game and Fish Endowment Fund within the Game and Fish Fund.
3. Resident lifetime combination freshwater/saltwater and hunting/freshwater and saltwater - the portion of the license fee representing the amount of lifetime freshwater or hunting license to the Alabama Game and Fish Endowment Fund and the balance of the fees charged for each license to the Alabama Marine Resources Endowment Fund.
4. Resident 64 LIFETIME freshwater license - 100% to the Alabama Game and Fish Endowment Fund.
5. Nonresident freshwater fishing license (annual and trip) fees - 100% to Game and Fish Fund.
6. Wildlife heritage license fees – 100% to the Game and Fish Fund, with the first \$500,000 of license revenue utilized by the Division of Wildlife and Freshwater Fisheries for the purpose of research on wildlife and wildlife habitat.

Major Exemptions:

- All persons under the age of 16.
- Any resident of this state over 65 years of age, provided that said resident has on his person while fishing, a driver's license (or, in the case of nondrivers, proof of permanent Alabama residence and age).
- Any person who fishes in a private pond.
- Persons fishing from the bank with an ordinary hook and line in his county of residence; provided that any person who fishes with hook and line in his own county of residence shall be required to have on his person, while so fishing, a reasonable proof of residency in the county.
- Persons fishing at "commercial fee fishing ponds".
- Members of the U.S. armed forces when the U.S. is engaged in a war.
- Residents who have purchased a lifetime fishing license or combination fishing/hunting license are exempt from purchase of saltwater fishing license if the lifetime license was purchased prior to April 1, 1992.
- Residents on leave from active military duty who have proof of his or her status in his or her possession.
- A member of the U.S. military stationed in Alabama on active duty and his or her spouse and their dependents who reside with them are deemed residents for hunting and fishing license purposes.

Fishing Licenses - Saltwater

Statutory Authority:

Sections 9-11-32 through 9-11-43, 9-11-53.1, 9-11-53.3, 9-11-53.5, 9-11-54, 9-11-55.2 through 9-11-55.3, 9-11-56.3, 9-11-56.5, 9-11-65.2, and 9-11-69, *Code of Alabama 1975*.

Base:

A fee paid by persons desiring to fish in Alabama salt waters. Annual licenses are valid from September 1 or the date of issuance to the next August 31.

Fees:

For fees, visit <https://www.outdooralabama.com/freshwater-fishing-licenses/fw-rec-fishing-licenses-resident>.

License fees and accompanying issuance fees for all licenses, except for migratory waterfowl stamp and commercial fowl preserve license, are subject to annual increases based on the percentage increase in the Consumer Price Index (CPI) if recommended by the Commissioner and approved by the Department's Advisory Board.

Collections:

By the probate judges, license commissioners, or other person authorized and designated to issue fishing licenses; due to the Department of Conservation and Natural Resources on the 1st of each month.

Fiscal Year	Annual License Collections (\$) ²⁷	Lifetime License Collections (\$) ²⁸	Totals (\$)	Percent Change
2022	3,570,476	240,533	3,810,936	12.01
2021	3,186,760	215,446	3,402,206	1.22
2020	3,153,271	207,993	3,361,264	7.78
2019	2,908,520	210,014	3,118,534	8.52
2018	2,695,718	177,861	2,873,579	(7.70)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. Resident saltwater fishing license (annual and trip) fees - 100% to Marine Resources (Seafoods) Fund.
2. Resident lifetime saltwater license fees – 100% to the Alabama Marine Resources Endowment Fund.
3. Resident lifetime combination freshwater/saltwater, hunting/saltwater, and hunting/freshwater and saltwater – the portion of the license fee representing the amount of lifetime resident freshwater or hunting license to the Alabama Game and Fish Endowment Fund and the balance of the fees charged for each license to the Alabama Marine Resources Endowment Fund.
4. Resident 64 LIFETIME saltwater license - 100% to the Alabama Marine Resources Endowment Fund.
5. Annual resident and nonresident saltwater pier fishing license fees - 100% Marine Resources (Seafoods) Fund.
6. Nonresident saltwater fishing license (annual and trip) fees - 100% to Marine Resources (Seafoods) Fund.

²⁷ Includes collections from annual saltwater and trip licenses.

²⁸ Includes receipts from lifetime saltwater and combination licenses only.

Major Exemptions:

- All persons under the age of 16.
- Any resident of this state over 65 years of age, provided that said resident has on his person while fishing, a driver's license (or, in the case of nondrivers, proof of permanent Alabama residence and age).
- Florida residents over 65 years of age.
- Members of the U.S. armed forces when the U.S. is engaged in a war.
- Residents who have purchased a lifetime fishing license or combination fishing/hunting license are exempt from purchase of saltwater fishing license if the lifetime license was purchased prior to April 1, 1992 on any valid lifetime saltwater fishing license.
- Residents on leave from active military duty who have proof of his or her status in his or her possession.
- A member of the U.S. military and his or her spouse and their dependents who reside with them stationed in Alabama on active duty are deemed residents for hunting and fishing license purposes.

Forest Products Severance Tax

Statutory Authority:

Sections 9-13-80 through 9-13-108, *Code of Alabama 1975*.

Tax Base:

Tax on the severing of timber or any other forest product from the soil for sale, profit, or commercial use and on every processor or manufacturer (in-state or out-of-state) using such forest products.

Tax Rate:

Pine logs	\$0.10 per ton
Hardwood logs	\$0.065 per ton
Pulpwood	\$0.10 per ton
Piling and poles	\$0.205 per ton
Stumpwood (tarwood)	\$0.125 per ton
Pulpwood chips	\$0.10 per ton

There is also a privilege tax of 50% of the severance tax above against in-state manufacturers using forest products.

Collections:

By the Department of Revenue; due quarterly.

Fiscal Year	Collections (\$) ²⁹	Percent Change
2022	5,921,963	0.75
2021	5,877,737	3.63
2020	5,671,872	(0.59)
2019	5,705,325	(3.92)
2018	5,937,857	(6.24)

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After cost of collection is deducted, proceeds are deposited into the Special State Forestry Fund. Not less than 85% must be expended for forest protection and no portion of the Fund reverts to the State General Fund at the end of any fiscal year.

Major Exemptions:

- Individual owners who occasionally sever timber from their own premises for the construction or repair of their own buildings, home consumption, or use in processing their farm products.
- Pulpwood and residual pulpwood chips used as fuel.

²⁹ Gross collections.

Freight Line Equipment Companies Tax

Statutory Authority:

Section 40-21-52, *Code of Alabama 1975*, as limited by the federal Railroad Revitalization and Regulatory Reform Act.

Tax Base:

Privilege tax on any person or firm operating, renting, leasing, or furnishing private railroad cars for transportation of freight.

Tax Rate:

3.5% of 20% of the market value of the number of cars within the state for the preceding fiscal year.

Collections:

By the Department of Revenue, company reports are filed each March 1, and payments are due within 30 days of prescribed date.

Fiscal Year	Collections (\$)	Percent Change
2022	5,374,349	0.70
2021	5,336,768	4.22
2020	5,120,695	8.33
2019	4,726,755	(11.52)
2018	5,341,968	12.47

Source: Department of Revenue's "Revenue Abstract."

Distribution:

All proceeds are deposited into the State General Fund.

Gas Pipeline Safety Inspection Fee

Statutory Authority:

Section 37-4-88, Code of Alabama 1975.

Base:

An inspection fee for the purpose of enforcing gas pipeline safety requirements on any gas system operated by any investor-owned company, city, county, municipality, or public gas district which comes under supervision of the Public Service Commission.

Fees:

Inspection fee of \$.50 per active service line for the previous calendar year.

Collections:

By the Public Service Commission annually on October 1.

Fiscal Year	Collections (\$)	Percent Change
2022	540,691	(1.84)
2021	550,845	(0.14)
2020	551,636	1.46
2019	543,694	0.78
2018	539,478	(0.08)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

All inspection fees collected are paid into the Gas Pipeline Safety Fund. If by September 30 in any fiscal year, the Fund accumulates an amount equal to 110% of the amount budgeted in that fiscal year for the purpose of enforcing gas pipeline safety, the Commission shall suspend the collection of the inspection fees for one year.

Gasoline Tax (and Gasoline Portion of the Motor Carrier Fuel Tax)

Constitutional Authority:

Section 111.06 of the *Constitution of Alabama of 2022*. Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Sections 40-17-140 through 40-17-155 (Motor Carrier Fuel Tax) and Sections 40-17-320 through 40-17-363 (Gasoline Tax), *Code of Alabama 1975*.

Tax Base:

Excise tax on the removal, import, sale/transfer in the bulk transfer/terminal system and blending of motor fuel (Gasoline Tax). Excise tax upon motor carriers who operate or cause to be operated any motor vehicle on any highway in Alabama (Motor Carrier Fuel Tax).

Tax Rate:

1. Effective October 1, 2021, the State of Alabama now collects four levies of \$.07, \$.05, \$.06, and \$.10, for a total of \$.28 per gallon.
2. Pursuant to Act 2015-54, effective October 1, 2016, the \$.02 gasoline inspection fee was added to the \$.04 excise tax, for a total of \$.06 (See also Petroleum Commodities Inspection, pg. 113).
3. Excise tax on motor carrier fuel is the same rate in effect for gasoline.
4. The "Rebuild Alabama Act" (Act 2019-2) levied an additional excise tax on each net gallon of gasoline and diesel fuel equal to \$.10 effective October 1, 2021. The act also provides for an indexing process to adjust the excise tax rate by up to one cent (\$.01) beginning October 1, 2023, and on July 1 of every other year thereafter every other year based on the yearly average of the National Highway Construction Cost Index.

Note Regarding Local Rates:

Counties may levy a county gasoline tax if the Legislature has passed a local act authorizing the county commission to do so. The local act usually sets the parameters of the tax and specifies use of the funds. The local act may provide for a credit of municipal gas taxes paid within that county against the county tax owed or may exempt payment of a portion of the county tax in municipalities which levy a gasoline tax.

Municipalities may levy a municipal gasoline tax by city ordinance. One-half of the amount levied in the municipality may be levied in the police jurisdiction. The ability of municipalities to levy a city gasoline tax may be limited by a legislative act which levies a county gasoline tax - i.e., cities within the county may be prohibited from levying a municipal gasoline tax but be given a share of the county tax.

Collections:

By the Department of Revenue each month (gasoline tax), and before the last day of April, July, October, and January (motor carrier fuel tax).

Fiscal Year	\$.07	\$.06 ³⁰	\$.05	RAA ³¹	Total ³²	Percent Change
2022	184,235,061	105,277,178	131,596,472	258,937,209	680,045,920	7.62
2021	185,566,232	106,037,847	132,547,309	207,768,200	631,919,589	12.37
2020	178,854,582	102,202,618	127,753,273	153,538,569	562,349,043	28.39
2019	191,625,985	109,500,563	136,875,704		438,002,252	(6.67)
2018	205,323,799	117,327,885	146,659,857		469,311,541	9.03

Source: State of Alabama, Department of Revenue, Motor Fuels Section.

Distribution:

A total of 1.23% of the **\$.07** and **\$.05** per gallon (\$.12 total) levied is distributed and allocated as follows:

1. 35% of 1% is credited to the Water Safety Fund³³ and the Seafood Fund.
2. 70% of 1% is credited to the Game and Fish Fund.
3. 18% of 1% is credited to the Water Safety Fund and the Seafood Fund.

60% of the **\$.05 supplemental tax** goes to the State Road and Bridge Fund. Of that amount, \$500,000 each fiscal year is used for the construction, maintenance and repair of public roads in the state parks system. The remaining 40% and the balance of the **\$.07** and **\$.05** levy after the 1.23% distribution, and **2/3 of the \$.06** gasoline levy are distributed as follows:

1. 45% to the State Road and Bridge Fund. The distributions to the Game and Fish Fund (70%) and the distributions to the Water Safety Fund and the Seafood Fund (18%) are deducted from the State Road and Bridge Fund.
2. 55% to be shared by the counties and their municipalities as follows:
 - a. 25% of the net tax proceeds are distributed equally to the 67 counties;
 - b. 30% of the net tax proceeds are allocated to the 67 counties based on population.
 - i. 10% of the counties' share received shall be allocated to each municipality therein, based on a population ratio.
 - ii. The remaining portion is distributed to the county.

The remaining **1/3 of the \$.06** gasoline levy is distributed as described in "Petroleum Commodities Fees" (see pg. 113 for details).

³⁰ See the "Petroleum Commodities Fees" section on pg. 113 for collection and distribution amounts for the \$.02 inspection fee.

³¹ Rebuild Alabama Act (RAA) receipts are based on \$.06 in FY 2020, \$.08 in FY 2021, and \$.10 in FY 2022.

³² Figures shown are prior to deduction of Department of Revenue administrative expenses and after deduction of refunds. Includes gasoline excise taxes and gasoline portion of the motor carrier fuel taxes.

³³ Pursuant to Act 2013-67, beginning January 1, 2015, all funds allocated to the State Water Safety Fund of the Marine Police Division of the Department of Conservation and Natural Resources are now allocated to the Public Safety Fund of the Marine Police Division of the Alabama Law Enforcement Agency.

The additional excise tax levied under the **Rebuild Alabama Act** is distributed as follows:

1. 8.33% to the municipalities, of which 25% is distributed equally to the municipalities of the state, and 75% is distributed to each municipality based on the population ratio of the municipality to the total population of the state.
2. 25% to the counties, of which 45% is distributed equally to the counties of the state, and 55% is distributed to each county based on the population ratio of the county to the total population of the state.
3. 66.67% is allocated to the Alabama Department of Transportation and deposited into the Rebuild Alabama Fund to be used for transportation infrastructure improvement, preservation and maintenance projects within the state.

Major Exemptions:

From the Gasoline Tax:

- Motor fuel exported from the state for which proof of export is available in the form of a terminal issued destination state shipping document that is:
 - Exported by a supplier who is licensed in the destination state or
 - Sold by a supplier to a licensed exporter for immediate export to a state for which the applicable destination state motor fuel excise tax has been collected by the supplier who is licensed to remit the tax to the destination state.
- K-1 kerosene or aviation jet fuel that is produced at a refinery in Alabama and is either exported directly by the operator of the refinery or sold for immediate export by the operator to a licensed exporter with proper documentation.
- Sales of dyed diesel fuel
- Gasoline blendstocks when sold to a:
 - Licensed supplier or
 - Person who will not be using blendstocks in the manufacture of gasoline or as a motor fuel (with exemption certificate).
- Motor fuel sold by a licensed supplier or licensed permissive supplier to an exempt agency under Section 40-17-332 (United States government or agency thereof, any county governing body of state, any incorporated municipal governing body of state, city and county boards of education, Alabama Institute for the Deaf and Blind and Alabama Department of Youth Services school district, and private and church schools as defined in Section 16-28-1, *Code of Alabama 1975*).
- Motor fuel delivered by a licensed supplier from one terminal to another terminal when ownership in the motor fuel has not changed or by a licensed supplier from a terminal to a refinery operated by the licensed supplier.

From the Motor Carrier Fuel Tax:

- Any department, board, bureau, commission or taxing area or other agency of the federal government, State of Alabama, or any political subdivision thereof.
- Any school bus operated by the State of Alabama, any political subdivision thereof, or any private or privately-operated school or schools.

Refund Eligibility:

- Licensed distributor – on monthly basis on taxes paid on gallons sold by that distributor to licensed exempt agencies (as defined above).
- Exporter – on monthly basis on taxes paid to the state on gallons exported by exporter (with proof).
- Exempt entities (as defined above) – on quarterly basis for any purchases of motor fuel (or issuer of card if charged to credit card issued to the exempt entity).
- End users who first pay tax on gallons of gasoline blendstocks not used in manufacture of gasoline or as motor fuel – on quarterly basis.
- Tax paid on motor fuel that is lost or destroyed as direct result of sudden and unexpected casualty or becomes unsalable or unusable as highway fuel due to such things as contamination by dye or mixture of gasoline and diesel.
- Tax paid on transmix not used as motor fuel or that is delivered to refinery for further processing on a quarterly basis.
- Tax paid on motor fuel within the bulk transfer system with sufficient proof that a second tax had been paid pursuant to Section 40-17-325 or the fuel was exported to another state or country, on monthly basis.

Hazardous Waste Disposal and Monitoring Fees

Statutory Authority:

Sections 22-30-1 through 22-30B-20, *Code of Alabama 1975*.

Base:

A fee levied on operators of commercial hazardous waste disposal facilities for the disposal of waste at those facilities.

Fees:

A base fee on all hazardous waste that is disposed of at a commercial site for the disposal of hazardous waste and hazardous substances.	\$5.50 per ton
A monitoring fee on all waste received for disposal at a site for the disposal of hazardous waste and hazardous substances.	\$1.00 per ton
A fee on all wastes or substances disposed of at a commercial site, to be deposited and allocated specifically to the Alabama Hazardous Substances Cleanup Fund.	\$1.00 per ton

Collections:

By the Department of Revenue by the 30th day of the month following receipt by commercial hazardous waste disposal facilities of hazardous waste.

Fiscal Year	Hazardous Waste Fee Collections (\$) ³⁴ (State Only) ³⁵	Percent Change	Hazardous Waste Monitoring Fee to ADEM Collections (\$) ³⁶	Percent Change
2022	1,056,802	3.97	952,271	10.16
2021	1,016,411	10.20	864,407	(8.69)
2020	922,348	(17.82)	946,709	7.12
2019	1,122,358	28.49	883,823	18.62
2018	873,496	(16.75)	745,102	(5.29)

Source: Department of Revenue’s “Revenue Abstract”, “Comparative Summary of Revenues by Fund” Report.

³⁴ Gross collections.

³⁵ Excludes county fees and the \$1/ton ADEM monitoring fee.

³⁶ Includes fees provided by Act 1983-480, as amended (county fee), Act 1984-447 (\$1/ton ADEM monitoring fee), and a permit fee (imposed by administrative action) of \$300 initially with a \$300 renewal fee every two years for certification of each waste stream going to commercial hazardous waste disposal facilities in the state.

Distribution:

1. The amount necessary to pay to all counties which have commercial hazardous waste disposal facilities, and which have a population of less than 25,000, 2.5% of the difference in the fees generated and those in effect on October 1, 1989.
2. The amount necessary to ensure that counties identified in (1) above receive from hazardous waste disposal fees annually the lesser of \$4.2 million or 100% of total hazardous waste disposal fees paid to the state. In determining whether the county is entitled to receive all or a portion of the guaranteed minimum, there is charged against this amount all receipts received from the state fees and any other applicable local act.
3. After the above distribution is made, any remaining amounts are distributed as follows:
 - a. 50% to each county having a commercial site for the disposal of hazardous waste or hazardous substances.
 - b. 50% to the State General Fund.
4. Up to \$4.5 million annually pledged to pay the principal, premiums, and interest of any bonds which may be issued by the Alabama Public Health Finance Authority under the provisions of Act 1990-598. (Note: The fees are not currently used for this purpose).
5. Cost of collection as provided by Section 22-30B-3, *Code of Alabama 1975*.

Major Exemptions:

- The cap of 600,000 tons imposed by Act 1992-658 does not apply to nonhazardous waste that cannot be disposed of at subtitle D landfills (industrial waste).
- In addition, the cap can be lifted if it is determined that such action is in the best interest of public health or the environment of the state, or if the Governor determines the cap is an impediment to compliance with other applicable state or federal laws.

Hunting Licenses

Constitutional Authority:

Section 219.01 of the *Constitution of Alabama of 2022*, (ratified December 13, 1967). Created the Game and Fish Fund and provided that all monies derived from the sale of hunting and fishing licenses or permits are deposited into said fund.

Statutory Authority:

Sections 9-11-32 through 9-11-51, 9-11-53.3, 9-11-65, 9-11-65.2, 9-11-68, 9-11-71, 9-11-73, 9-11-244, 9-11-417, and 9-11-430 through 9-11-435, *Code of Alabama 1975*.

Base:

A fee paid by persons desiring to hunt in Alabama. Annual licenses are valid from September 1 or the date of issuance to the next August 31.

Fees:

For fees, visit <https://www.outdooralabama.com/licenses/hunting-licenses>

License fees and accompanying issuance fees for all licenses, except for migratory waterfowl stamp and commercial fowl preserve license, are subject to annual increases based on the percentage increase in the Consumer Price Index (CPI) if recommended by the Commissioner and approved by the Department's Advisory Board.

Collections:

By the probate judges, license commissioners, or other license agents due to the Department of Conservation and Natural Resources on the 1st of each month.

Fiscal Year	Annual License Collections (\$) ^{37,38}	Lifetime License Collections (\$) ³⁹	Migratory Waterfowl Stamp Collections (\$)	Totals (\$)	Percent Change
2022	13,861,534	886,255	446,063	15,193,852	4.21
2021	13,325,589	817,845	436,463	14,579,897	12.99
2020	11,896,627	641,624	364,980	12,903,231	8.88
2019	10,889,501	613,341	348,336	11,851,178	(1.09)
2018	11,076,909	584,585	319,804	11,981,298	(9.67)

³⁷ Includes receipts from annual hunting licenses, trip licenses, and wildlife management area licenses.

³⁸ Collections from Wildlife Heritage License are included in Freshwater Fishing Licenses.

³⁹ Includes Alabama Game and Fish Endowment Fund portion of lifetime combination hunting/saltwater fishing licenses (see Distribution).

Distribution:

1. Lifetime hunting and combination lifetime hunting/freshwater fishing – 100% to the Alabama Game and Fish Endowment Fund.
2. Lifetime combination hunting/saltwater fishing and hunting/freshwater and saltwater fishing - the portion of the fee representing the amount of the lifetime hunting license or the lifetime hunting and freshwater fishing license to the Alabama Game and Fish Endowment Fund and the balance of the fees charged for each license to the Alabama Marine Resources Endowment Fund.
3. Resident 64 LIFETIME Hunting license – 100% to the Alabama Game and Fish Endowment Fund.
4. All remaining licenses – 100% to the Game and Fish Fund. All or a portion of the revenues from several licenses are earmarked for specific purposes, including the procurement, development and maintenance of wetlands and waterfowl management (migratory waterfowl stamp), and research on wildlife and wildlife habitat (wildlife heritage).

Major Exemptions:

- No person serving as a member of the armed forces of the U.S. shall be required to procure a hunting license to hunt within the state during any period of time in which the U.S. is engaged in a war.
- All persons under the age of 16 years.
- Any resident of the state over 65 years of age is exempt, provided that said resident has proof of age on his person while hunting (or, in the case of nondrivers, proof of permanent Alabama residence and age).
- Any person or member of his immediate family who hunts on lands owned by him, or any tenant or member of his immediate family who hunts on lands leased or rented by such tenant and who resides on such lands.
- Residents on leave from active military duty who have proof of his or her status in his or her possession.
- A member of the U.S. military stationed in Alabama on active duty and his or her spouse and their dependents who reside with them are deemed residents for hunting and fishing license purposes.
- Patrons of a commercial bird hunting preserve are exempt from individual license requirements, if the operator of the preserve purchases a commercial bird hunting preserve license for \$500, plus a \$2 issuance fee.

Hydroelectric Kilowatt Hour Tax

Statutory Authority:

Sections 40-1-31 and 40-21-56, *Code of Alabama 1975*.

Tax Base:

Privilege tax levied on each person, firm, corporation, agent, or officer engaged in the manufacture and sale of hydroelectric power within Alabama.

Tax Rate:

2/5 mill (.04%) per kilowatt-hour of hydroelectric power manufactured and sold during the preceding calendar year.

Collections:

By the Department of Revenue, payable in advance, due on or before September 25 of each year, based on power manufactured and sold during the preceding calendar year.

Fiscal Year	Collections (\$) ⁴⁰	Percent Change
2022	1,370,514	(50.07)
2021	2,744,939	126.80
2020	1,210,267	26.62
2019	955,861	(2.48)
2018	980,197	(13.13)

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deducting the cost of collection, 42% is deposited into the Education Trust Fund and 58% is deposited into the Special Mental Health Fund.

⁴⁰ Gross collections (prior to deduction of cost of allocation).

Income Tax

Constitutional Authority:

Section 211.01 of the *Constitution of Alabama of 2022*, (proclaimed ratified August 2, 1933). Authorizes the Legislature to levy and collect taxes on net income at a rate not to exceed 5% (3% on corporations). Provides minimum exemptions from net income of \$1,500 for single taxpayers, \$3,000 for married couples and \$300 per dependent under age 18.

Section 211.02 of the *Constitution of Alabama of 2022*, (proclaimed ratified September 11, 1947). Provides for distribution of income tax receipts to (1) replace revenue lost to the funds affected by the state homestead exemption; and (2) the Education Trust Fund to be used only for the payment of public-school teachers' salaries.

Section 211.03 of the *Constitution of Alabama of 2022*, (proclaimed ratified December 18, 1963). Increases allowable maximum corporate income tax rate to 5%, with deduction allowed for all federal income taxes paid. Taxes due by foreign corporations are to be based on income derived from sources within Alabama. Increases the corporate income tax rate to 6.5% beginning in calendar year 2001.

Section 211.04 of the *Constitution of Alabama of 2022*, (proclaimed ratified December 13, 1965). Provides deduction for federal income taxes paid by individual taxpayers.

Statutory Authority:

Sections 40-18-1 through 40-18-462, 40-27-1, 40-27-1.1, 40-30-1 through 40-30-7, and 40-31-1 through 40-31-4, *Code of Alabama 1975*.

Tax Base:

A tax on the entire net income of every individual residing in Alabama, of every nonresident deriving income from within Alabama, and of every corporation domiciled in Alabama or deriving income from sources within Alabama.

Tax Rate:

Individual Income Tax

<i>Single Persons with AGI of \$4,000</i>	
<i>Head of Family with AGI of \$7,700</i>	
<i>Married Persons Filing Separate Returns with AGI of \$5,250</i>	Rate
First \$500 of taxable income	2%
Next \$2,500 of taxable income	4%
All taxable income over \$3,000	5%
<i>Married Persons Filing Joint Return with AGI of \$10,500 or more</i>	Rate
First \$1,000 of taxable income	2%
Next \$5,000 of taxable income	4%
All taxable income over \$6,000	5%

Corporate Income Tax

Rate: 6.5% of taxable income

Corporations that do business in more than one state must determine the income apportioned to Alabama by a four-part formula set forth in Section 40-27-1, *Code of Alabama 1975*.

Collections:

By the Department of Revenue.

Individuals: Returns shall be filed by the same date as the corresponding federal income tax return as required under federal law. If balance is due after credits for payments on an estimate and withheld tax, it must be remitted at the same time as the date of the original return.

Income Tax – Individual

Year	Gross Collections (\$)	Refunds (\$)	Net Collections(\$)	Percent Change
2022	6,808,515,123	719,453,781	6,089,061,342	24.04
2021	5,579,656,903	670,819,589	4,908,837,314	14.85
2020	4,936,593,352	662,541,121	4,274,052,231	1.89
2019	4,842,589,361	647,745,702	4,194,843,659	7.21
2018	4,567,101,540	654,301,778	3,912,799,762	7.95

Corporations: Returns shall be filed by the same date as the corresponding federal income tax return as required under federal law. The balance of the tax owed after credits for taxes paid through estimates is due and payable at the same time as the due date of the original return. Any corporation filing as a federal S Corporation must file as an Alabama S Corporation and remit any tax due on or before the 15th day of the third month following the close of the accounting period.

Income Tax – Corporations

Year	Gross Collections (\$)	Refunds (\$)	Net Collections (\$)	Percent Change
2022	1,299,354,755	101,583,394	1,197,771,361	41.87
2021	973,993,950	129,709,854	844,284,096	72.61
2020	604,044,219	114,908,361	489,135,859	7.50
2019	582,912,505	127,917,354	454,995,152	17.78
2018	504,853,842	118,555,759	386,298,083	1.20

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deducting cost of collection and current year refunds:

1. That portion of revenues necessary to reimburse the Property Tax Relief Fund for state homestead ad valorem tax exemptions is deposited into the State General Fund, the State Soldiers' Relief Fund, and the Public-School Fund.
2. The balance is deposited into the Education Trust Fund solely for the payment of public-school teachers' salaries.

Major Exemptions/Credits/Deductions:

For a list of exemptions, credits and deductions, see the following: Sections 16-6D-8, 16-6D-9, 16-60-351, 40-18-2.1, 40-18-3, 40-18-14, 40-18-14.1, 40-18-15, 40-18-15.2, 40-18-15.3, 40-18-15.4, 40-18-15.5, 40-18-16, 40-18-19, 40-18-19.1, 40-18-19.2, 40-18-20, 40-18-21, 40-18-32, 40-18-35, 40-18-35.1, 40-18-132, 40-18-136, 40-18-190 through 40-18-203, 40-18-205 through 40-18-215, 40-18-220, 40-18-240 through 40-18-250, 40-18-270 through 40-18-272, 40-18-290 through 40-18-293, 40-18-310 through 40-18-313, 40-18-320 through 40-18-324, 40-18-340 through 40-18-344, 40-18-360 through 40-18-363, 40-18-370 through 40-18-383, 40-18-390 through 40-18-394, 40-18-400 through 40-18-403, 40-18-410 through 40-18-416, and 40-18-420 through 40-18-424, *Code of Alabama 1975*.

Insurance Company Licenses and Premium Tax

Statutory Authority:

Sections 10A-20-6.16 (effective October 1, 2017), 27-2-39, 27-3-29, 27-4-2, 27-4-8, 27-4-11, 27-4A-1 through 27-4A-7, 27-8A-9, 27-10-31, 27-10-34, 27-10-35, 27-12A-41, 27-21-4, 27-21A-28, 27-22A-7, 27-25-4.7, 27-31A-10, 27-31B-4, 27-31B-16, 27-34-42, 27-52-3, 27-52-6, and 40-14B-1 through 40-14B-22, *Code of Alabama 1975*.

Tax Base:

A premium tax imposed on the amount of premiums written by an insurer and fees imposed for the privilege of providing insurance within the state.

Tax Rate:

For fees, visit <https://www.aldoi.gov/companies/StateTaxes.aspx>.

Collections:

1. The Insurance Premium Tax is collected quarterly by the Department of Insurance on May 15, August 15, November 15, and March 1.
 - a. The May payment may be based, at the option of the insurer, on 25% of actual business done in the state during the preceding calendar year or on actual business done in the state by the insurer during the preceding complete quarter.
 - b. The August payment may be based, at the option of the insurer, on 45% of actual business done in the state during the preceding calendar year or on 180% of actual business done in the state by the insurer during the preceding complete quarter.
 - c. The November payment may be based, at the option of the insurer, on 25% of actual business done in the state during the preceding calendar year or on actual business done in the state by the insurer during the preceding complete quarter.
 - d. The March 1 payment reflects any reconciliation between taxes paid and taxes due, the taxes due to be based on actual premiums written during the calendar year preceding the March 1 payment.
2. Surplus line and captive insurance taxes are due on or before March 1. Taxes on independently procured unauthorized insurance are due 90 days after the date the insurance was procured.

Fiscal Year	Collections (\$)	Percent Change
2022	533,435,604	13.49
2021	470,041,450	9.37
2020	429,784,157	6.18
2019	404,774,653	9.39
2018	370,029,024	8.00

Source: "Comparative Summary of Revenues by Revenue Source" Report.

The chart below shows premium tax receipts, by insurance line, prior to refunds.

	FY 2020 (\$)	FY 2021 (\$)	FY 2022 (\$)
Taxes			
Domestic Life	1,120,046	3,474,333	3,253,855
Domestic P & C	14,040,437	13,976,523	15,218,033
Blue Cross	52,433,495	58,175,963	66,773,370
Foreign Life	66,504,139	75,110,897	77,225,839
Foreign Property	68,507,027	75,322,710	82,954,333
Foreign Casualty	178,685,836	186,732,544	211,598,665
Retaliatory	1,926,675	1,752,999	3,081,804
Surplus Lines	46,315,100	54,894,324	72,595,994
Captive Tax	241,827	464,226	618,019
Company Fees			
Applications	100	3,015	21,250
Amendments and Bylaws	3,625	6,250	3,865
Licenses	1,192,040	1,221,090	1,251,920
Statements	35,541	36,485	36,880
Motor Clubs	8,145	7,650	7,140
Captive Fees	13,500	30,200	5,880
Other	0	6,650	6,650
GRAND TOTAL	431,027,532	417,215,859	534,653,497

Source: Alabama Department of Insurance.

Producer fees and fees for miscellaneous services are collected by the Alabama Department of Insurance.

Fiscal Year	Collections (\$)	Percent Change
2022	56,819,701	9.10
2021	52,080,842	30.77
2020	39,826,550	10.75
2019	35,960,738	7.32
2018	33,507,574	6.05

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. Insurance Premium Tax:
 - a. Special Mental Health Fund (SMHF) – \$4,525,338
 - b. State General Fund – all other premium tax collected. Prior to October 1, 2020, \$30,993,296 was deposited into the Education Trust Fund.
2. Company fees, producer fees, retaliatory taxes and fees for miscellaneous services collections is 50% to the Insurance Department Fund and 50% to the State General Fund, except for the following which are wholly deposited into the Insurance Department Fund:
3. License renewal fees for producer licenses
 - a. Renewal fees for service representatives' licenses
 - b. Continuing education fees
 - c. Title insurance fees
 - d. Insurance Fraud Unit assessments
4. Distribution of Retaliatory Taxes is 50% to the State General Fund and 50% to the Insurance Department Fund.

Major Exemptions:

- Premium or annuity considerations for health care benefits supplementary to Medicare and Medicaid or provided to an employer-sponsored plan for governmental employees.
- Non-profit life insurers are exempt from paying a premium tax on premiums or annuity considerations from non-profit educational and scientific institutions. In lieu of the tax, the company pays an annual license fee of \$5,000.
- Premiums collected under the provisions of the Alabama Health Care Plan (in the event such plan is implemented).
- Annuity considerations.
- Fraternal benefit societies.
- Self-insurance programs utilizing a trust fund or similar entity providing workers' compensation, health, and other insurance-like coverage.
- The Alabama Health Insurance Plan.
- Surplus line wet marine and transportation insurance.
- Counties, municipalities, municipal corporations, political subdivisions of the state; instrumentalities of counties, municipalities, municipal corporations, or the State of Alabama; or corporations or associations owned solely by counties, municipalities, or the State of Alabama. Including the Alabama Municipal Insurance Corporation (AMIC), as it is a mutual insurer owned by member municipalities.

Interest on State Deposits

Statutory Authority:

Sections 41-14-1 through 41-14-56 and 41-14A-1 through 41-14A-14, *Code of Alabama 1975*.

Revenue Source:

The income earned by the State Treasurer through the investment of available cash.

The treasurer must keep cash or demand deposits available as necessary to meet the daily operational needs of the state. State funds were held by designated state depository banks and collateralized in accordance with the Security for Alabama Funds Enhancement Act, or SAFE.

Cash in excess of this amount may be invested in certain instruments authorized by law, including bank time deposits, money market mutual funds, certain government securities and commercial paper. At the end of **FY 2022**, the state maintained an invested balance of \$10.5 billion. Interest bearing bank demand deposits accounted for approximately \$2 million in interest recorded during the fiscal year. For that year, an average of approximately \$500 million was held in such accounts.

Investment of state funds in U.S. Treasury and agency securities accounted for approximately \$16.1 million in investment income. For that year, an average of approximately \$1.8 billion was invested in such instruments. Investment in short-term instruments accounted for \$8.4 billion, earning approximately \$24.5 million during the fiscal year. Overall, the average percentage of available state funds invested and those producing earnings credit, together, was over 99%.

Collections:

Earned interest is received monthly by the treasurer from the respective banks.

Fiscal Year	Collections (\$) ⁴¹	Percent Change
2022	40,373,733	105.54
2021	19,643,087	(61.88)
2020	51,525,315	(18.26)
2019	63,036,403	99.13
2018	31,656,304	133.62

Source: "State General Fund Receipts – Summary Comparison of Net Receipts" Report.

Distribution:

Interest earned on certain bond proceeds is credited to those proceeds' accounts. Generally, however, interest on state deposits is deposited into the State General Fund.

⁴¹ General Fund Collections only.

Judicial Fees and Fines

Constitutional Authority:

Section 96 to the *Constitution of Alabama of 2022*. Prohibits the Legislature from enacting any law that does not apply to all counties, which regulates costs and charges of courts. However, there are numerous constitutional amendments authorizing local court costs by methods other than a constitutional amendment.

Statutory Authority:

Sections 11-25-9, 11-47-7.1, 12-14-14, 12-14-18, 12-19-20 through 12-19-182, 12-19-250 through 12-19-254, 12-19-310 through 12-19-315, 15-23-17, 30-3-61, 32-5-313, 32-5A-8, 33-5-33, 36-18-7, 36-18-32, 36-18-32.1, and 36-21-67, *Code of Alabama 1975*.

Collections:

The Administrative Director of Courts prescribes procedures for collection and distribution of court fees and fines.

Fiscal Year	Collections (\$) ⁴²	Percent Change
2022	60,190,411	0.91
2021	59,644,764	9.85
2020	54,294,712	(9.07)
2019	59,708,762	(0.45)
2018	59,980,037	(3.04)

Source: "State General Fund – Summary Comparison of Net Receipts" Report.

Distribution:

Fines

1. Section 12-19-152, fines collected in misdemeanor and felony cases in district and circuit courts are remitted to the State General Fund unless otherwise provided (see Sections 33-5-32, 33-5-51, 33-5-61, 33-5-62 and 33-5-66 for disposition of fines for violation of provisions regarding the registration and operation of vessels)
2. Section 9-11-6 for disposition of fines for violation of game and fish laws
3. Section 9-13-65 for disposition of fines for violation of certain laws regarding forest and forest products
4. Section 32-5A-191 for disposition of fines for DUI
5. Section 32-5A-191.3 for disposition of fines for operation of a vessel while under the influence
6. Section 32-6-233.1 for disposition of fines for unauthorized use of a handicapped parking place
7. Section 12-19-154, fines and forfeitures collected in municipal ordinance cases in district and circuit courts are remitted 90% to the municipality and 10% to the State General Fund, except fines collected for violation of Section 32-5A-191 (DUI) pursuant to a municipal ordinance, which are remitted as provided in Section 32-5A-191(m)
8. Section 11-45-9 limits fines in municipal courts to \$500, except as otherwise provided.

Fees

Title 12, Chapter 19, Article 2, *Code of Alabama 1975*, governs the amount and manner of distribution of docket fees which shall be assessed and collected in district and circuit courts throughout the state. The docket fees are uniform throughout the state, except in those counties where additional court costs are authorized by local act. Information regarding court costs may be obtained by accessing the various county websites or at www.alacourt.gov.

⁴² State General Fund collections only. Includes receipts from fines and commissions from judicial sales as well as docket (court cost or filing) fees.

Leasing or Renting of Tangible Personal Property

Statutory Authority:

Sections 40-9-30 and 40-12-220 through 40-12-227, *Code of Alabama 1975*.

Tax Base:

Privilege tax on persons engaging in leasing or renting tangible personal property.

Tax Rate:

Leasing or renting tangible personal property	4% of gross proceeds
Renting or leasing automotive vehicles, truck trailers, semitrailers, or house trailers	1.5% of gross proceeds
Renting or leasing linens and garments	2% of gross proceeds

Gross proceeds on which the tax is calculated includes any of the tax passed on to a lessee by a lessor.

Collections:

By the Department of Revenue on the 20th of each month.

Fiscal Year	Collections (\$) ⁴³	Percent Change
2022	98,975,130	7.74
2021	91,865,975	9.39
2020	83,977,284	1.30
2019	82,902,213	5.45
2018	78,614,252	1.44

Source: Department of Revenue's "Revenue Abstract."

Distribution:

Proceeds remaining after payment of the expenses of administration and enforcement are distributed to the State General Fund.

Major Exemptions:

- Any leasing or rental, as lessor, by the state or any municipality or county in the state or any public corporation organized under state law.
- The renting or leasing of oxygen or durable medical equipment to a recipient of benefits under the Medicare or Medicaid program. The renting or leasing of any items used to treat an illness or injury or to replace all or part of a limb or internal body part under Medicare, Medicaid, or a health benefit plan. (See Section 40-9-30, *Code of Alabama 1975*.)
- A listing of additional exemptions is found in Section 40-12-223, *Code of Alabama 1975*.

⁴³ Gross collections.

Liquefied Petroleum Gas Board Permit Fees

Statutory Authority:

Sections 9-17-100 through 9-17-110, *Code of Alabama 1975*.

Base:

Any person engaging or continuing in the following in the State of Alabama must obtain at least one of ten types of permits listed below:

1. Selling, distributing, storing, or transporting liquefied petroleum gases
2. Installing, servicing, repairing, removing, or adjusting liquefied petroleum gas containers, tanks, or systems
3. Performing magnetic, hydrostatic, visual, or X-ray inspections of liquefied petroleum gas storage containers, cargo tanks, motor fuel containers, and cylinders
4. Repairing and calibrating liquefied petroleum gas meter equipment

Permits:	Initial Fee:	Renewal Fee:
Permit A-Retail businesses	\$300	\$200
Permit B-Wholesale businesses or retail sales of 5,000 gallons or more	\$300	\$200
Permit B1-Individual branch or division or agent of Class A permit holder	\$100	\$100
Permit C-Installation, service, and repair businesses	\$50	\$50
Permit C1-Repair of LP carburetion equipment	\$50	\$50
Permit C2-Inspections	\$100	\$100
Permit D-Service and repair businesses for bulk storage systems of 5,000 gallons or more	\$250	\$250
Permit E-Calibration and repair of meters	\$50	\$50
Permit F-Retail Filling LP gas cylinders and/or motor fuel containers of less than 351 pounds water capacity	\$100	\$100
Permit F1-Selling, filling, or transporting welding or cutting gases, LP gas cylinder, or LP gas motor fuel containers	\$100	\$100

Other Charges:

Class A and B1 permit holders pay a LP Gas fee established by the Board not to exceed \$.005 per gallon, which is paid only once per gallon. Effective October 2018, the fee is \$.005 per gallon.

Storage plant approval fees of \$200 plus an additional \$50 for each inspection trip to the site of storage.

Penalty fees for late renewal of permits.

Collections:

Fiscal Year	Collections (\$) ⁴⁴	Percent Change
2022	1,394,381	(7.92)
2021	1,514,386	18.67
2020	1,276,095	(3.48)
2019	1,322,039	4.06
2018	1,270,508	11.82

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Liquefied Petroleum Gas Board Fund. All balances in the LP Gas Board Fund in excess of \$200,000 at the end of each fiscal year are transferred to the Liquefied Petroleum Gas Research and Education Fund.

⁴⁴ Includes permit fees, LP gas fees, rules and regulations fees, construction plan review fees, reproduction fees, and witness fees.

Liquor Taxes, Wine Taxes, and Stores' Profit

Statutory Authority:

Sections 28-3-1, 28-3-53.2, 28-3-74, 28-3-200 through 28-3-207, 28-3-280 through 28-3-286, and 28-7-16, *Code of Alabama 1975*.

Tax Base:

Liquor taxes are collected, and profits are earned on sales of liquor and table wine from Alabama Alcoholic Beverage Control (ABC) Board stores and private enterprises.

Tax Rate:

1. **Liquor** is taxed at 56% of the marked-up price (mark-up is set by the Board and is currently 35% of the cost, plus freight, for bottle sales to ABC Board stores and private stores; and cost plus 16.99% for case-lot sales to private enterprise). The 4% general sales tax is also applied to the retail price as well as an additional 2% sales tax on ABC store sales.
2. **Table wine** (any wine containing not more than 16.5% alcohol by volume) is taxed at \$.45 per liter. The 4% general sales tax is also applied to such sales as well as an additional 2% sales tax on ABC store sales.
3. **Wine** containing more than 16.5% alcohol by volume is taxed at \$2.42 per liter. The 4% general sales tax is also applied to such sales as well as an additional 2% sales tax on ABC store sales.

Collections:

By the ABC Board; deposits are made to the State Treasury. Distributions of net profits are made from time to time during the fiscal year; payments to counties and municipalities are made semiannually on or before February 1 and August 1 of each year. General sales tax collections by the ABC Board are reported monthly to the Department of Revenue and are accounted for as ordinary sales tax revenues. (See Sales Tax, pg. 119).

Fiscal Year	Collections (\$) ⁴⁵	Percent Change
2022	266,197,131	6.93
2021	248,946,078	14.71
2020	217,013,165	13.32
2019	191,507,387	5.81
2018	180,983,605	12.58

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Proceeds from taxes on spirituous and vinous liquors:

1. 10% of the total marked-up price to the Public Welfare Trust Fund (1955 tax).
2. 5% of the total marked-up price to the Public Welfare Trust Fund (1959 tax).
3. 5% of the total marked-up price to the Alabama Special Mental Health Fund (1959 tax).
4. 13% of the total marked-up price to the State General Fund (5%, 1969 tax and 8%, 1988 tax). Up to 61.5% of this 13% is to be used by the Mental Health Finance Authority if cigarette tax revenues appropriated under Section 40-25-23, *Code of Alabama 1975*, are not sufficient to pay for bonds authorized by Title 41, Chapter 10, Article 11.
5. 10% of the total marked-up price distributed as profit (1943 tax).
6. 1.5% of the total marked-up price to the Public Welfare Trust Fund (1979 tax).

⁴⁵ Figures shown include all liquor and wine taxes, ABC Board profits and 5% markup on ABC Board store sales. General sales tax (4%) and special sales tax (2%) collections are not included.

7. 1.5% of the total marked-up price to the Alabama Special Mental Health Fund (1979 tax).
8. 10% of the total marked-up price to the State General Fund (1980 tax).
9. 1.5% of the additional 2% sales tax to the municipality in which it is collected and distribution of the remaining .5% to the county in which it is collected.

Proceeds from taxes on table wine:

1. \$0.38 per liter distributed as profit (1983 tax).
2. \$0.07 per liter distributed to county or municipality where sold (1983 tax).
3. 1.5% of the additional 2% sales tax to the municipality in which it is collected and distribution of the remaining .5% to the county in which it is collected.

Proceeds from taxes on wine containing more than 16.5% alcohol by volume:

1. 37%, the Alcoholic Beverage Control Board.
2. 34%, the State General Fund.
3. 20.8%, the Department of Human Resources.
4. 8.2%, the Department of Mental Health.
5. 1.5% of the additional 2% sales tax to the municipality in which it is collected and distribution of the remaining .5% to the county in which it is collected.

Other distributions:

1. 10% of ABC Board mark-up to State General Fund.

Profits:

1. First \$2 million as follows:
 - a. 50%, State General Fund.
 - b. 19%, Department of Human Resources.
 - c. 10%, divided equally among the wet counties.
 - d. 1%, divided equally among the wet counties for public health.
 - e. 20%, cities where stores are located on a basis of ratio of profits earned by state store(s) in that municipality to total net profits of all Alabama liquor stores.
2. First \$200,000 above \$2 million:
 - a. To all incorporated municipalities within the wet counties on basis of population.
3. Remainder:
 - a. 3.75%, wet counties on basis of population.
 - b. 1.25%, municipalities where stores are located (on population).
 - c. 6.25%, incorporated municipalities in the wet counties (on population).
 - d. 3.75%, Department of Human Resources.
 - e. 85%, State General Fund.

Major Exemptions:

- Certain agencies of the U.S. armed forces.
- Trade between wholesalers.

Lodgings (Transient Occupancy) Tax

Statutory Authority:

Sections 11-100-4(g), 23-1-7, 34-27-65, and 40-26-1 through 40-26-21, *Code of Alabama 1975*.

Tax Base:

Privilege tax upon every person or firm that rents or furnishes lodgings or accommodations to transients for a period of less than 180 days for a fee.

Tax Rate:

Rate on charges for accommodations in the counties comprising the Alabama mountain lakes geographic area: Blount, Cherokee, Colbert, Cullman, DeKalb, Etowah, Franklin, Jackson, Lauderdale, Lawrence, Limestone, Madison, Marion, Marshall, Morgan and Winston.	5%
Rate on charges for accommodations in all other Alabama counties.	4%

Collections:

By the Department of Revenue on the 20th of the month succeeding the month the tax accrues. Vendors who file tax returns on time are entitled to a discount of 5% on the first \$100 of tax and 2% on all tax over \$100. Penalty charges, plus interest, may also be imposed on vendors who file deficient or delinquent tax returns.

Fiscal Year	Collections (\$) ⁴⁶	Percent Change
2022	107,324,112	22.72
2021	87,457,354	26.20
2020	69,299,088	(14.98)
2019	81,511,676	9.76
2018	74,265,555	7.64

Source: Department of Revenue's "Revenue Abstract."

Distribution:

- 20% of the 5% levy collected in Alabama mountain lakes area counties, after deduction of cost for collection, is distributed as follows:
 - 50% to the Alabama Mountain Lakes Association for the promotion of tourism and travel.
 - 50% to the respective counties for the promotion of tourism, recreation, and conventions.
- The balance of the tax collected in mountain lakes area counties, as well as the entire proceeds from the 4% levy, except as provided below, collected in all other Alabama counties, is distributed as follows:
 - 75% to the State General Fund.
 - 25% to the Bureau of Tourism and Travel for state travel advertising and travel promotion. Of this amount, not more than \$10,000 per fiscal biennium may be expended for the Department of Transportation to construct and erect directional markers designating major tourist attractions.
- An amount not to exceed \$3 million annually, as the Legislature deems necessary and desirable to the Alabama Convention Facilities Fund, for state assistance payments under the Alabama Convention Facilities Act.

⁴⁶ Gross collections.

Major Exemptions:

- Any rentals or services taxed under the sales tax provisions (Sections 40-23-1 through 40-23-38, *Code of Alabama 1975*).
- Rooms, lodgings, or accommodations supplied for 180 or more continuous days.
- Municipal privilege license taxes levied and collected on gross sales or gross receipts from sales and passed on directly by the seller to the purchaser shall be excluded from gross sales or gross receipts in the computation of this tax.
- Proceeds from the sale or resale of any vacation time-sharing lease plan.
- Nonprofit or privately-operated camps, conference centers, or similar facilities that provide lodging and recreational or educational programs exclusively for the benefit of children, students, or members or guests of nonprofit organizations.
- Rooms, lodgings, or accommodations supplied in connection with the production of an approved motion picture project.
- Marine ships, places or spaces for tent camping, spaces for motor homes, travel trailers, self-propelled campers, house cars, truck campers, or recreational vehicles supplied for 90 or more continuous days.

Lubricating Oil Tax

Statutory Authority:

Sections 40-17-170 through 40-17-186, 40-17-220 through 40-17-223, and 40-17-225, *Code of Alabama 1975*.

Tax Base:

Excise tax on every distributor, manufacturer, dealer, or storer of lubricating oil upon selling, distributing, or withdrawing from storage (does not include products commercially known as "fuel oils" or "crude oils").

Tax Rate:

The State of Alabama collects two levies of \$.02 and \$.04, for a total of \$.06 per gallon. Also subject to petroleum inspection fee of \$.15 per gallon. (See Petroleum Commodities Fees. pg. 113).

Collections:

By the Department of Revenue on or before the 20th of each month.

Fiscal Year	\$.02	\$.04	Total	Percent Change
2022	578,070	1,155,690	1,733,760	5.78
2021	546,344	1,092,652	1,638,996	2.73
2020	531,806	1,063,612	1,595,418	(19.94)
2019	664,101	1,328,557	1,992,658	(8.88)
2018	729,079	1,457,803	2,186,882	24.52

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

After deducting the cost of collection, the net tax proceeds are distributed as follows:

1. Proceeds from the \$.02 per gallon levy are deposited into the State General Fund.
2. Proceeds from the \$.04 per gallon levy are distributed 45% to the Public Road and Bridge Fund; and 55% to the counties and the municipal governing bodies located therein for highway purposes as follows:
 - a. 25% is distributed equally to the 67 counties; and
 - b. 30% is allocated among the 67 counties based on population.
 - i. 10% of each county's portion of the tax proceeds are shared with the municipal governing bodies located therein on the ratio of the population of each municipality to the total population of all municipalities in said county; and
 - ii. The balance is allocated to each county to be distributed with respect to which the allocation is made.

Major Exemptions:

From the \$.02 tax and the \$.04 tax:

- Sales to agencies of the U.S. Government.
- Local school boards.
- Alabama Institute for the Deaf and Blind (AIDB), Department of Youth Services (DYS) School District and private and parochial schools.
- Sales to city and county governing bodies.

From the \$.02 tax:

- Sales of lubricating oil in interstate commerce.
- Sales of lubricating oil to an out-of-state purchaser who takes delivery of such oil within the state with intent to transport it out-of-state.

From the \$.04 tax:

- Lubricating oil used in aircraft powered by reciprocating, jet or turbine engines, ships, vessels, barges, railroad locomotives, and other railroad equipment.
- Lubricating oil sold to be used for agricultural purposes.
- Lubricating oil sold to be used in off-road vehicles which do not require state licensing.

Manufactured Home Registration Fee

Statutory Authority:

Sections 40-7-1, 40-8-1(h), 40-11-1(b)(15) and (c)(2), and 40-12-255, *Code of Alabama 1975*.

Tax Base:

Registration fee in lieu of ad valorem taxes on manufactured homes which are rented or leased or located on land owned by someone other than the owner of the manufactured home. An owner-occupied manufactured home located on land owned by the occupant is subject to ad valorem taxes.

Tax Rate:

Owner-occupied registration fee	\$24 single wide \$48 double wide or larger
Other registration fees	\$48 commercial single wide \$96 commercial double wide or larger
Manufactured homes 10-19 years of age	75% of those registration above
Manufactured homes 20 years old or older	50% of those registration above
Issuance (decal) fee	\$5

Collections:

By the county official responsible for collection of ad valorem taxes in the county in which the manufactured home is customarily kept, due on October 1 of each year.

Fiscal Year	Collections (\$) ⁴⁷	Percent Change
2022	507,011	1.52
2021	499,415	(0.71)
2020	502,962	(4.36)
2019	525,918	(1.43)
2018	533,556	(2.07)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Registration Fee:

1. 25%-State General Fund.
2. 25%-County General Fund.
3. 25%-County School Board-unless home is located in city school district, in which case this percentage goes to the city school board.
4. 25%-Municipality in which the home is located-unless the home is not located in a municipality, in which case this percentage goes to the County General Fund.

Issuance (decal) Fee:

1. \$4 to County General Fund if the issuing official is on salary or to the issuing official if compensated by a fee system.
2. \$1 to County treasury for use by the issuing official only for the performance of his or her official duties.

⁴⁷ General Fund collections only.

Major Exemptions:

- Manufactured homes considered part of the inventory of a dealer or manufacturer.
- Owner occupied manufactured home owned by any person over age 65 or who is totally disabled (issuance (decal) fee must be paid).
- Manufactured homes owned by the U.S. Government, the State of Alabama, and the county or municipal corporations are exempt from the registration fee.
- Manufactured homes designated as a 1999-year model or older are exempt from the vehicle certificate of title requirements.

Marriage License Fee

Statutory Authority:

Sections 12-19-90(b)(32) and 30-6-6 through 30-6-11, *Code of Alabama 1975*.

Base:

A fee for a marriage license or other documentation of marriage.

Fees:

\$60 plus an additional issuance and recording fee of \$10.

Collections:

By probate judges.

Fiscal Year	Collections (\$) ⁴⁸	Percent Change
2022	2,237,566	(2.50)
2021	2,294,930	13.86
2020	2,015,505	4.32
2019	1,931,963	(6.53)
2018	2,066,856	(3.23)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

The issuance and recording fee are paid into the county treasury (or to the probate judge if authorized or required by law). The license fee is distributed to the Alabama Department of Economic and Community Affairs (ADECA) for deposit in the Domestic Violence Trust Fund. ADECA will distribute funds for use at domestic violence centers and may not expend more than 8% of the total available funds or the actual cost, whichever is less, for administration. 10% of unspent and unencumbered funds shall be retained in the Domestic Violence Trust Fund, with the remainder reverting to the State General Fund at the end of the fiscal year.

⁴⁸ Includes only the \$60 that funds domestic violence facilities. Collections shown are prior to administration costs.

Medicaid Provider Taxes

Statutory Authority:

Sections 40-26B-1 through 40-26B-27 and Section 40-26B-70 through 40-26B-88, *Code of Alabama 1975*.

Tax Base:

A privilege tax levied on all providers of pharmaceutical services, nursing home care, and hospitals.

Tax Rate:

Pharmaceutical Services	\$0.10 per prescription on all prescriptions when filled or refilled for an Alabama citizen.
Nursing Home Facilities (all of the following)	
Privilege assessment	\$2,227.44 per year per bed (per Act 2020-147), effective September 1, 2020 (Note: Prior to September 1, 2020, the rate was \$1,899.96 per year per bed),
Supplemental privilege assessment	\$1,603.08 per bed per year (through 8/31/2025)
Monthly surcharge	\$43.75 per month (\$525 annually per bed) (through 8/31/2025)
Annual secondary supplemental assessment	of \$401.28 per bed, payable monthly (through 8/31/2025).
Hospital Facilities	
Privately operated hospitals	6.0% of their net patient revenue in fiscal year 2023, 2024, and 2025 per Act 2022-127.
The assessment is reviewed and updated annually, subject to the limitations on the use of funds in the Hospital Assessment Account. The assessment rate may be reduced.	

Collections:

Due to the Department of Revenue by pharmaceutical providers by the 20th of each month for the preceding month (except a quarterly return may be authorized for those providers whose total tax liability does not exceed \$10 for any month); by nursing home facilities by the 20th of each month for the preceding month; and due and payable by hospitals by the first 15 days of each fiscal quarter.

Fiscal Year	Pharmaceutical	Nursing Homes	Hospitals	Total Collections	Percent Change
2022	8,971,896	118,456,832	243,934,335	371,363,063	(0.14)
2021	8,791,902	119,216,142	304,786,423	432,794,467	2.67
2020	8,645,357	112,695,321	300,189,946	421,530,624	6.36
2019	8,551,314	112,175,328	275,588,476	396,315,118	5.90
2018	6,098,375	112,010,998	256,136,221	374,245,594	(.92)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

After deducting the costs of collection, taxes on prescriptions, nursing facilities, and hospitals are credited to the Alabama Health Care Trust Fund and used only by the Alabama Medicaid Agency for matching federal funds available under Title XIX of the Social Security Act (Medicaid) for the Medicaid Program in Alabama. Act 2000-772 created the Medicaid Trust Fund, effective October 1, 2000, into which any funds appropriated to the Alabama Medicaid Agency from any source which, at the end of any fiscal year, have not been expended or encumbered may be transferred upon approval of the Director of Finance and the Governor.

Major Exemptions:

- (All provider taxes) Nursing facilities/institutions/pharmacies/hospitals owned or operated by the state or agency of the state or pharmacies serving hospital inpatients.
- (Nursing Home Tax only) Nursing facilities providing care to physically or mentally disabled persons who are 18 years of age or less.

Mortgage Record Tax

Statutory Authority:

Sections 40-22-1 through 40-22-12, *Code of Alabama 1975*.

Tax Base:

License or privilege tax for filing a mortgage, deed of trust, contract of conditional sale, or similar instrument given to secure payment of any debt which conveys any real or personal property in Alabama, or any interest therein or security agreement or financing statement provided for by the Uniform Commercial Code. See the Uniform Commercial Code for tax on amount of future indebtedness incurred under the terms of the presently taxed instrument.

Tax Rate:

\$.15 for each \$100 of indebtedness, or fraction thereof.

Collections:

By the probate judge of the county when and where the instrument is offered for recording. The tax on mortgages conveying property both within and outside Alabama and open-ended mortgages is also collected by the probate judge, but only after a petition is made to the Alabama Department of Revenue and the Department determines the amount of tax due and the distribution of proceeds.

Fiscal Year	Collections (\$) ⁴⁹	Percent Change
2022	56,741,223	(2.96)
2021	58,472,446	34.39
2020	43,508,120	38.09
2019	31,506,248	3.89
2018	30,327,033	1.47

Source: "General Fund Summary Comparison of Net Receipts" Report.

Distribution:

After 5% is deducted for cost of collection by the Probate Judge, proceeds are distributed 2/3 to the State General Fund and 1/3 to the county treasury.

Major Exemptions:

- The tax is not collected from any bank in the state unless it is collected uniformly on all banks throughout the state.
- Production credit corporations or associations engaged exclusively in making farm or crop loans are exempt.
- Organizations whose sole purpose is to conduct religious activities are exempt.
- Security agreements or financing statements relating solely to security interests in accounts, contract rights or general intangibles as defined by the Uniform Commercial Code are exempt.
- The re-recording of mortgages or other such instruments to correct errors for the purpose of perfecting the title to real or personal property are exempt.
- Mortgages relating to issuing or securing obligations and conveying title into or out of a public authority or a county or municipality with respect to private use industrial property may be abated. (See Section 40-9B-4, *Code of Alabama 1975*.)

⁴⁹ General Fund collections only.

Motor Carrier Mileage Tax

Constitutional Authority:

Section 111.06 of the *Constitution of Alabama of 2022*. Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Sections 40-19-1 through 40-19-17, *Code of Alabama 1975*.

Tax Base:

Mileage tax levied on every motor carrier for hire that is used in the transportation of persons along the highways of Alabama.

Seating Capacity	Tax Rate:
Not less than 9 nor more than 16	\$.0025 per mile
17 to 21	\$.005 per mile
22 to 25	\$.0075 per mile
Greater than 25	\$.01 per mile

Collections:

Fiscal Year	Collections (\$)	Percent Change
2022	26,907	5.46
2021	25,513	(19.87)
2020	31,838	(19.32)
2019	39,463	7.41
2018	36,741	(4.77)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Proceeds are deposited into the Motor Carrier Fund. After costs of collection of the Department of Revenue and the Public Service Commission are deducted, the remaining proceeds are then transferred into the State Public Road and Bridge Fund.

Major Exemptions:

- Tour buses.
- "Chartered party" vehicles used in support of a "charter party" contract in compliance with International Registration Plan requirements.

Motor Fuels (Diesel) Tax (and Motor Carrier Fuel Tax)

Constitutional Authority:

Section 111.06 of the *Constitution of Alabama of 2022*, Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Sections 40-17-140 through 40-17-155 (Motor Carrier Fuel); and Sections 40-17-320 through 40-17-363 (Motor Fuel (diesel)), *Code of Alabama 1975*.

Tax Base:

Excise tax on the removal, import, sale/transfer in the bulk transfer/terminal system and blending of motor fuel (Motor Fuel (diesel) Tax). "Diesel Fuels" include fuel oils, kerosene, special fuels, and blended fuels which contain diesel fuel. Excise tax upon motor carriers who operate or cause to be operated motor vehicles on any highway in Alabama (Motor Carrier Fuel Tax).

Tax Rate:

1. Effective October 1, 2021, the State of Alabama now collects three separate levies of \$.13 and \$.06, and an additional \$.10 levied pursuant to the "Rebuild Alabama Act" (Act 2019-2), for a total of \$.29 per gallon.
2. Excise tax on motor carriers is the same rate per gallon as currently in effect for motor fuel (\$.29 per gallon).
3. Motor carriers liable for payment of the motor carrier fuel tax also pay an annual fee per vehicle for a motor vehicle identification marker (decal) paid January 1 or a fee for a 7-day trip permit.
 - a. The annual decal fee and the 7-day trip permit fee are set by the Commissioner of Revenue based on the costs of administering the International Fuel Tax Agreement (IFTA).
 - b. The 7-day trip permit fee is \$20, and the IFTA decal is \$17 annually.
4. The "Rebuild Alabama Act" (Act 2019-2) levied an additional excise tax on each net gallon of gasoline and diesel fuel equal to \$.10 effective October 1, 2021.
 - a. The act also provides for an indexing process to adjust the excise tax rate by up to one cent (\$.01) beginning October 1, 2023, and on July 1 of every other year thereafter every other year based on the yearly average of the National Highway Construction Cost Index.

Collections:

By the Department of Revenue each month (motor fuel tax), before the last day of April, July, October, and January (motor carrier fuel tax).

Fiscal Year	\$.13	\$.06	RAA ⁵⁰	Truck Decals	Total ⁵¹	Percent Change
2022	122,204,525	56,952,426	88,901,494	773,296	268,831,741	9.70
2021	118,788,931	55,383,944	70,160,238	733,431	245,066,544	17.00
2020	108,119,771	50,411,405	50,216,722	709,971	209,457,869	30.36
2019	109,037,554	50,871,768	-	768,213	160,677,535	(4.19)
2018 ⁵²	113,789,518	53,146,229	-	764,575	167,700,322	11.43

Source: State of Alabama, Department of Revenue, Motor Fuels and Motor Vehicles Sections.

Distribution:

After deduction of the cost of collection, proceeds are distributed as follows:

\$.13 tax:

1. For the repayment of Highway Authority Bonds and other bonds.
2. For the construction and maintenance of public roads and bridges.

\$.06 tax:

1. 4.69% distributed equally among each of the 67 counties for public road and bridge purposes.
2. .93% allocated among incorporated municipalities for public road and bridge purposes as follows:
 - a. 45.45% of the municipalities' share is allocated equally among the counties.
 - b. 54.55% of the municipalities' share is allocated among the 67 counties on the basis of population.
 - c. The amount allocated to each county is distributed among the municipalities within the county on the basis of population.
3. The balance is credited to the Department of Transportation for highway purposes.

Rebuild Alabama Act Gasoline and Diesel Fuel Excise Tax:

1. 8.33% to the municipalities, of which 25% is distributed equally to the municipalities of the state, and 75% is distributed to each municipality based on the population ratio of the municipality to the total population of the state.
2. 25% to the counties, of which 45% is distributed equally to the counties of the state, and 55% is distributed to each county based on the population ratio of the county to the total population of the state.
3. 66.67% is allocated to the Alabama Department of Transportation and deposited into the Rebuild Alabama Fund to be used for transportation infrastructure improvement, preservation and maintenance projects within the state.

⁵⁰ Rebuild Alabama Act (RAA) receipts are based on \$.06 in FY 2020, \$.08 in FY 2021 and \$.10 in FY 2022.

⁵¹ Figures shown are prior to deduction of Department of Revenue administrative expenses and after deduction of motor fuels and IFTA tax refunds. Includes motor fuel excise taxes, IFTA taxes, and truck decals.

⁵² Fiscal Year 2018 includes 13 months of distribution because September 2017 was distributed in October 2017.

Major Exemptions:

- Motor fuel exported from this state for which proof of export is available in the form of a terminal issued destination state shipping document that is:
 - Exported by a supplier who is licensed in the destination state or
 - Sold by a supplier to a licensed exporter for immediate export to a state for which the applicable destination state motor fuel excise tax has been collected by the supplier who is licensed to remit the tax to the destination state.
- K-1 kerosene or aviation jet fuel that is produced at a refinery in Alabama and is either exported directly by the operator of the refinery or sold for immediate export by the operator to a licensed exporter with proper documentation.
- Sales of dyed diesel fuel.
- Gasoline blendstocks or cellulosic biofuel when sold to a:
 - Licensed supplier or
 - Person who will not be using blendstocks in the manufacture of gasoline or as a motor fuel (with exemption certificate).
- Motor fuel sold by licensed supplier or licensed permissive supplier to an exempt agency under Section 40-17-332 (United States government or agency thereof, any county governing body of state, any incorporated municipal governing body of state, city and county boards of education of state, Alabama Institute for the Deaf and Blind and Alabama Department of Youth Services school district, and private church school systems as defined in Section 16-28-1).
- Motor fuel delivered by a licensed supplier from one terminal to another terminal when ownership in the motor fuel has not changed or by a licensed supplier from a terminal to a refinery operated by the licensed supplier.
- From the Motor Carrier Fuel Tax:
 - Any department, board, bureau, commission or taxing area or other agency of the federal government, of the State of Alabama or any political subdivision thereof.
 - Any school bus operated by the State of Alabama, any political subdivision thereof, or any private or privately-operated school or schools.

Refund Eligibility:

- Licensed distributor – on monthly basis on taxes paid on gallons sold by that distributor to licensed exempt agencies (as defined above.)
- Exporter – on monthly basis on taxes paid to the state on gallons exported by exporter (with proof).
- Exempt entities (as defined above) – on quarterly basis for any purchases of motor fuel (or issuer of card if charged to credit card issued to the exempt entity).
- End users who first pay tax on gallons of diesel fuel used in designated off-road vehicles, other off-road equipment, or for other off-road use on quarterly basis.
- Tax paid on motor fuel that is lost or destroyed as direct result of sudden and unexpected casualty or becomes unsalable or unusable as highway fuel due to such things as contamination by dye or mixture of gasoline and diesel.
- Tax paid on transmix not used as motor fuel or that is delivered to refinery for further processing - on quarterly basis.
- Tax paid on motor fuel within the bulk transfer system with sufficient proof that a second tax had been paid pursuant to Section 40-17-325 or the fuel was exported to another state or country - on monthly basis.

Motor Vehicle Accident Report Fee

Statutory Authority:

Section 32-2-8, *Code of Alabama 1975*.

Base:

Fee for copy of motor vehicle accident report.

Fee:

\$15 for each copy.

Collections:

By the Alabama Law Enforcement Agency.

Fiscal Year	SGF Collections (\$)	Percent Change	HTSF/PSF (\$)	Percent Change
2022	949,340	5.09	481,903	6.28
2021	903,320	(3.85)	453,420	(4.09)
2020	939,462	(10.76)	472,770	(11.09)
2019	1,052,739	(8.23)	531,732	(7.59)
2018	1,147,171	18.76	575,383	18.83

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

\$10 to the State General Fund (SGF) and the remaining \$5 to the Alabama Law Enforcement Agency Public Safety Fund.

Motor Vehicle Carrier Permit Fees

Statutory Authority:

Sections 37-3-1 through 37-3-34, *Code of Alabama 1975*.

Base:

Registration and application fee for any individual transporting passengers or property by motor vehicle in Alabama according to a lease, contract, or other arrangement for compensation.

Fees:

Application fee for a certificate of public convenience or permit.	\$100
Application fee for an amendment of a certificate or permit.	\$100
Application fee for transfer of a certificate or permit.	\$25
Application fee for approval of a lease of a certificate for a period of more than six months.	\$10
Registration fee for every motor vehicle to be used by a motor carrier on a state highway.	\$6

Collections:

By the Alabama Public Service Commission upon application by the motor carrier. Tour bus operators may make payment to the Department of Tourism and Travel.

Fiscal Year	PSC Fund	Motor Carrier Fund	Total	Percent Change
2022	2,500,800	450,670	2,951,470	(.03)
2021	2,501,808	450,558	2,952,366	(0.07)
2020	2,501,080	449,311	2,950,391	(0.14)
2019	2,501,990	452,533	2,954,523	(10.61)
2018	2,795,252	509,983	3,305,235	25.15

Source: Public Service Commission and "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. \$1 of each registration fee and all application fees are deposited into the Motor Carrier Fund (a component of the Public Road and Bridge Fund).
2. The remaining \$5 of the registration fee is deposited to the Public Service Commission's Operating Fund.
3. The above revenues are federal funds per the ICC Termination Act of 1995 and must be used exclusively for enforcement of safety and insurance programs.

Major Exemptions:

A complete listing of exemptions is found in Section 37-3-4 *Code of Alabama 1975*.

Motor Vehicle Certificate of Title Fee

Statutory Authority:

Sections 32-8-1 through 32-8-49, 32-8-64.2, 32-8-87, and 32-20-1 through 32-20-48 (Manufactured Homes), *Code of Alabama 1975*.

Base:

Registration fee required of owner(s) of a motor vehicle which is not more than 35 model years old; a trailer (to include semi-trailer, travel trailer, or moving collapsible and folding camper) not more than 20 model years old; and manufactured homes designated a 1990 model or later (and not more than 20 years old if manufactured home). If a manufactured home is affixed to a parcel of real property and the ownership of the manufactured home and real property are identical, the owner(s) may obtain a cancellation of title from the Department of Revenue.

Fees:

Each application for certificate of title	\$15
Each application for replacement or corrected certificate	\$15
Each application for certificate of title after transfer.	\$15
Each notice of security interest.	\$15
Each assignment by lienholder.	\$15
Each application for ordinary certificate of title upon surrender of a distinctive certificate. The fee is not applicable under the manufactured home chapter.	\$15
Each application for the title history on a vehicle.	\$15
Each application for a salvage certificate of title.	\$15
Each application for cancellation of a certificate of title or certificate of origin (applies to manufactured homes only).	\$15
Each application for information on the status of a title for manufactured homes only	\$15
Each application for any motor vehicle record provided electronically or a print out of an electronic record other than the title history.	\$5
The Department is authorized to charge an additional fee for up to \$5 for motor vehicle records obtained from the national motor vehicle title information system.	
Each electronically filed submittal verifying the status of a motor vehicle to be scrapped (or annual fee of \$500 per unlimited status verifications) paid by automotive dismantlers and parts and metals recyclers.	\$5

In addition to the above applicable fee(s), the probate judge, license commissioner or other authorized license agent collects and retains a processing fee of \$1.50 plus an additional commission fee of \$1.50, and for manufactured homes, for each transaction a fee of \$5 is added for the non-profit Alabama Housing Foundation.

Collections:

By the Department of Revenue, by probate judges and county license commissioners, and by motor vehicle dealers and financial institutions that are designated agents of the Department of Revenue.

Fiscal Year	Collections (\$) ⁵³	Percent Change
2022	22,506,223	(5.05)
2021	23,704,396	9.56
2020	21,635,240	(4.22)
2019	22,587,317	(5.66)
2018	23,942,359	3.57

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

All proceeds are deposited into the State General Fund, except title fees collected by the Department on salvage vehicles affected by Act 2010-748 which remain with the Department. One-half of the \$5 fee levied for any motor vehicle record other than title history will remain with the Department. The verification fees collected under Act 2011-633 are retained by the Department for training and technological and processing improvements.

Major Exemptions:

- Vehicles owned by a U.S. agency, a dealer, or a nonresident who is not required by law to register a vehicle in this state.
- Vehicles for which the Alabama license plate official has verified that both the current owner and operator is recorded as the owner and operator on a current certificate of title issued by another state and the title is being held by a recorded lienholder.
- Vehicles moved solely by animal power.
- Implements of husbandry.
- Special mobile equipment.
- Pole trailers.
- Manufactured homes as defined in Section 32-20-2, *Code of Alabama 1975*, and trailers, semi-trailers, travel trailers, or moving collapsible and folding campers that are more than 20 model years old.
- A new manufactured home placed on the owner's land when classified as real property.
- Utility trailers other than moving collapsible and folding campers.
- A motor vehicle more than 35 model years old.
- Motor vehicles to be scrapped by the owner or the authorized agent of owner that do not have titles for vehicles to be scrapped may avoid obtaining a title by verifying the vehicle is worth \$1,000 or less and is at least 12 model years old. The verification may only be used to transfer the vehicle to an automotive dismantler and parts recycler.
- A mini-truck as deferred by Section 40-12-240, *Code of Alabama 1975*.
- Any other vehicles prescribed by the Department.

⁵³ State General Fund receipts only.

Motor Vehicle, LP, and Natural Gas Fueled Fees

Constitutional Authority:

Section 111.06 of the *Constitution of Alabama of 2022*. Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Sections 40-17-168 through 40-17-168.19, *Code of Alabama 1975*.

Base:

Excise tax on the sale or withdrawal for use in an amount equal to the excise tax in effect as prescribed for a Gasoline Gallon Equivalent (GGE) on compressed natural gas or per Diesel Gallon Equivalent (DGE) on liquefied natural gas upon the sale of the compressed natural gas or liquefied natural gas for use in a vehicle designed to be operated on the public roads and highways.

Fees:

A reduced rate excise tax on compressed natural gas (CNG) and liquefied natural gas (LNG) in an amount of \$.08 per GGE or DGE effective October 1, 2018. Additionally, there is an annual application fee of one hundred dollars (\$100) per vehicle for all personal producers or compressed natural gas in lieu of the excise tax, and a fifty-dollar (\$50) application fee for public sellers or fleet producers of CNG/LNG.

Collections:

By the Liquefied Petroleum Gas Board upon application by the owner/operator of the vehicle.

Fiscal Year	Collections (\$) ⁵⁴	Percent Change
2022	40,593	(5.22)
2021	42,829	(7.60)
2020	46,354	(8.85)
2019	50,854	(3.12)
2018	52,490	(5.96)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Proceeds of the flat fee are deposited to the Public Road and Bridge Fund. Proceeds of the decal issuance fee are deposited to the Liquefied Petroleum Gas Board Fund.

⁵⁴ State General Fund receipts only.

Major Exemptions:

- Any vehicles owned by the state, county, or any incorporated municipality or agency, or instrumentality thereof.
- Any vehicle not requiring a license plate or motor vehicle license (including but not limited to forklift trucks and agricultural vehicles).
- Owners of out-of-state vehicles who purchase fuel from a propane or natural gas dealer or supplier in Alabama may pay to the dealer, in lieu of this fee, an amount equal to the Alabama motor fuel (diesel) tax then in effect. Said payments are remitted to the Alabama Liquefied Petroleum Gas Board prior to the 20th day of the following month.

Motor Vehicle Registrations

Constitutional Authority:

Section 111.06 of the *Constitution of Alabama of 2022*.

Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Sections 32-6-51 through 32-6-700 and Sections 40-12-240 through 40-12-302, *Code of Alabama 1975*.

Base:

License tax or registration fee on each motor vehicle operated on the public highways of Alabama. Ad valorem taxes are assessed and collected forward on a current basis. Motor carriers operating in interstate commerce pay proportional registration fees derived from mileage traveled in member jurisdictions (registrants receive an apportioned license plate and a cab card), although motor carriers based outside Alabama may, in lieu of a full or apportioned registration, purchase a temporary trip permit for \$20 (valid for 7 days).

Fees:

Private passenger car and pick-up truck	\$13 annually plus \$10 additional annual fee. (See NOTE below regarding distinctive plates)
Motorcycle	\$7 annually plus \$8 additional annual fee
Motor bus on basis of seating capacity	\$47.50 to \$210 annually
Commercial car, truck, or truck-tractor, dependent on weight.	\$13 to \$890 annually
The registration of trucks includes the payment of a base amount ranging from \$10.70 to \$445, and additional amounts ranging from \$2.30 to \$445.	
For trucks and truck-tractors used for the purpose of agriculture there is a maximum fee of \$250. A farmer is entitled to purchase up to four farm plates for truck tractors at the reduced annual registration fee.	
Motor homes	Base amount ranges from \$10.70 to \$250 Additional amounts ranges from \$2.30 to \$250

Dealer plates for motor vehicle and motorcycle dealers and manufacturers	Same fee as private passenger plates, plus an additional issuance fee of \$1.75 to be retained by the county for operations of the issuing officials' offices
Trucks and motor homes with a gross weight of 8,000 lbs. or less	Additional fee of \$10
Taxicabs	\$21 to \$40 annually
Hearses and ambulances	\$15 to \$55 annually (based on city population)
Commercial trailers	\$20 annually
Private utility trailers	\$12 annually
Rental utility trailers	\$15 annually
Permanent trailers	\$60 per plate

The Rebuild Alabama Act (Act 2019-2) added an additional annual \$200 fee for electric vehicles and an additional \$100 for each plug-in hybrid electric vehicle, effective January 1, 2020. Beginning on July 1, 2023 and every fourth year thereafter, the additional license tax and registration fee for electric and plug-in hybrid vehicles shall increase by three dollars (\$3).

Note Regarding Distinctive Plates Rates:

Section 32-6-68, *Code of Alabama 1975*, provides for distinctive plates to be issued for various organizations upon the payment of the standard fee plus any required additional fees. The Department of Revenue's Motor Vehicle Division website (<https://revenue.alabama.gov/motor-vehicle/license-plate-information/distinctive-license-plates-all-vehicles/>) contains a list of currently available distinctive plates.

Collections:

Fiscal Year	IRP (\$)	M.V. Registration (\$)	Total (\$) ⁵⁵	Percent Change
2022	42,234,291	247,233,034	289,467,325	2.94
2021	38,974,958	242,234,519	281,209,477	10.08
2020	35,877,633	219,581,448	255,459,081	1.85
2019	38,572,029	212,245,118	250,817,147	0.55
2018	36,377,183	213,077,864	249,455,047	7.04

Source: Department of Revenue – Motor Vehicle Division, and State Comptroller's Office.

⁵⁵ Gross collections. Includes probate judges, license commissioner or other authorized license agent fees; revenue department administrative share; local governments' shares; State General Fund and Public Road and Bridge Fund shares; college shares; and Environmental Fund shares (from personalized tags).

Distribution:

The \$10 additional fee paid on private passenger automobiles and trucks with a gross weight of 8,000 pounds or less (\$8 additional for motorcycles) is deposited in the State General Fund to be used by the Alabama Law Enforcement Agency.

Additional amounts paid on the regular registration of heavy trucks are distributed as follows:

1. 64.75% to the Public Road and Bridge Fund
2. 35.25% to the counties (42.16% allocated equally, 57.84% allocated on the basis of population.)

Remaining proceeds ("base" fees) are distributed as follows, after deduction of:

(a) 2-1/2% for administrative costs of probate judge, license commissioner, or other authorized license agent deposited to county general fund if probate judge, license commissioner, or other authorized license agent not on fee system and

(b) 5% deposited to the Public Road and Bridge Fund with as much as required to be appropriated by the Legislature to the Department of Revenue for administrative expenses related to this tax and plate costs, and the remainder to be used for any purpose for which monies in the Fund may be lawfully used:

1. 72% is deposited into the Public Road and Bridge Fund.
2. 21% is remitted by each probate judge to the municipality wherein the owner of the vehicle resides or where the vehicle was registered. If not in an incorporated municipality, the proceeds go to the county wherein the license tax was paid.
3. 7% is apportioned by the State Treasurer to the 67 counties on basis of vehicle registrations. 10% of each county's apportionment is subsequently distributed to the municipalities therein on a population basis.

All proceeds of the annual license taxes and registration fees for electric vehicles and plug-in hybrid electric vehicles, after deduction of 2-1/2% for administrative costs of probate judge, license commissioner, or other authorized license agent (deposited to county general fund if probate judge, license commissioner, or other authorized license agent not on fee system) shall be distributed as follows:

1. The first \$150 collected from the annual license tax and registration fee on each battery electric vehicle and the first \$75 collected from the annual license tax and registration fee on each plug-in hybrid electric vehicle shall be distributed 66.67% to the state, 25% to counties, and 8.33% the municipalities.
2. The remainder shall be deposited in the Rebuild Alabama Fund and shall be used by ALDOT to fund electric vehicle transportation charging infrastructure through the Electric Transportation Infrastructure Grant Program, until such time as the total annual registrations of battery electric vehicles plus plug-in hybrid electric vehicle exceed four percent (4%) of the total annual registrations of all motor vehicles within the state. Thereafter, the annual license taxes and registration fees imposed shall be reduced to \$150 and \$75, respectively, and after the reduction the receipts shall be deposited into the Rebuild Alabama Fund and distributed 66.67% to the state, 25% to the counties, and 8.33% to the cities, to be used for any purpose for which monies in the Rebuild Alabama Fund may be lawfully used.

Major Exemptions:

- Active members of Alabama National Guard or retired member of Air National Guard with 20 years or more service - 1 free plate (ad valorem tax is paid), with additional plates available upon payment of the regular fee (Sections 40-12-244(1) and 31-2-12, *Code of Alabama 1975*. National Guard members may select a license plate other than the "National Guard" distinctive plate.
- Active Military Reservists - 1 plate (Section 40-12-244(2), *Code of Alabama 1975*).
- Service-connected disabled veterans. A disabled veteran may qualify for multiple exemptions resulting from three separate exemption laws - Section 40-12-244(1), *Code of Alabama 1975*, which allows veterans with a service-connected disability to get 1 plate which is exempt from payment of the \$23 fee, Section 32-6-130, *Code of Alabama 1975*, which allows a veteran who is 50% or more disabled to receive an unlimited number of plates for payment of \$5 rather than \$23, and Section 40-12-254, *Code of Alabama 1975*, which allows a disabled veteran a plate exempt from all fees and taxes for a vehicle purchased or specially equipped (all or partly) for the veteran by the U.S. Veterans' Administration (this is done only for veterans who are essentially 100% disabled). Disabled veterans may select a license plate other than the "Disabled Veterans" distinctive plate.
- Members of volunteer rescue squads - 1 plate (Section 40-12-244(3), *Code of Alabama 1975*).
- Members of the Civil Air Patrol - 1 plate and all vehicles owned by the Civil Air Patrol national headquarters and Alabama Wing of the Civil Air Patrol (Section 40-12-244(4), *Code of Alabama 1975*).
- Medal of Honor or Purple Heart recipients, POWs, Legion of Valor members, and Bronze Star recipients (includes surviving spouses) - 1 permanent, tax and fee exempt distinctive plate (except that Purple Heart recipients or their surviving spouses must pay ad valorem taxes on vehicles for which such plates are issued and Bronze Star recipients must pay \$25) (Sections 32-6-250 through 32-6-255, *Code of Alabama 1975*).
- Consuls and Honorary consuls of foreign countries - 1 distinctive plate (must pay an issuance fee of \$.50) (Section 40-12-243, *Code of Alabama 1975*).
- Motor vehicles owned and used by the state, counties, municipalities or municipal corporations or boards, and volunteer fire departments (must pay an amount as determined by the Department of Revenue that does not exceed the fees for standard passenger plates) (Section 40-12-250, *Code of Alabama 1975*).
- Motor vehicles owned by volunteer rescue squads (Section 32-11-2, *Code of Alabama 1975*).
- Vintage vehicles – one-time registration fee of \$10 for permanent distinctive plate (Section 40-12-290 through 40-12-297, *Code of Alabama 1975*).
- Vehicles owned by Industrial Development Boards (see Ad Valorem Tax - Major Exemptions for *Code of Alabama 1975*).
- Vehicles owned by nonresident military servicemen in Alabama by virtue of military orders if the vehicle is registered in the home state (Soldiers and Sailors Relief Act).
- Vehicles owned by various organizations as identified in Sections 40-9-1 through 40-9-39, *Code of Alabama 1975*.
- Volunteer fire fighters – 1 distinctive plate (Section 40-12-244 (5), *Code of Alabama 1975*).
- Alabama Gold Star Family distinctive plate recipients – 1 distinctive plate (also exempt from ad valorem tax) (Section 40-12-244(6), *Code of Alabama 1975*).

Oil and Gas Privilege Tax

Statutory Authority:

Sections 40-20-1 through 40-20-13 and 40-20-20 through 40-20-23; and Sections 33-2-210 through 33-2-213, *Code of Alabama 1975*.

Tax Base:

An annual privilege tax on all persons engaged in the business of producing or severing oil or gas from the soil or water, or from beneath the soil or water. (See also Oil and Gas Production Tax, pg. 105).

Tax Rate:

Well units are taxed at a percentage of the gross value of the oil or gas at the point of production. However, offshore well units producing at a depth greater than 8,000 feet below mean sea level are taxed at a percentage of gross proceeds attributable to the offshore production. The privilege tax rate varies.

Well Type	Annual Tax Rate
Oil wells producing 25 barrels or less/day and gas wells producing 200 Mcf or less/day.	4%
Incremental production from enhanced recovery projects and supplemental enhanced recovery projects approved by the Oil and Gas Board.	4%
Offshore wells permitted on or after July 1, 1988 and producing at a depth less than 8,000 feet below mean sea level.	6%
Onshore wells permitted on or after July 1, 1988, except those qualifying for lower tax rates.	6%
Offshore wells producing at a depth greater than 8,000 feet below mean sea level.	3.65%
All other taxable production.	8%

Collections:

By the Department of Revenue by the 15th day of the second calendar month following the month of production.

Fiscal Year	Collections (\$) ⁵⁶	Percent Change
2022	37,097,532	73.53
2021	21,377,692	23.78
2020	17,270,391	(43.92)
2019	30,793,793	(10.41)
2018	34,371,531	3.55

Source: Department of Revenue's "Revenue Abstract."

⁵⁶ Gross collections.

Distribution:

After deducting the cost of collection, the proceeds from the annual tax are distributed as follows⁵⁷:

Offshore Production:

1. 90% to the State General Fund.
2. 10% to the county in which the oil or gas was severed.

Onshore Production:

1. 25% to the State General Fund.
2. 75% as follows:
 - a. 66.67% to the following:
 - i. 10% to the municipalities in which the oil or gas was severed.
 - ii. Of the first \$150,000 remaining, or any part thereof, 50% to the State General Fund, 42.5% to the county in which the oil or gas was severed and 7.5% to the cities therein on a population basis.
 - iii. Of the balance, 84% to the State General Fund, 14% to the county in which the oil or gas was severed and 2% to cities therein on a population basis.
 - b. 25% to the counties in which the oil or gas was severed.
 - c. 16.67% to the State General Fund.
 - d. 16.67% to the county in which oil or gas was severed.

Up to \$9.5 million annually may be used by the State Port Authority for operations and/or bond expenses, upon verification by the Director of Finance that such use of these funds is necessary. On the 30th day of each month of each fiscal year, any funds remaining in the Contingency Trust Fund which have not been designated as required by the Port Authority are deposited to the State General Fund. As of the end of Fiscal Year 2019, the Port Authority had not required the use of any of the Contingency Trust Fund monies, so the \$9.5 million has been deposited to the State General Fund each year.

Major Exemptions:

- Natural gas lawfully vented or flared in connection with the production, treatment, or processing of oil or gas.
- Natural gas lawfully injected into oil or gas pools or reservoirs.
- Natural gas lawfully injected into the earth for the purpose of lifting oil or gas. However, if any gas injected is sold or injected into underground storage facilities as defined in Section 9-17-150 et seq., Code of Alabama 1975, then the gas is not exempt.

Note Regarding Local Taxes:

A county or municipality may not establish, levy, impose, or collect, as a condition of doing business, any tax, fee, or license, on or with respect to the production, processing, or transportation on any oil or gas produced in Alabama and on which severance taxes have been paid to Alabama. The limitation imposed on counties and municipalities does not apply to any county or municipality which does not receive a share of the severance tax levied on onshore production.

⁵⁷ The first \$9.5 million of collections from this tax required to be deposited to the State General Fund during each quarter of each fiscal year is credited to the Alabama State Docks Facilities Contingency Trust Fund

Oil and Gas Production Tax

Statutory Authority:

Sections 9-17-25 through 9-17-31, and 9-17-34 through 9-17-35, *Code of Alabama 1975*.

Tax Base:

Tax on the production of oil or natural gas severed from any well or wells in Alabama. (See also Oil and Gas Privilege Tax, pg. 103).

Tax Rate:

2% of the gross value of the oil or gas at the point of production. The tax on offshore production, produced from depths greater than 8,000 feet below mean sea level, is computed at the rate of 1.66% of the gross proceeds attributable to the offshore production.

Collections:

By the Department of Revenue by the 15th day of the second calendar month following the month of production.

Fiscal Year	Collections (\$) ⁵⁸	Percent Change
2022	14,590,807	78.59
2021	8,169,864	22.38
2020	6,675,573	(34.70)
2019	10,223,603	(9.46)
2018	11,291,304	3.23

Source: Department of Revenue's "Revenue Abstract."

Distribution:

All proceeds are deposited into the State General Fund.

Major Exemptions:

- Natural gas lawfully injected into oil or gas pools or reservoirs.
- Natural gas lawfully injected into the earth for the purpose of lifting oil or gas. However, if any gas injected is sold or injected into underground storage facilities as defined in Section 9-17-150 et seq., *Code of Alabama 1975*, then the gas is not exempt. Natural gas lawfully vented or flared in connection with the production, treatment or processing of oil or gas.

⁵⁸ Gross collections.

Oil and Gas Rights, Lease of

Constitutional Authority:

Section 219.02 of the *Constitution of Alabama of 2022*, (proposed by Act 1985-79, 1st Ex. Sess., proclaimed ratified June 4, 1985). Established the Alabama Trust Fund and provided that 99% of any proceeds received after August 14, 1984, from the lease of offshore lands become a part of the trust capital. 1% of proceeds are allocated to the State Lands Fund.

Section 219.04 of the *Constitution of Alabama of 2022*, (proposed by Act 2000-491, proclaimed ratified December 13, 2000). Established the County and Municipal Government Capital Improvement Trust Fund and the Alabama Capital Improvement Trust Fund; redistributed 35% of the oil and gas capital payments in the previous fiscal year to the County and Municipal Government Capital Improvement Trust Fund (7%) and the Alabama Capital Improvement Trust Fund (28%); and approved the issuance of general obligation bonds in an aggregate principal amount not exceeding \$350 million for the purposes of: (1) making capital improvements to the state dock facilities at the Port of Mobile; (2) promoting economic development and industrial recruitment in the state; (3) providing the local government match monies required to issue federal grant revenue bonds for road and bridge improvements; and (4) providing funds to municipal governments for infrastructure improvements. (See also "Alabama Trust Fund", pg. 19).

Section 219.041 of the *Constitution of Alabama of 2022*, (proposed by Act 2007-05, proclaimed ratified June 28, 2007). Increased the bonding authority under Section 219.04 to an amount not exceeding \$750 million. (See also "Alabama Trust Fund", pg. 19).

Section 219.042 of the *Constitution of Alabama of 2022*, (proposed by Act 2012-567, proclaimed ratified December 13, 2012). Authorized the Bond Commission established by Section 219.04 to issue refunding bonds and provided that the principal amount of general obligation bonds for which provision for payment has been made would not be considered outstanding.

Section 219.043 of the *Constitution of Alabama of 2022*, (proposed by Act 2013-266, proclaimed ratified December 1, 2014). Increased the bonding authority granted to the Bond Commission under Section 219.04, by \$50 million to issue bonds for construction and maintenance of National Guard armories and provided for an additional payment of oil and gas capital payments received by the Alabama Trust Fund to the Alabama Capital Improvement Trust Fund to pay the principal and interest on the bonds.

Section 219.09 of the *Constitution of Alabama of 2022*, (proposed by Act 2012-490, proclaimed ratified October 10, 2012). Established a new annual spending policy for the Alabama Trust Fund, beginning with the state's 2013 fiscal year, to distribute 33% of the previous fiscal year's oil and gas capital payments and 5% of the average value of the Alabama Trust Fund investment portfolio over the previous three fiscal years. (See also "Alabama Trust Fund", pg. 19).

Statutory Authority:

Sections 9-17-60 through 9-17-69, *Code of Alabama 1975*.

Base:

Revenue collected from the lease of any lands or interest therein under the Department of Conservation and Natural Resources jurisdiction for exploration, development, and production of oil, gas, and other minerals; any lands or interest therein owned by a state department, institution, or agency upon written request of the head of the state department, institution, or agency; and any land or interest therein under navigable streams or waterways for the same purposes.

Tax Rate:

Varies according to the provisions enumerated in the lease contract.

Collections:

By the Department of Conservation and Natural Resources.

Fiscal Year	Collections (\$)	Percent Change
2022	69,648,268	103.72
2021	34,187,547	27.81
2020	26,749,483	(39.69)
2019	44,353,196	(9.82)
2018	49,182,002	(0.99)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

1. 10% of all revenue, except revenue from the lease of submerged lands in the Gulf of Mexico, is deposited to the credit of the State Lands Fund to cover the cost of administration for the Department of Conservation and Natural Resources.
2. All remaining revenue from properties of a department is deposited to the credit of that department.
3. All remaining revenue from the lease of streams or waterways is deposited into the State General Fund.
4. 1% of revenue from the lease of submerged lands in the Gulf of Mexico is deposited to the credit of the State Lands Fund.
5. The balance of the remaining revenue is distributed as follows:
 - a. 33% of the remaining revenue from the lease of submerged lands in the Gulf of Mexico is distributed as follows:
 - i. To cities and counties (10% each)
 - ii. Forever Wild Land Trust (10% - not to exceed \$15 million annually)
 - iii. Senior Services Trust Fund (1% - not to exceed \$5 million annually)
 - iv. State General Fund (remaining balance)
 - b. 32% becomes part of the trust capital of the Alabama Trust Fund; however, this amount will be reduced by the amount necessary to make an additional transfer to the Capital Improvement Trust Fund to pay debt service on the \$50 million bond issue to construct and renovate National Guard armories pursuant to Section 219.043 of the *Constitution of Alabama of 2022* (See also "Alabama Trust Fund" pg. 19); and
 - c. the remaining 35% is distributed as follows:
 - i. 28% to the Capital Improvement Trust Fund
 - ii. 7% to the County and Municipal Government Capital Improvement Fund.

Oil Companies Wholesale License Fees

Statutory Authority:

Section 40-17-174, *Code of Alabama 1975*.

Base:

A license fee on every person, firm, corporation, or agency selling diesel fuel, other than transmix, across the rack at a terminal in this state or importing diesel fuel, other than transmix, into this state, other than by a bulk transfer, for delivery to a destination in this state. The permissive supplier is required to collect this fee from the person who purchases the diesel fuel for import into Alabama.

Fees:

\$.0075 per gallon for each gallon of diesel fuel, other than transmix, sold across the rack at a terminal in this state or imported into this state during the preceding fiscal year. No county license may be charged under this section.

Collections:

By Department of Revenue on or before October 14.

Fiscal Year	Collections (\$)	Percent Change
2022	8,861,226	7.84
2021	8,216,827	(1.02)
2020	8,301,713	(7.71)
2019	8,995,085	5.65
2018	8,513,737	0.99

Source: Department of Revenue's "Revenue Abstract."

Distribution:

All proceeds are deposited into the State General Fund.

Major Exemptions:

- Sale of biodiesel fuel to a licensed supplier when delivered to a terminal.
- Transmix.
- Diesel fuel exported from the state for which proof of export is available in the form of a terminal issued shipping document.
- Gallons for which a permissive supplier collected the fee from the importer.

Outdoor Advertising Permits

Statutory Authority:

Sections 23-1-270 through 23-1-288, *Code of Alabama 1975*.

Base:

Fees for the outdoor advertising signs which are visible from interstate or primary highways.

Fees:

Initial fee for each outdoor advertising sign location covered in the permit.	\$25
Annual renewal fee (permits are for a calendar year and are not prorated for a partial year).	\$10
Annual operating fee set by the Department of Transportation depending upon the type and size of the service signs	\$100 to \$450.

Collections:

By the State Department of Transportation upon receipt of a permit application and each year thereafter between January 1 and February 15. A 25% penalty is charged and collected for any delinquent permit issued after February 15.

Fiscal Year	Outdoor Advertising Permit Fee	Interstate Logo Program	Total Collections	Percent Change
2022	65,865	1,737,835	1,803,700	0.16
2021	58,493	1,742,250	1,800,742	(0.43)
2020	62,923	1,745,625	1,808,548	0.96
2019	62,343	1,729,075	1,791,418	0.40
2018	63,595	1,720,760	1,784,355	0.36

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Permit fees for outdoor advertising signs are deposited to the Public Road and Bridge Fund, and fees from "interstate logos" are deposited to the Airports Development Fund and used by ALDOT for the State Aeronautics program to be used for airport development.

Major Exemptions:

Signs of less than one square foot in area, excluding the support, that are erected by a public utility to mark the location of underground public utility facilities.

Oversize/Overweight Permit Fees

Constitutional Provision:

Section 111.06 of the *Constitution of Alabama of 2022*. Provides that no monies derived from any fee, excise or license tax, levied by the state, relating to (1) registration, operation, or use of vehicles or (2) fuels used for propelling vehicles except pump taxes shall be expended for any purpose other than costs of construction, reconstruction, maintenance and repair of public highways and bridges, costs of highway rights of way, payment of highway obligations, the cost of traffic regulation, and the expense of enforcing state traffic and motor vehicle laws. Additionally, allows for the distribution of proceeds from charges for personalized license plates or tags in any manner prescribed by the Legislature.

Note: The above restriction does not apply to fees and taxes levied by counties and municipalities pursuant to authority granted by the state.

Statutory Authority:

Section 32-9-29, *Code of Alabama 1975*.

Base:

Fee for the operation and/or movement of vehicles upon the public roads of this state whose weight, width, length or height, or combination thereof, exceeds the maximum limit(s) specified by law.

Fees:

Annual permits	\$100
Single trip permits:	
Mobile homes, modular homes, sectional homes, portable buildings, and boats - up to and including 12 ft. wide and 75 ft. long.	\$10
Boats more than 12 ft. wide; and mobile homes, modular homes, sectional houses, and portable buildings more than 12 ft. wide and/or 75 ft. long.	\$20
Heavy commodities or equipment	
Over on any limitations as to length, height, or width.	\$30
Over on weight from 80,001 lbs. up to 100,000 lbs.	\$10
Over on weight from 100,001 lbs. up to 125,000 lbs.	\$10
Over on weight from 125,001 lbs. up to 150,000 lbs.	\$60
Over on weight from 150,001 lbs. and over.	\$100
Miscellaneous	
Houses	\$20
Off-road equipment	\$10
Other oversized vehicles, loads, and equipment not otherwise specified	\$20
Other over height loads not otherwise specified	\$10

Collections:

By the State Department of Transportation upon receipt of a permit application.

Fiscal Year	Collections (\$)	Percent Change
2022	4,620,200	5.52
2021	4,378,710	2.58
2020	4,268,727	(13.39)
2019	4,928,757	15.51
2018	4,266,820	3.60

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

All permit fees are deposited to the Public Road and Bridge Fund.

Major Exemptions:

Farm and/or agricultural commodities and equipment.

Pari-Mutuel Pool Taxes

Statutory Authority:

Sections 40-26A-1 through 40-26A-17 (Dog Track Tax), *Code of Alabama 1975*.

Sections 11-65-28 through 11-65-30.1 (Horse Wagering Fee), *Code of Alabama 1975*.

Tax Base:

A tax levied on persons engaged in the business of operating a dog or horse track, based upon the total amount wagered (pool) on all pari-mutuel races (both live and simulcast). A pari-mutuel race is a race wherein individuals who wager on winners divide the total amount wagered in proportion to their individual wagers, after deduction of authorized taxes, fees, and management expenses.

Tax Rate:

Dog Track - state tax of 1% of the pari-mutuel pool on all pari-mutuel races, plus 1% of the pari-mutuel pool on all pari-mutuel races requiring the selection of three or more racers. Local tax rates for facilities located in counties designated are as provided by the following acts:

1. Greene Co. (4%) - Act 1975-376, p. 926; Act 1985-936, 2nd Ex. Sess., p. 238.
2. Jefferson Co. (2%/4%/6%) - Act 1991-187, p. 246.
3. Macon Co. (4%) - Act 1983-575, p. 882; Act 1987-207, p. 295.
4. Mobile Co. (7%) - Act 1971-2431, p. 3880; Act 1975-1095, p. 2164; Act 1981-745, p. 1272; Act 1989-696, p. 1376; Act 1992-105, p. 169.

Horse Wagering - State tax of 1% of the pari-mutuel pool on all horse races. A local tax rate is also provided for facilities located in Jefferson County (2%/4%) by Act 1984-131, p. 159.

Collections:

By the Department of Revenue by the 20th day of the month following the month in which the wagers were made.

Fiscal Year	State Only Collections (\$)	Percent Change
2022	5,221,293	26.98
2021	4,111,998	86.58
2020	2,203,928	69.80
2019	1,297,972	13.23
2018	1,146,282	(6.50)

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After the cost of collection is deducted, all proceeds are deposited into the State General Fund.

Petroleum Commodities Fees

Statutory Authority:

Sections 8-17-80 through 8-17-102, *Code of Alabama 1975*.

Base:

An inspection fee on the person first selling, storing or using any petroleum product in the state and a permit fee paid by everyone selling, offering for sale, storing or using petroleum products in Alabama.

Fees:

Inspection Fee:

Gasoline (included in \$.06 excise tax)	\$.02 per gallon
Undyed diesel fuel	\$.02 per gallon
Dyed diesel fuel	\$.02 per gallon
Dyed kerosene	\$.01 per gallon
Lubricating oil	\$.15 per gallon
Dyed kerosene, dyed diesel fuel, or undyed diesel fuel that is used:	\$.00025 per gallon
<ul style="list-style-type: none"> • to operate boats, yachts, ships or other maritime vehicles • to operate tractors used exclusively for agricultural purposes • used to propel railroad locomotives • used in the treatment of wood products 	

Permit Fee: Each person desiring to sell, offer for sale, store or use petroleum products in Alabama must pay an annual permit fee of \$10 for each different brand specified in the permit application.

Collections:

Annual permit fees are due to the Department of Revenue by October 1 of each year. Inspection fees are collected by the Department and are due by the 20th of each month for the preceding month.

Fiscal Year	Collections (\$)	Percent Change
2022	59,707,263	(0.47)
2021	59,991,396	3.29
2020	58,078,371	(6.25)
2019	61,952,205	(6.12)
2018	65,991,792	15.92

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

5% or no less than \$175,000, whichever is greater, of the proceeds received each month accrues to the Department of Agriculture and Industries' Agricultural Fund.

The balance of the proceeds are distributed as follows:

1. 13.87% distributed monthly and allocated equally among each of the 67 counties.
2. \$408,981 allocated monthly to the Alabama Department of Transportation, Public Road and Bridge Fund, to be used to match federal funds.
3. 2.76% of the balance allocated as follows:
 - a. 45.45% of the municipalities' share is allocated equally among the 67 counties.
 - b. 54.55% of the municipalities' share is allocated among the 67 counties on the basis of population.
 - c. The amount allocated to each county is distributed among the municipalities within the county on the basis of population.
4. Pursuant to Act 2012-400, an additional 5% distributed monthly to the Agricultural Fund after proceeds from (1) and (3) have been distributed.
5. Pursuant to Act 2015-54, \$500,000 in FY 2016 was distributed to the Department of Revenue (DOR) for implementation and administration costs. Each fiscal year thereafter, 2.5% of remaining proceeds or \$87,500 monthly, whichever is greater, will be distributed to DOR.
6. The balance of the proceeds after all other proceeds have been distributed monthly is distributed to the Public Road and Bridge Fund.

Major Exemptions:

- A permit is not required from any person selling, offering for sale, storing, or using petroleum products obtained from a person that has already paid the fee. The inspection fee is paid only once on the same product.
- Any petroleum product used in a steam boiler.
- Any petroleum product used in combustion generating turbines by compression (generating own power).
- Aviation gasoline and aviation jet fuel.
- Petroleum products unloaded in any port of the state for shipment into any other state or to any shipment of petroleum products through the state from any other state to a destination outside the state.
- Diesel fuel subject to the excise taxes on motor fuel.
- Petroleum products sold to U.S. Government agencies. Petroleum products sold to city, county and state agencies are not exempt.

Privilege License Tax

Statutory Authority:

Sections 40-12-1 through 40-12-180, *Code of Alabama 1975*.

Tax Base:

Privilege tax on persons, firms, corporations, companies, associations, receivers, or trustees engaged in certain businesses, vocations, or professions.

Tax Rate:

Rates vary according to the nature of the enterprise; and may also vary according to the population of the municipality in which the business is located, volume of business, capital invested, or certain other conditions as specified in the *Code of Alabama 1975*. A \$1 license issuance fee is also required. For each state business, vocation, or occupational license levied by Title 40, Article 2 of Chapter 12, an additional amount equal to one-half the state levy (except as otherwise specifically provided) is levied and collected as a county tax. Businesses, vocations, and occupations may also be subject to municipal licensing requirements which vary from city to city. Municipal licenses are issued and administered by the municipalities.

Collections:

By probate judges, license commissioners, or the Department of Revenue on October 1, unless otherwise specified.

Fiscal Year	Collections (\$) ⁵⁹	Percent Change
2022	6,336,932	8.52
2021	5,839,548	8.78
2020	5,368,407	12.32
2019	4,779,709	(19.21)
2018	5,915,884	19.39

Source: "General Fund – Summary Comparison of Net Receipts" Report.

Distribution:

After deducting the cost of collection (5%), the remaining proceeds are distributed to the State General Fund unless otherwise specified or unless there is a corresponding county license tax. When both a state and county license tax are levied, the total collections for that tax are distributed 50% to the State General Fund and 50% to the County General Fund of the county where the tax is collected (even though the state tax may be greater than the county tax).

⁵⁹ General Fund collections only.

Public Utilities License Tax

Statutory Authority:

Sections 40-21-50, 40-21-51, 40-21-53 through 40-21-55, and 40-21-62 through 40-21-64, *Code of Alabama 1975*.

Tax Base:

License tax imposed for operating a public utility (hydroelectric, electric, gas, other public utility, or privately owned and operated wastewater facility) except railroads or sleeping car companies, express companies, telephone, and telegraph companies.

Tax Rate:

2.2% on each dollar of gross receipts for the preceding year.

Collections:

By the Department of Revenue quarterly on October 1, January 1, April 1 and July 1.

Fiscal Year	Collections (\$) ⁶⁰	Percent Change
2022	154,519,581	0.03
2021	154,471,001	(3.63)
2020	160,287,463	(1.11)
2019	162,094,704	5.54
2018	153,582,807	1.59

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deducting the cost of collection, 15% is deposited to the State General Fund and 85% is deposited to the Special Mental Health Fund.

Note:

This tax is paid by utility companies in four equal increments. The companies, in turn, add 2.2% to their customers' bills for as long as necessary during the year to collect from their customers the amount paid by the utility companies. The tax is paid on total gross receipts, including the minimum monthly (base) charge. The overall base of this tax is larger than that of the 4% Utility Gross Receipts tax for utilities subject to both taxes because the base of this tax includes receipts to utility companies from federal entities. Utility companies vary as to how (and whether) they show this tax on customers' bills: it may be identified separately and totally (a separate 2.2% charge); it may be partially separately identified (typically when this is the case, the 1.8% will be separately identified and the 0.4% will not, although the full 2.2% is charged); it may be separately identified in two parts (1.8% and 0.4%); or it may be combined with the 4% Utility Gross Receipts Tax (appearing as a 6.2% total charge). Although this is a tax on the utility company, the company treats it as a cost of doing business which it passes directly on to the customer. The October 1 payment is the first payment of each year, based on the twelve months preceding the closing of the company's books, which is usually in September for most utility companies.

⁶⁰ Gross collections.

Major Exemptions:

- Gross receipts from the sale of electricity for resale and from the sale of electricity to disabled persons and persons who are 62 years of age or older and who meet certain criteria are exempt.
- Municipal utility companies (electric, gas, and water) are exempt by virtue of the "natural immunity" of municipalities from state taxes unless specifically included. Rural Electric Associations are subject to the tax.
- The Alabama Municipal Electric Authority (AMEA) makes a "payment in-lieu-of-taxes" of 2.2% of the gross receipts from all power sold by AMEA to member cities, deposited to the State General Fund (Section 11-50A-7, *Code of Alabama 1975*).
- County water, sewer, and fire protection authorities organized pursuant to Title 11, Chapter 88 are exempt per Section 11-88-16, *Code of Alabama 1975*.
- Water authorities organized pursuant to Title 10A, Chapter 20, Article 9 are exempt pursuant to Section 10A-20-9.04, *Code of Alabama 1975*.
- Cellular telecommunication services and providers are exempt pursuant to Section 40-21-120, *Code of Alabama 1975*.

Restored (Salvaged) Vehicle Inspection Fee

Statutory Authority:

Section 32-8-87, Code of Alabama 1975.

Base:

Application fee charged to an owner of a salvage motor vehicle designated a 1975 model or later which has been restored to the operating condition that existed prior to the event which caused the salvage certificate of title to be issued. The fee is charged for the inspection of the vehicle by the Department of Revenue to ensure compliance with the Uniform Certificate of Title and Anti-Theft Act.

Fees:

\$75 per application for each inspection.

Collections:

By Department of Revenue upon receipt of application for inspection.

Fiscal Year	Collections (\$)	Percent Change
2022	1,470,689	2.63
2021	1,433,025	(2.98)
2020	1,476,985	5.17
2019	1,404,436	80.65
2018	777,436	(42.83)

Source: Department of Revenue's "Revenue Abstract."

Distribution:

Proceeds are retained by the Department of Revenue and applied toward personnel and maintenance costs of the vehicle inspection program.

Sales Tax

Statutory Authority:

Sections 40-23-1 through 40-23-39; 40-23-100 through 40-23-190; and 40-23-200 through 40-23-244, *Code of Alabama 1975*.

Tax Base:

Tax imposed on the gross proceeds from the sale of all taxable items to individuals and/or corporations within the state and on the gross proceeds from conducting or operating public places of amusement or entertainment.

Tax Rates:

Item	Percent Rate
General rate – covers sales of all tangible personal property (excluding items below) and gross receipts from amusement or entertainment businesses	4%
Machinery used in mining, quarrying, compounding, processing, and manufacturing tangible personal property	1.5%
Farm machinery and equipment when used for agricultural purposes (when a trade is involved, the tax is on the net difference)	1.5%
Commercial fishing vessel used in the capture or processing of fish when operated by a holder of a commercial license	1.5%
Mobile home set-up materials and related supplies	2%
Automotive vehicles, motorboats, truck trailers, semitrailers, or house trailers (when a trade is involved, the tax is on the net difference)	2%
Casual sales (purchase, other than at wholesale, from someone who is not a licensed dealer) of automotive vehicles, truck trailers, trailers, semitrailers, travel trailers, motorboats, or mobile homes (travel trailers, campers, and horsecars titles/registered in reciprocal states are excluded)	2%
Food products sold through vending machines	3%

Collections:

By the Department of Revenue on the 20th of each month for previous month's sales. Vendors who file tax returns on time are entitled to a discount of 5% on the first \$100 of tax and 2% on all tax over \$100, but the discount is limited to a total maximum discount of \$400 per month to any license holder regardless of the number of retail locations. Vendors whose average monthly tax liability exceeds \$5,000 (prior to 2023 monthly tax liability that exceeded \$2,500) must make estimated payments on or before the 20th day of the month in which the liability occurs. Vendors whose average monthly liability is less than \$200 may make an election to file quarterly rather than monthly.

Fiscal Year	Gross Collections (\$)	Percent Change
2022	3,130,240,695	7.64
2021	2,908,063,265	14.91
2020	2,530,783,840	2.13
2019	2,478,017,125	4.19
2018	2,378,289,132	4.47

Source: Department of Revenue's "Revenue Abstract."

Distribution (after the deduction of collection costs):

Education Trust Fund, except as follows:

1. 42% of the 2% tax on mobile home set-up materials and related supplies, automotive vehicles, truck trailers, semitrailers, or house trailers is deposited into the State General Fund.
2. 50% of the 2% tax on motorboats is deposited into the State General Fund.
3. \$378,000 is distributed to the 67 counties (half on the basis of population and half equally) to be used exclusively for full-time health service in cooperation with the State Board of Health or the federal government and for extension services in cooperation with the Alabama Agriculture Extension Service or the federal government at the discretion of the county commissions.
4. \$1,322,000 is distributed to the Department of Human Resources for general welfare purposes.
5. 5% of the value of food stamp benefits issued statewide in excess of the amount paid by recipients for administration of the Food Stamp Program is distributed to the Department of Human Resources.
6. Sales tax collected on consumable vapor products is deposited into the State General Fund.
7. Amounts for debt service is distributed to the Alabama Public School and College Authority.
8. Additional revenue generated as a result of the Governor setting a cap on the sales tax discount allowed to retailers (Executive Order 53, dated May 22, 2001) is deposited into the State General Fund.
 - a. A portion of such deposit is to pay debt service for the then current fiscal year on bonds issued by the Alabama State Parks System Improvement Corporation and/or the Alabama Public Historical Sites and Parks Improvement Corporation
 - b. The greater of \$5 million or \$5 million adjusted by a percentage growth in receipts from the cap is allocated to the Department of Conservation and Natural Resources (DCNR) for capital outlay, repairs and maintenance of the state parks system. Any additional funds remain in the State General Fund.

Major Exemptions:

A listing of exemptions is found in Chapter 9, Article 1 of Title 40 and Sections 40-23-4 through 40-23-5 *Code of Alabama 1975*. Examples of additional exemptions are found in Sections 11-92A-18 (county industrial development authorities), 11-54-96 (industrial development boards), and 11-58-14 (medical clinic boards) *Code of Alabama 1975*.

Scrap Tire Environmental Fees

Statutory Authority:

Sections 22-40A-1 through 22-40A-24, *Code of Alabama 1975*.

Base:

A fee on replacement tires, whether or not the tires are mounted on a rim or wheel.

Fees:

\$1 per replacement and retreaded casing replacement tire when sold to a consumer.

Collections:

By the tire dealer from the consumer and paid monthly to the Department of Revenue by the 20th day of the following month. Tire dealers may retain 7% of the fees collected for each timely report filed.

Fiscal Year	Collections (\$) ⁶¹	Percent Change
2022	4,514,014	(1.01)
2021	4,560,166	4.93
2020	4,345,825	(0.35)
2019	4,361,233	3.10
2018	4,230,069	2.59

Source: Department of Revenue's "Revenue Abstract."

Distribution:

Proceeds are deposited into the Scrap Tire Fund and distributed as follows:

1. Between 45% to 75% of monies deposited to the Scrap Tire Fund during the previous budget year to pay the costs of remediation, abatement, removal, or other remedial action related to tire stockpiles throughout the state.
2. Up to 20% of monies deposited to the Scrap Tire Fund during the previous budget year to pay the Department of Environmental Management for the costs associated with the development and enforcement of regulation.
3. Up to 20% of monies deposited to the Scrap Tire Fund during the previous budget year to administer a program, managed by the Department of Environmental Management, directed at promoting and developing markets as an alternative to the landfill disposal of scrap tires or processed tire material as an end use.
4. Up to 10% of monies deposited to the Scrap Tire Fund during the previous budget year to fund programs delegated to counties for enforcement of regulations.
5. Up to 7% to pay the tire dealer for collection and accounting costs associated with collection of the fee.
6. Up to 2% to pay the costs of administration of the Department of Revenue.

Actual distribution percentages are established by the Scrap Tire Commission.

Major Exemptions:

All government organizations, whether federal, state or other local governing bodies are exempt from the payment of fees.

⁶¹ Gross collections.

Simplified Sellers Use Tax

Statutory Authority:

Sections 40-23-190 through 40-23-199.3, *Code of Alabama 1975*.

Tax Base:

Tax authorized in lieu of sales and use taxes otherwise due by or on behalf of Alabama customers who have purchased items from an eligible seller who participates in the Simplified Sellers Use Tax Remittance Program that were shipped or otherwise delivered into Alabama by the eligible seller.

Tax Rates:

8% of the sales price on tangible personal property sold or delivered into Alabama by an eligible seller participating in the program.

Collections:

By the Department of Revenue by the 20th of each month for the previous month's sales. Eligible sellers who file tax returns on time are entitled to a 2% discount (as of January 1, 2019, discount applies to first \$400,000 of taxes collected and cannot exceed \$8,000 per month).

Fiscal Year	Collections (\$)	Percent Change
2022	633,557,284	21.58
2021	521,083,279	34.89
2020	386,301,351	90.01
2019	203,303,335	141.18
2018	84,296,188	62.10

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deducting the cost of collection:

1. 50% to State Treasury and allocated:
 - a. 75% to the State General Fund
 - b. 25% to the Education Trust Fund
2. 50% to local governments and allocated:^{62, 63}
 - a. 40% to each county on a population basis
 - b. 60% to each municipality on a population basis

⁶² Distributions of the proceeds to counties and municipalities occur quarterly but may initiate monthly.

⁶³ Prior to January 1, 2019, collections were distributed to local governments as follows: (1) 25% to counties, and (2) 25% to municipalities.

Solid Waste Disposal Fees

Statutory Authority:

Sections 22-27-1 through 22-27-18 and Section 22-40A-6, *Code of Alabama 1975*.

Base:

A solid waste disposal fee levied on generators of solid waste who dispose of solid waste at solid waste management facilities permitted by the Department of Environmental Management.

Fees:

\$1 per ton for all waste disposed of in a municipal solid waste landfill; regulated solid wastes that may be approved by the Department of Environmental Management as alternate cover materials in landfills; and regulated solid waste received from out-of-state for disposal at permitted public solid waste facilities.

\$1 per ton or \$.25 per cubic yard for waste disposed of in public industrial landfills, construction and demolition landfills, non-municipal solid waste incinerators, or composting facilities which receive waste not generated by the permittee; and regulated solid wastes that may be approved by the Department of Environmental Management as alternate cover materials in landfills.

\$.25 per cubic yard for all waste disposed of in a private solid waste management facility, not to exceed \$1,000 per calendar year.

Collections:

The disposal fee is collected by the operator of the permitted solid waste disposal facility and remitted to the Department of Revenue on a quarterly basis not later than the 20th day of January, April, July, and October. Owners and operators collecting the solid waste fees may retain 4% of the total solid waste fees collected at their facility as an administrative collection allowance. The Department of Revenue may retain 1% of the solid waste fees collected as an administrative collection allowance.

Fiscal Year	Collections (\$) ⁶⁴	Percent Change
2022	9,064,655	5.39
2021	8,600,977	7.10
2020	8,030,572	5.55
2019	7,608,438	10.33
2018	6,896,066	5.52

Source: Department of Revenue's "Revenue Abstract."

⁶⁴ Gross collections. Excludes the administrative allowance retained by the owners and operators of solid waste facilities.

Distribution:

1. 1% as an administrative collection allowance to the Department of Revenue.
2. 4% as an administrative collection allowance to owners and operators of solid waste disposal facilities collecting the solid waste disposal fees.
3. 25% to the Alabama Recycling Fund and used by the Department of Environmental Management exclusively to provide grants to local governments, authorities, and nonprofit organizations for use in developing, implementing, and enhancing local recycling, reuse and waste minimization projects and programs.
4. 25% to the Solid Waste Fund and used by the Department of Environmental Management to pay the cost of remediation, abatement, removal, or other actions related to the closure of unauthorized dumps and landfills, including, but not limited to, equipment, labor, supplies, materials, and professional services.
5. 45% to the Department of Environmental Management and used exclusively to pay the costs of performing its duties under the Solid Wastes and Recyclable Materials Management Act and to fund educational programs administered by the Department on solid waste management, waste minimization, and recycling.

Major Exemptions:

- Operators of industrial boilers, furnaces, and other processing equipment that burn solid waste generated on-site for the purpose of fuel replacement or energy recovery and which are permitted by the Department of Environmental Management or by a local air pollution control agency.
- Operators of composting facilities which are owned by the Department of Corrections and which receive only waste generated by Department of Corrections facilities and institutions or those composting facilities otherwise exempt from permitting as provided in rules promulgated by the Department of Environmental Management.
- Operators of industrial boilers, furnaces, and other processing equipment that burn scrap tires for the purpose of fuel replacement or energy recovery and are registered with the Department of Environmental Management as provided in rules promulgated by the Department.
- Scrap tire processors who receive and process scrap tires and who are permitted by or registered with the Department of Environmental Management as provided in rules promulgated by the Department, except that a solid waste disposal facility permitted as a scrap tire processor shall collect the fee on all waste disposed of in its landfill.
- Retail tire dealers, retreaders, and used tire dealers registered with the Department of Environmental Management and collecting and remitting scrap tire environmental fees are not subject to the solid waste disposal fees for only scrap tires delivered to permitted landfills for disposal (Per Section 22-40A-6, *Code of Alabama 1975*).

State Securities Commission Fees

Statutory Authority:

Sections 8-6-1 through 8-6-60, *Code of Alabama 1975*.

Base:

Registration fee required of all dealers and agents of securities, all investment advisers and investment adviser representatives, and for all security issues offered for sale in the state. A fee is also required for certain applications for exemption from registration of security issues and interpretative opinions or no-action letters from the Securities Commission.

Fees:

	\$250 for a broker/dealer or an investment adviser
	\$70 for an agent or investment adviser representative
Initial or annual renewal registration fee	
Filing fee for the registration of a security	\$100 (minimum) to \$1,500 (maximum)
Filing fee for an issue for open-ended management companies, face amount certificate companies and unit investment trust companies that register an indefinite amount of securities	\$100
	\$350 (net assets of \$25 million or less)
	\$700 (net assets of more than \$25 million but less than \$100 million)
	\$1,200 (net assets of \$100 million but less than \$250 million)
	\$2,000 (net assets of \$250 million or more)
File a notice of intent to sell with the Commission, accompanied by a filing fee for open-end management investment companies who qualify for security registration exemption	The fee must be paid each year prior to any offer or sale of a security is made.
Filing fee and notice of intent to sell for unit investment trusts that qualify for the security registration exemption	\$200
Application fee for entities that apply for an exemption from registration based upon certain specified criteria	\$300
Application fee for an application for an interpretative opinion or no-action letter or for a notice of exemption for certain intrastate transactions	\$150

Collections:

Collections by the Alabama Securities Commission upon application or registration.

Fiscal Year	State General Fund		Securities Commission Fund	
	Collections (\$) ⁶⁵	Percent Change	Collections (\$) ⁶⁶	Percent Change
2022	14,590,551	13.93	11,960,822	3.36
2021	12,806,825	7.48	11,572,527	(0.99)
2020	11,915,101	1.03	11,688,377	(2.40)
2019	11,793,513	14.83	11,975,245	22.60
2018	10,270,085	8.60	9,768,098	12.67

Source: "General Fund Net Receipts of Revenues" Report and "Comparative Summary of Revenues by Fund" Report.

Distribution:

The fee for initial or renewal registration of an investment adviser or investment adviser representative, the \$300 filing fee for application for an exemption from registration, the filing fees for the exemption of open-end management investment companies, and the \$150 application fee for an interpretative opinion or no-action letter or for a notice of exemption for certain interstate transactions from the Commission are deposited into the Alabama Securities Commission Fund for the use of the Commission. All other proceeds are deposited into the State General Fund.

Major Exemptions:

Any security, including a revenue obligation, issued or guaranteed by the U.S. or any state government (or political subdivision thereof). A listing of exemptions is found in Sections 8-6-10 and 8-6-11, *Code of Alabama 1975*.

⁶⁵ State General Fund deposits (Securities Commission recording and assessment fees).

⁶⁶ Securities Commission Fund deposits (includes fees from the securities exemption permits, registration of investment advisers and investment adviser representatives, filing and recording documents, and investigation charges).

Store Licenses Tax

Statutory Authority:

Sections 40-1-31 and 40-12-310 through 40-12-319, *Code of Alabama 1975*.

Tax Base:

Annual license fee levied on every person, firm, corporation, association, or co-partnership (foreign or domestic) for the privilege of opening, establishing, operating, or maintaining stores or mercantile establishments.

Tax Rate:

Number of Stores	Annual Fees
1	\$1.00
2 to 5	\$15.00 for each additional store
6 to 10	\$22.50 for each additional store
11 to 20	\$37.50 for each additional store
21 or more	\$112.50 for each additional store

New businesses beginning on or after April 1 may pay one-half the full rate for the then current year. In addition to the above fees, each application for a store license must be accompanied by an issuance fee of \$.50 for each store, to be retained by the probate judge or license commissioner for the issuance of such license, if compensated on a salary basis and deposited into the county treasury.

Collections:

By the probate judge or license commissioner at the courthouse in the county where the principal store is located, on or before October 31 of each year or before opening any store.

Fiscal Year	Collections (\$) ⁶⁷	Percent Change
2022	574,658	0.29
2021	572,988	2.65
2020	558,212	(3.74)
2019	579,891	(3.28)
2018	599,581	4.68

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After the Department of Revenue deducts the cost of collections, net proceeds are deposited into the Education Trust Fund.

⁶⁷ Gross collections.

Telecommunications Services Tax, Mobile

Constitutional Authority:

Section 213.37 of the *Constitution of Alabama of 2022* (proposed by Act 1997-356, proclaimed ratified January 6, 1999). Authorized the Legislature to appropriate funds collected pursuant to any cellular radio telecommunication service tax to pay the principal and interest on bonds issued by the Alabama Revolving Loan Fund Authority (ARLFA).

Statutory Authority:

Sections 40-21-120 through 40-21-126 and 11-85-100 through 11-85-111, *Code of Alabama 1975*.

Tax Base:

A gross receipts tax levied on the furnishing of mobile telecommunications services to customers with a place of primary use in Alabama. The home service provider furnishing the mobile telecommunications services may deduct and retain .25% of the tax billed.

Tax Rate:

6% on the monthly recurring access charges and all airtime charges.

Collections:

By the home service provider of mobile telecommunications services, to the Department of Revenue on or before the 20th of each month, for the preceding month's receipts. However, taxpayers with an average monthly tax liability of \$10,000 or greater during the preceding calendar year are to pay, on or before the 20th of the month in which the tax liability occurs, an estimated amount not less than the actual tax liability for the same calendar month of the preceding year.

Fiscal Year	GF	ARLFA	ETF	Total	Percent Change
2022	11,253,521	1,410,256	7,876,761	20,540,537	(0.59)
2021	11,209,213	1,599,118	7,854,607	20,662,937	(22.75)
2020	15,108,791	1,828,277	9,804,426	26,741,495	(19.22)
2019	19,348,781	1,830,290	11,924,391	33,103,462	15.97
2018	16,305,089	1,837,590	10,402,545	28,545,224	(36.64)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

Proceeds are deposited into the State Treasury. The amount necessary to pay the principal and interest on any outstanding bonds issued by the Alabama Revolving Loan Fund Authority (ARLFA) is distributed to the Authority. One-third of the remaining proceeds plus \$1.5 million are deposited into the Education Trust Fund and the remainder is deposited into the State General Fund.

Major Exemptions:

- Cellular services which the state is prohibited from taxing under the U.S. Constitution, Alabama Constitution, or U.S. law.
- Cellular services which are otherwise taxed under Alabama's sales tax provisions.
- Wholesale sales.
- Cellular services provided through the use of a prepaid telephone calling card, a prepaid authorization number, or both.

Tennessee Valley Authority In-Lieu-of-Taxes Payments

Statutory Authority:

16 USC, Section 831 and Sections 40-28-1 through 40-28-5 and 41-10-570, *Code of Alabama 1975*.

Base:

The Tennessee Valley Authority (TVA) is a federal agency which makes in-lieu-of-taxes payments to the states in which its power properties and operations are located.

Rate:

The TVA pays 5% of its gross revenues from the sale of power in the preceding fiscal year to the states in which TVA carries on power operations and in which TVA has acquired properties previously subject to state and local taxation. The formula used to determine each state's share is: one-half of the annual payment divided proportionately among the states according to the value of the TVA's power property within each state, and the remaining half is divided proportionately on the basis of the TVA's power revenues from each state to the TVA's total power revenues.

Collections:

The Department of Revenue annually receives equal monthly installment payments from the TVA and a year-end adjustment payment added to the last installment.

Fiscal Year	Collections (\$) ⁶⁸	Percent Change
2022	82,091,520	2.45
2021	80,127,217	(8.25)
2020	87,336,581	1.63
2019	85,937,891	(1.72)
2018	87,444,277	(0.30)

Source: Department of Revenue's "Revenue Abstract."

Distribution:

The total TVA payment is shared by the State of Alabama and the counties served by the TVA. The amount of the TVA payment retained by the State of Alabama is credited to the State General Fund and/or to the Incentives Financing Authority Debt Service Fund. The payment is distributed as follows: to the counties served by TVA, 83%; to the Incentives Financing Authority the amount necessary to pay the debt service on its bonds; and the remainder to the State General Fund. The county share is allocated based on each served county's respective share of: total TVA residential and industrial power sales for all counties and total book value of TVA property for all served counties. Distributions for fiscal years 2021 and 2022 were as follows:

⁶⁸ Gross collections.

Counties Served by TVA	FY 2021	FY 2022
Calhoun	100,086	104,201
Cherokee	822,054	855,663
Colbert	4,839,106	4,903,628
Cullman	3,634,147	3,784,179
DeKalb	2,447,779	2,548,639
Etowah	141,910	147,771
Franklin	1,628,819	1,695,895
Jackson	4,885,812	5,063,563
Jefferson	1,813,802	1,888,454
Lauderdale	4,324,939	4,503,858
Lawrence	1,272,528	1,351,994
Limestone	7,557,259	7,671,840
Madison	14,768,593	15,465,849
Marshall	4,967,860	5,172,869
Morgan	12,430,975	13,184,841
Winston	176,000	183,288
Totals	65,811,668	68,526,532
TVA Exhibit Commission Debt	0	0
Incentives Financing Authority Debt	13,479,498	14,035,555
Total Distributed	79,291,166	82,562,087

Source: Department of Revenue.

Major Exemptions:

Revenue from power sold to federal agencies is excluded from taxation.

Tobacco Tax (Excluding Cigarettes)

Statutory Authority:

Sections 40-25-1 through 40-25-29, 40-25-40 through 40-25-47, and 40-25-70 *Code of Alabama 1975*.

Tax Base:

Tax on the sale, storage or distribution of tobacco or tobacco products by wholesalers and retailers and use by consumers. The tax is a levy on the ultimate consumer or user. Section 40-25-2, *Code of Alabama 1975*, authorizes the taxes to be paid at the wholesale level by affixing stamps and adding to the price of the tobacco product or, if the Commissioner of Revenue determines that it is not economical to have stamps prepared, with the use of a monthly report. Department of Revenue-Tobacco Tax Section Rule 810-7-1-.08 currently provides for the tax to be paid through a monthly report. (See also Cigarette Tax, pg. 33).

Tax Rates:

Little cigars and filtered cigars, not weighing more than 3 lbs. per 1,000	\$.04 per 10
Filtered cigars, weighing more than 3 lbs. per 1,000	\$.015 for each cigar
All cigars (other than those shown above)	or \$.0405 for each cigar
Smoking tobacco, weighing:	
1-1/8 oz. or less	\$.04/package
Over 1-1/8 but not exceeding 2 oz.	\$.10/package
Over 2 but not exceeding 3 oz.	\$.16/package
Over 3 but not exceeding 4 oz.	\$.21/package
Over 4 oz. (each additional ounce over 4 oz. or fractional part thereof)	\$.06
Chewing tobacco	\$.015 per ounce
Snuff weighing:	
5/8 oz. or less	\$.01/package
Over 5/8 but not exceeding 1-5/8 oz.	\$.02/package
Over 1-5/8 but not exceeding 2-1/2 oz.	\$.04/package
Over 2-1/2 but not exceeding 5 oz. (cans, packages, gullets)	\$.06/package
Over 3 but not exceeding 5 oz. (glasses, tumblers, bottles)	\$.07/package
Over 5 but not exceeding 6 oz.	\$.08/package
Over 6 oz. (each additional ounce over 6 ounces or fractional part thereof)	\$.12
Cigar wrapper made from tobacco, weighing:	
1-1/8 oz. or less	\$.04/package
Over 1-1/8 oz. but not exceeding 2 oz.	\$.10/package
Over 2 oz. but not exceeding 3 oz.	\$.16/package
Over 3 oz. but not exceeding 4 oz.	\$.21/package
Over 4 oz. (each additional ounce over 4 ounces or fractional part thereof)	\$.06

Collections:

By the Department of Revenue monthly. Privilege tax due by the 20th of each month. Wholesalers and jobbers are allowed a 4.75% discount if the tax is collected by affixing stamps (Prior to October 1, 2015, the discount was 7.5%).

Fiscal Year	Collections (\$) ⁶⁹	Percent Change
2022	11,878,823	(7.53)
2021	12,846,542	12.92
2020	11,376,753	7.26
2019	10,607,083	1.36
2018	10,465,017	8.31

Source: Department of Revenue's "Revenue Abstract."

Distribution:

After deduction of the cost of collection, the remaining proceeds are deposited into the State General Fund.

Major Exemptions:

A qualified wholesaler or jobber in Alabama may sell tobacco products to:

- A person who is outside of the state without affixing Alabama revenue stamps, provided the criteria defined in Section 40-25-15, *Code of Alabama 1975*, is met.
- The United States or to any instrumentality thereof for resale to or for use or consumption by members of the Armed Services of the United States.
- Ships regularly engaged in foreign commerce or coastwise shipping between points in this state and points outside this state for resale to or for use or consumption upon such ship or in foreign commerce.

Note Regarding Local Levies:

The state tax is in lieu of any other or additional local taxes and/or license fees other than those imposed by an act of the Legislature or an ordinance or resolution by a taxing authority passed or established prior to May 2004. The Department of Revenue maintains a current list of local tax rates on its website.

⁶⁹ Collection amount represents total tobacco collections after refunds.

Transportation Company Inspection and Supervision Fee

Statutory Authority:

Section 37-2-41, Code of Alabama 1975.

Base:

An inspection and supervision fee on transportation companies (including telephone companies) doing business in the state as a common carrier and subject to the control and jurisdiction of the Public Service Commission with respect to its rates and service regulations.

Fees:

Fees are based on gross intrastate receipts for the preceding fiscal year:

Gross Receipts	Rate per \$1,000
First \$100,000 or less	\$2.85
\$100,001 to \$1,000,000	\$2.35
In excess of \$1,000,000	\$1.85

Minimum rate - \$25; Maximum rate for railroad companies - \$5,000/yr.

Providers of pay telephone service over instruments owned and/or operated by local exchange companies, interexchange companies, and customer-owned, coin-operated telephone service providers may elect to pay a fee, in lieu of the fees above, in the amount of \$10 per instrument.

Collections:

By the Public Service Commission on a quarterly basis (November 1, February 1, May 1 and August 1), or annually (on November 1) if the company elects to pay annually.

Fiscal Year	Collections (\$)	Percent Change
2022	1,003,406	(7.28)
2021	1,082,239	(26.73)
2020	1,477,049	(32.95)
2019	2,203,011	(15.48)
2018	2,606,412	(18.81)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

All proceeds are held in the Commission's operating fund to be used for expenses of the Commission.

Underground and Aboveground Storage Tank Regulatory Fees

Statutory Authority:

Sections 22-35-1 through 22-35-13 and 22-36-1 through 22-36-10, *Code of Alabama 1975*.

Base:

An Underground and Aboveground Storage Tank Trust Fund fee levied on certain defined owners of underground or aboveground storage tanks (including pipes connected thereto) used for the storage, use or dispensing of motor fuels.

An Underground and Aboveground Storage Tank Trust Fund fuel fee on those ordering the first withdrawal from bulk.

A tank registration fee levied on certain defined owners or operators of underground storage tanks.

Fees:

Tank fee of up to \$150 per year per regulated tank. (Note: This fee has not been collected since 1993 due to sufficient funds to operate the program being provided by the other fees.)

The Underground and Aboveground Storage Tank Trust Fund fuel fee is imposed on the first withdrawal from bulk in this state and is an amount based on invoiced gallons of no less than \$.003 per gallon and no more than \$.02 per gallon as annually recommended by the Underground and Aboveground Storage Tank Trust Fund Management Board beginning October 1, 2009. Currently, the fee is \$.01 per gallon.

The underground tank registration fee is \$30 per tank.

Collections:

The \$150 tank fee (if charged) and the \$30 tank registration fee are collected by the Alabama Department of Environmental Management. The fuel fee is collected by the operator of the bulk facility and remitted by the 20th of the month, following the month for which fees are due, to the Department of Revenue.

Fiscal Year	Collections (\$) ⁷⁰	Percent Change
2022	45,176,262	10.00
2021	41,070,430	12.04
2020	36,656,953	(6.36)
2019	39,147,746	1.25
2018	38,663,549	0.20

Source: "Comparative Summary of Revenues by Fund" Report.

⁷⁰ Includes collections from both the tank fuel fee and registration fee.

Distribution:

As a first charge against revenues collected from the per gallon tank fuel fee, there is appropriated to the Department of Revenue the amount of money necessary to pay its cost of administration, not to exceed \$150,000 annually. The remaining receipts are deposited into the Alabama Underground and Aboveground Storage Tank Trust Fund and the unobligated balance of the Fund is invested by the Retirement Systems of Alabama for the benefit of the Fund. Monies in the Fund are used for the following purposes:

1. To pay the administration costs of all the provisions of the program, including the expenses certified by the Board as proper and necessary incurred in the discharge of its duties. The Department of Environmental Management's actual cost of administering the program may not exceed 8% of the total fees and charges collected annually or a maximum of \$705,000 per year, whichever is less. In no event will the Department's allocation for this purpose be less than \$400,000 in any given year. Provided, however, the Legislature may make additional appropriations to the Department from the Fund upon showing of need for such additional amounts in the administration of the Fund. Any additional appropriations may not exceed in any year 5% of the total fees and charges collected annually.
 2. To pay third parties who bring suit and obtain final judgment against the Fund and the owner or operator of an underground or aboveground motor fuel storage tank who is in substantial compliance with the Fund.
 3. To pay response action contractors as approved by the Department for remedial action or clean-up work.
- The tank regulation fee is used by the Alabama Department of Environmental Management for administrative costs in the underground tank regulatory program and to provide the 10% state match required by the federal Leaking Underground Storage Tank Program.

Major Exemptions:

- Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes.
- Tank used for storing heating oil for consumptive use on the premises where stored.
- Septic tank.
- Pipeline facility (including gathering lines) regulated under:
 - The Natural Gas Pipeline Safety Act of 1968
 - The Hazardous Liquid Pipeline Safety Act of 1979
 - An intrastate pipeline facility regulated under state laws comparable to the provisions above.
- Surface impoundment, pit, pond, or lagoon.
- Stormwater or wastewater collection system.
- Flow-through process tank.
- Liquid trap or associated gathering lines directly related to oil or gas production and gathering operations.
- Storage tank situated in an underground area (such as a basement, cellar, mineworking, drift, shaft, or tunnel) if the storage tank is situated upon or above the surface of the floor.
- Other underground tanks exempted by the administrator of the federal Environmental Protection Agency.
- Piping connected to any of the above exemptions.
- Pipeline terminals, refinery terminals, rail and barge terminals and tanks associated with each.
- The Underground and Aboveground Storage Tank Trust Fund charge does not apply to any withdrawal from bulk of fuel oil to be used in the generation of electricity.

Unemployment Compensation Tax

Statutory Authority:

Sections 25-4-40.1, 25-4-52, 25-4-54, and 25-4-72, *Code of Alabama 1975*.

Tax Base:

The first \$8,000 paid to an individual employee during a calendar year.

Tax Rate:

The contribution rates (expressed as a percentage of taxable wages) are determined under an experience rating plan, with rates ranging from .20% to 6.8% prior to reductions, depending upon: (1) the balance of the Unemployment Compensation Trust Fund at the end of any fiscal year; and (2) the desired level of the Fund. An employer must pay unemployment compensation tax at the rate of 2.70% until such time as it becomes eligible for experience rating (tax rate year beginning January 1 following the first fiscal year ending September 30 throughout which its account has been chargeable for benefits based on its wages). The length of time required for experience rating varies from seven to ten calendar quarters, depending upon the quarter in which wages were first paid. A special assessment of 0.06% of taxable wages was permanently extended in the 2013 Regular Session (see Act 2013-208) and is deposited into the Employment Security Administration Enhancement Fund.

Collections:

By the Department of Labor quarterly.

Fiscal Year	Collections (\$) ⁷¹	Percent Change
2022	272,995,942	3.15
2021	264,661,611	30.12
2020	203,398,680	(11.09)
2019	228,778,549	6.90
2018	214,011,651	(14.97)

Source: Department of Labor.

Distribution:

All receipts are deposited into the Unemployment Compensation Trust Fund. The 0.06% special assessment is then transferred to the Employment Security Administration Enhancement Fund.

Major Exemptions:

See Section 25-4-10(b), *Code of Alabama 1975*.

⁷¹ Includes penalties and interest and special assessments for the Employment Security Administration Enhancement Fund.

Uniform Commercial Code Filing Fees

Statutory Authority:

Sections 7-9A-320, 7-9A-523 and 7-9A-525, *Code of Alabama 1975*.

Base:

In order to perfect a security interest in collateral, a secured party must file either with the Secretary of State, the probate judge (in the case of certain farming, timber interests, or consumer goods) or the office where mortgage on the real estate would be filed (in the case of collateral goods which are or are to become fixtures), a statement giving specific information concerning the secured party, the debtor and the items subject to the security interest.

Fees:

Initial Financing Statement – \$20 if the record consists of one or two pages; \$2 for each page thereafter; \$15 if the record is communicated by another medium authorized by filing office rule; \$10 if filed in connection with a manufactured home transaction; and an additional \$5 if filed in a nonstandard form

Amendment Fee – same as Financing Statement.

Record of Mortgage – No fee regarding a mortgage which is effective as a financing statement filed as a fixture filing or covering as extracted collateral or timber to be cut if: the record is recorded, indicates the goods or accounts it covers and satisfies the requirements for a financing statement; and if the goods become fixtures related to the real property described in the record.

Termination Statement – No charge. \$5 if statement is not in prescribed form.

Information Request/Confirmation of Oral Search – \$20; \$15 if the request is communicated by another medium authorized by filing office rule; additional \$5 if request is in nonstandard form; \$2 for each financing statement or statement of assignment reported.

Copies of Statements – \$1 per page for financing or assignment statement, plus \$5 for each request not made on standard form.

Information Requests Expedited Service (Optional) – \$100 in addition to required fees.

Copies of the master list organized by farm products – Up to \$0.25 per page for a printed copy, not to exceed \$2,000 per year to any buyer, commission merchant, or selling agent; up to \$100 to receive the list in electronic form

Collections:

By the Secretary of State at the time of filing; deposits are made to the State Treasurer approximately once a week.

Fiscal Year	SGF Collections	UCC Collections	Total Collections	Percent Change
2022	2,135,802	500,991	2,636,793	(1.87)
2021	2,176,302	510,802	2,687,104	(7.29)
2020	2,347,583	550,668	2,898,251	10.52
2019	2,124,064	498,237	2,622,301	(3.67)
2018	2,206,195	515,952	2,722,147	11.05

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

81% of collections from Uniform Commercial Code fees which are not related to farm products are deposited to the credit of the State General Fund and 19% are deposited to the credit of the Uniform Commercial Code Fund. Fees related to farm products are deposited into the Alabama Farmers Credit Protection Fund.

Use Tax

Statutory Authority:

Sections 40-23-60 through 40-23-88, 40-23-100 through 40-23-111, and 40-23-170 through 40-23-174, *Code of Alabama 1975*.

Tax Base:

Excise tax on storage, use, or other consumption in this state of: tangible personal property; machines used in mining, quarrying, compounding, processing, and manufacturing of tangible personal property; automotive vehicles, motorboats, truck trailers, semitrailers or house trailers, and mobile home set-up materials and supplies; farm machinery or equipment; and the above property when used in the performance of a contract. This tax is paid on items purchased outside Alabama for consumption or use inside the state, unless the property is imported from a state having a reciprocal agreement with Alabama and a tax equal to or greater than the Alabama tax paid in the other state. If the amount of the tax paid to the other state is less than the Alabama tax, then the difference must be paid to Alabama.

Item	Percent Rate
General rate – covers sales of all tangible personal property (excluding items below)	4%
Farm machinery and equipment (when a trade is involved, the tax is on the net difference), and vessels used in planting, cultivating, and harvesting farm products.	1.5%
Machinery used in mining, quarrying, processing, and manufacturing.	1.5%
Commercial fishing vessel used in the capture or processing of fish when operated by a holder of a commercial license	1.5%
Mobile home set-up materials and related supplies	2%
Automotive vehicles, motorboats, truck trailers, semitrailers, or house trailers (when a trade is involved, the tax is on the net difference)	2%

Collections:

By the Department of Revenue on the 20th of each month for the previous month's sales. Penalty charges, plus interest, may also be imposed on vendors who file deficient or delinquent returns.

Fiscal Year	Gross Collections (\$)	Percent Change
2022	579,869,421	15.46
2021	502,227,443	11.76
2020	449,367,870	3.35
2019	434,821,599	6.43
2018	408,544,009	8.01

Source: Department of Revenue's "Revenue Abstract."

Distribution:

1. After deducting the cost of collection
2. to the State General Fund
 - a. 42% of the 2% tax on automotive vehicles, truck trailers, semitrailers, or house trailers and mobile home set-up materials and supplies
 - b. 50% of the 2% tax on motorboats
3. Remaining amounts distributed to the Education Trust Fund.
4. After the above distributions of the use tax to the State General Fund, the balance of the proceeds is distributed as follows:
 - a. Remote use tax amounts, 75% to the State General Fund and 25% to the Education Trust Fund;
 - b. Beginning October 1, 2015, any remaining amounts, 53% to the State General Fund and 47% to the Education Trust Fund.
5. Any additional revenue generated as a result of the Governor eliminating the use tax discount allowed to vendors is distributed as follows to:
 - a. To the Department of Human Resources for the foster children program in an amount not to exceed \$500,000 annually
 - b. To the Department of Conservation and Natural Resources to provide federally required funding and for the Coastal Program (in an amount not to exceed \$1,000,000 annually), and
 - c. The remainder to the State General Fund.
 - d. The discount was eliminated by Executive Order 54, issued in May 2001.

Major Exemptions:

A listing of exemptions is found in Sections 40-9-9 through 40-9-39, 40-23-61, 40-23-62, 11-54-96 (industrial development boards), 11-58-14 (medical clinic boards), and 11-92A-18 (county industrial development authorities), *Code of Alabama 1975*.

Utility Company Inspection and Supervision Fee

Statutory Authority:

Section 37-4-23, Code of Alabama 1975.

Base:

An inspection and supervision fee on utility companies (including electric, gas, and water companies) doing business in the state and subject to the control and jurisdiction of the Commission with respect to its rates and service regulations.

Fees:

Fees are based on gross intrastate receipts as follows:

Gross Receipts	Rate per \$1,000
First \$100,000 or less	\$2.85
\$100,001 to \$1,000,000	\$2.35
In excess of \$1,000,000	\$1.85
Minimum fee	\$25

Collections:

By the Public Service Commission on a quarterly basis (November 1, February 1, May 1 and August 1), or annually (on November 1) if the company elects to pay annually.

Fiscal Year	Collections (\$)	Percent Change
2022	11,815,311	6.76
2021	11,067,454	(5.15)
2020	11,668,196	1.17
2019	11,533,556	(0.06)
2018	11,540,305	3.63

Source: "Comparative Summary of Revenues by Revenue Source" Report.

Distribution:

All proceeds are held in the Commission's operating fund to be used for expenses of the Commission.

Utility Gross Receipts Tax and Utility Service Use Tax

Statutory Authority:

Sections 40-21-80 through 40-21-88 and 40-21-100 through 40-21-107, *Code of Alabama 1975*.

Tax Base:

A privilege tax on every utility (electric, domestic water, natural gas, telegraph, and telephone services) furnishing utility services in Alabama. Although this is a direct tax on the utility service purchaser, it is collected by the utility service provider, with liability for payment of the tax to the state remaining with the provider. The Utility Service Use Tax is a use tax which applies to the storage, use, or other consumption in Alabama of such utility services. The privilege tax is based on the gross sales or receipts from the furnishing of the utility services. The use tax is based on the sales price of the service.

Tax Rate:

The tax is computed with respect to each person to whom services are furnished, stored, used or consumed at the following rates:

Electricity, Domestic Water, or Natural Gas	
Monthly gross sales or receipts (privilege tax) or sales price (use tax) respecting a person	
Not over \$40,000	4%
Over \$40,000 but not over \$60,000	\$1,600 plus 3% of excess over \$40,000
Over \$60,000	\$2,200 plus 2% of excess over \$60,000
Telegraph or Telephone Services	
On all gross sales or gross receipts	6%
Telegraph and telephone utilities	Retain 0.25% of the gross amount of the tax billed

Collections:

For the privilege tax, by the Department of Revenue on or before the 20th of each month, for the preceding month's receipts. For the use tax, by the Department on or before the 20th of each month. However, taxpayers with an average monthly tax liability of \$10,000 or greater during the preceding calendar year pay, on or before the 20th of the month in which the liability occurs, an estimated amount not less than that paid for the corresponding month of the preceding year. The basis of the estimate is the actual tax liability due for the same calendar month of the preceding year.

Fiscal Year	Collections (\$) ⁷²	Percent Change
2022	443,827,754	9.35
2021	405,885,402	(1.00)
2020	409,992,780	(1.82)
2019	417,571,970	1.44
2018	411,651,468	1.97

Source: Department of Revenue's "Revenue Abstract."

⁷² Includes Utility Gross Receipts Tax and Utility Service Use Tax. Collections are prior to refunds.

Distribution:

1. After deducting the cost of collection, \$14.6 million of the Utility Gross Receipts Tax is deposited into the Special Mental Health Fund.
2. The remainder of the Utility Gross Receipts Tax and all of the Utility Service Use Tax is deposited into the Education Trust Fund.

Major Exemptions:

A listing of exemptions and exclusions to the Utility Gross Receipts Tax is found in Sections 40-21-82.1 and 40-21-83, *Code of Alabama 1975*. A listing of exemptions and exclusions to the Utility Service Use Tax is found in Section 40-21-103, *Code of Alabama 1975*.

- Entities organized under Title 10A, Chapter 20, Article 9, *Code of Alabama 1975*, for the purpose of operating waterworks for unincorporated areas are exempt pursuant to Section 10A-20-9.04. County water authorities organized under Section 11-88-1 are not exempt because of language in Act 1969-21, Section 40-21-81, *Code of Alabama 1975*, except as listed in Section 40-21-82.1.
- Pursuant to court case Methodist Homes for the Aging v. Alabama Power Co., nonprofit entities identified in Section 40-9-12 are exempt.
- U.S. Government entities are exempt.
- Section 40-21-80(a)(11)(i-vi) enumerates Utility Gross Receipts Tax exempt telephone services.
- Section 37-1-80.2 exempts the telephone surcharge for service to deaf and hearing-impaired customers from the Utility Gross Receipts Tax and the Utility Use Tax.
- Section 40-21-100(a)(17)(i-vi) enumerates Utility Service Use Tax exempt telephone services.
- Prepaid telephone calling cards and Internet access charges are exempt from the Utility Gross Receipts Tax and the Utility Service Use Tax.
- Section 41-23-30 authorizes the Alabama Department of Economic and Community Affairs to enter into contracts until June 30, 1996 with eligible enterprise zone businesses to provide exemptions from the Utility Gross Receipts Tax and the Utility Service Use Tax for up to 20 years.
- Section 40-9D-4(d) exempts qualifying entities (defined so as to target ThyssenKrupp) from the Utility Gross Receipts Tax for up to 10 years.

Vital Statistics Fees

Statutory Authority:

Section 22-9A-23, *Code of Alabama 1975*.

Base:

A fee charged for the searching, amending, and copying of various records kept by the Office of Vital Statistics, State Department of Public Health. Records include certificates of birth, death, marriage, divorce, or annulment and reports of fetal death and induced termination of pregnancy.

Fees:

Search, reporting, and copying of one record ⁷³	\$15
Each additional copy of the same record ⁷³	\$6
Issuance of an apostille or exemplified copy ⁷⁴	\$25
Preparation and copy of an amended record and issue a certified copy	\$20
Preparation of a new birth certificate after legitimization or adoption and issue a certified copy	\$25
Preparation of a delayed certificate and issue a certified copy	\$20
Certificate of foreign birth	\$25
Forwarding of legal documents for an adoption granted in this state for person born in another state	\$10
Additional fee for non-routine, same day expedited service, and all special delivery mail	\$15
Keepsake birth certificate ⁷⁵	\$45
Non-routine special or research project ⁷⁶	See below
Orders by phone with a credit card ⁷⁷	Varies

Collections:

By the State Registrar.

Fiscal Year	Collections (\$) ⁷⁸	Percent Change
2022	5,784,389	(13.56)
2021	6,691,890	27.00
2020	5,269,063	16.70
2019	4,515,159	(14.77)
2018	5,297,445	(11.77)

Source: "Comparative Summary of Revenues by Revenue Source" Report.

⁷³ If copies are made at the local registration district, the local office retains a portion of the fees as prescribed by the State Board of Health.

⁷⁴ Includes the \$5 certification fee of the Secretary of State.

⁷⁵ \$17 of this amount forwarded to the Children's Trust Fund.

⁷⁶ To be determined by the State Registrar.

⁷⁷ Fees are dependent upon services requested as determined by the State Registrar.

⁷⁸ Excludes local registration office fees and Children's Trust Fund receipts.

Distribution:

Fees collected, except as provided for local registration offices and the Children's Trust Fund, are deposited into the Vital Statistics Fund to the credit of the State Board of Health to fund operations related to vital statistics.

Major Exemptions:

Hospitals are exempt from the payment of any fee associated with vital statistics.

Section 26-9-12, *Code of Alabama 1975*, exempts incompetent veterans and their dependents requesting certificates or records when needed to obtain any veterans' benefits.

Appendix – Legislative History

A.B.C. Licensing and Penalty Revenue

Acts 1936-37, No. 66, p. 40

Established the ABC Board and provided for its authority to regulate sales of alcoholic beverages.

Acts 1947, No. 298, p. 149

Established the licensing procedures for manufacturers and agents with license fees of \$250 and \$50, respectively.

Acts 1963, No. 589, p. 1285

Established the distributor's license tax at 3% of the gross receipts from the previous year.

Acts 1965, No. 766, p. 1398

Required that license tax proceeds be divided equally between the Public Welfare Trust Fund and the Special Mental Health Fund.

Acts 1979, No. 761, p. 1360

Repealed the 3% distributor's license tax; increased the associated filing fee from \$250 to \$500; and levied an additional excise tax of 3%.

Acts 1980, No. 529, p. 806

Revised the entire license code, added new categories, and increased fees to the current rates except for the club license which was a single rate of \$750.

Acts 1981, No. 701, p. 1178

Amended license code to provide for two classes of club licenses and set rates for each license as follows: Class I, \$300; Class II, \$750.

Acts 1990, No. 525, p. 767

Established the Responsible Vendor program and provided for a \$35 filing fee payable upon the issuance or renewal of a license to any licensee of the ABC Board certified as a responsible vendor.

Acts 1992, No. 535, p. 1078

Provided for the licensing of brewpubs to brew and sell beer on the same premises for on-premises consumption and established the annual brewpub license fee at \$1,000.

Acts 1997, No. 937, p. 506

Established the International Motor Speedway license and the annual license fee of \$300.

Acts 2000, No. 146, p. 211

Clarified that the license fee for a beer wholesaler is \$550.

Acts 2016, No. 97, p. 133

Allows licensed beer manufacturers that produce less than 60,000 barrels of beer per year to sell its product for off-premise consumption not to exceed 288 ounces per day per customer. Removes location requirements of such licensed beer manufacturers. Also allows such license manufacturers to donate and deliver two kegs, still subject to taxation, to a licensed charitable special event for a nonprofit organization and defines 'keg'.

Acts 2016, No. 111, p. 173

Allows a licensed manufacturer to conduct liquor or wine tastings inside the premises of licensed retailers that sell for off-premises consumption only and inside a state liquor store. Provides for restrictions regarding such liquor or wine tastings.

Acts 2016, No. 130, p. 305

Allows liquor manufacturers to sell at retail up to 750 milliliters of its products per customer per day. Provides for regulations regarding such sales.

Acts 2016, No. 131, p. 308

Allows a licensed wine manufacturer in Alabama producing less than 50,000 gallons of table wine per year and only the association that represents the majority of wineries and grape growers in Alabama to obtain a permit allowing the establishment and operation of one off-site tasting room, subject to the \$50 filing fee. Also allows such licensed wine manufacturers to donate and deliver two cases of its table wine, still subject to taxation, to a licensed charitable special event for a nonprofit organization. Provides regulations for such off-site tasting rooms and donations.

Acts 2018, No. 513

Allows manufacturers of alcoholic beverages for tastings or samplings on the manufacturers' licensed premises to sell alcoholic beverages between 9:00 p.m. on Saturday through 2:00 a.m. the following Monday.

Acts 2021, No. 188

Authorizes the filing and payment of a non-refundable \$100 filing fee and \$1,000 license and annual renewal fee by a licensee of the Alcoholic Beverage Control (ABC) Board, to obtain a delivery service license to transport and deliver, for personal use, up to 48 twelve ounce containers of beer, up to 288 ounces of draft beer, up to six 750 milliliter bottles of wine, and up to 1,750 milliliters of spirits, (sold by off-premises licensees) and up to 375 milliliters of spirits (sold by restaurant licensees) within a 24 hour period, to individuals in the state that are at least 21 years of age.

Acts 2021, No. 454

Removes the 288 ounce per customer per day cap of beer that may be sold for off-premises consumption by manufacturers that produce less than 60,000 barrels per year. Provides that beer produced by a contract brewery exclusively for the manufacturer shall be included in the 60,000-barrel limit calculation. Removes the 2.25 liters per customer per day cap of liquor that may be purchased for off-premises consumption for liquor manufacturers.

Acts 2021, No. 517

Allows a wine manufacturer licensed by the Alcohol Beverage Control (ABC) Board to manufacture wine in a dry county for distribution outside of the dry county.

Abandoned Property Act

Acts 1971, No. 63, p. 101

Established the procedure for the uniform disposition of unclaimed or abandoned property; and established distribution as follows: 20% into the trust fund for enforcement and claims; 80% to the State General Fund.

Acts 1991, 1st Ex. Sess., No. 788, p. 176

Accelerated state custody of unclaimed or abandoned tangible and intangible property by changing the dormancy period from seven to five years (provided one-time \$6 million windfall to State General Fund); and provided that all receipts be deposited to the State General Fund, unless the trust fund needed to be maintained at an amount not to exceed \$1 million.

Acts 1996, No. 724, p. 1197

Transferred the administration of the Uniform Disposition of Unclaimed Property Act from the Department of Revenue to the State Treasurer's Office beginning October 1, 1996; amended reporting and delivery of property requirements; and also established new funds within Treasurer's Office with reserves accruing to the State General Fund on a quarterly basis.

Acts 1999, No. 381, p. 607

Provided that any warrant drawn by the state comptroller which is outstanding and unpaid one year from the date of issue is void and shall be reported and maintained through the unclaimed property program (formerly void after one year with payment to the State General Fund).

Acts 2004, No. 440, p. 755

Repealed the prior unclaimed property law and provided for the Uniform Disposition of Unclaimed Property Act of 2004; shortened the time period within which holders of property must report and pay to the state property that is presumed to be abandoned; and clarified that property resulting from demutualization of an insurance company is subject to the unclaimed property law.

Acts 2013, No. 91, p. 192

Allowed banks to treat debit cards and other payment instruments equally to other deposit products regarding abandonment; required the holder of property presumed abandon to electronically file a report to the Treasurer concerning the property and remit any monies electronically; and allowed the surviving child or children or, if none, the surviving parent or parents of an abandoned property owner who has died intestate to claim the abandoned property if certain conditions are met.

Acts 2013, No. 92, p. 203

Established funding for the Office of the State Treasurer through the newly created State Treasury Operations Fund merging the operations of Treasury Administrative, Unclaimed Property, and the SAFE Program; dissolved the Unclaimed Property Administrative Fund and the SAFE Program Administration Fund and transferred any unobligated funds to the State Treasury Operations Fund; and required that all unobligated funds shall remain in the fund and be used for office operations.

Ad Valorem Tax

Acts 1935, No. 194, p. 256

Levied the 3 mill tax specified by Section 260 of the *Constitution of Alabama of 1901*, plus 1 mill for needy Confederate soldiers and sailors and their widows, and 2.5 mills for general state purposes; set the assessment ratio of taxable property at 60% of fair market value and specified certain exemptions.

Acts 1951, No. 703, p. 1211

Established the State Department of Public Welfare (now the State Department of Human Resources) and provided that the surplus or residue of the proceeds from the levy of the 1 mill tax for the relief of needy Confederate soldiers and sailors and their widows be used for old age assistance purposes exclusively before any part may be expended for any other purposes of the department of public welfare.

Acts 1967, No. 502, p. 1215

Changed assessment ratio to 30% of market value.

Acts 1971, 3rd Ex. Sess., No. 116, p. 4339, (Constitutional Amendment No. 325, now appearing as Section 217 of the Official Recompilation of the *Constitution of Alabama of 1901*.)

(1) Created three classes of taxable property with the following state assessment ratios:

Class I - all property of utilities - 30%

Class II - all property not otherwise classified - 25%

Class III - all agricultural, forest and residential property - 15%

(2) Provided that taxable property be assessed by local governments according to the classes and assessment ratios above; further provided that the Legislature could vary the local governments' assessment ratio for each class of property or fix a uniform ratio for all property and that such ratios could vary among counties (within a prescribed range of 15% to 35%); also provided for local adjustment of tax rates.

(3) Established maximum amount of total ad valorem tax payable on one property in any one year at 1.5% of fair market value.

(4) Restated certain exemptions.

Acts 1971, 3rd Ex. Sess., No. 166, p. 4413

Restated and further defined property classes and assessment ratios, provided additional exemptions; and established differing assessment ratios for counties, as authorized by Act 1971-116, 3rd Ex. Sess.

Acts 1973, No. 1216, p. 2062

Changed assessment ratios of several individual counties.

Civil Action No. 2877-N. (U.S. District Court for the Middle District of Alabama, Northern Division, March 8, 1974)

Required a statewide re-valuation of all real property in Alabama, fairly appraising each parcel of real estate at its current market value.

Civil Action 77-242-H. (U.S. District Court for the Southern District of Alabama, Northern Division, April 21, 1978)

Declared Section 40-8-1(e) *Code of Alabama 1975*, unconstitutional because the varying county assessment ratios provided therein created a disparity in rates among counties that was determined to be arbitrary and grossly unequal. However, the provision in Amendment No. 325 allowing the Legislature to vary assessment ratios among counties was upheld.

Acts 1975, No. 1187, p. 2319

Provided that 1% of the 1 mill ad valorem tax allocated for the relief of needy Confederate soldiers and sailors and their widows be remitted to the Alabama Historical Commission to provide for capital improvements and maintenance at the Confederate Memorial Park at Mountain Creek, Chilton County, Alabama.

Acts 1978, 2nd Ex. Sess., No. 46, p. 1724

Restated and further defined classes and assessment ratios as prescribed by Constitutional Amendment No. 373-Lid Bill.

Acts 1982, No. 302, p. 384

Provided a formula method for determining the current use value of agricultural and forest land.

Acts 1991, No. 694, p. 1340

Provided that a registration fee be paid in lieu of ad valorem taxes on manufactured homes which are rented or leased or located on land owned by someone other than the owner of the manufactured home. An owner-occupied manufactured home located on land owned by the occupant remained subject to ad valorem taxes. **Acts 1993, No. 309, p. 464**

Allocated a portion of the proceeds from the 1 mill tax for veterans' homes in Bay Minette and Huntsville.

Acts 1997, No. 279, p. 499

Capped the amount that the Department of Human Resources receives from the 1 mill tax at \$20,773,500 annually; established the Alabama Veterans' Assistance Fund; and allocated the residue from the 1 mill tax to the Alabama Veterans' Assistance Fund.

Acts 1999, No. 399, p. 663

Provided that property owned by customer-owned coin operated telephone companies and broadband personal communication services companies would be taxed as Class II property rather than as Class I property.

Acts 1999, 2nd Ex. Sess., No. 665 p. 131

Exempted shares of stock from ad valorem tax.

Acts 2000, No. 242, p. 386 (Constitutional Amendment No. 669, now appearing as Section 269.07 of the Official Recompilation of the *Constitution of Alabama of 1901*.)

Removed the requirement that at least a 3 mill county school tax must be levied before a 3 mill district school tax may be levied under Amendment No. 3.

Acts 2005, 1st Ex. Sess., No. 215, p. 423 (Constitutional Amendment No. 778, now appearing as Section 269.08 of the Official Recompilation of the *Constitution of Alabama of 1901*.)

Proposed a constitutional amendment to require 10 mills of ad valorem tax in each public school district (no longer "or equivalent") beginning October 1, 2006.

Acts 2009, No. 551, p. 1593

Proposed an amendment to Section 269 of the *Constitution of Alabama of 1901*, to remove the supermajority vote requirement for the 1 mill countywide school tax to become effective.

(The proposed amendment was defeated at the 2010 General Election.)

Acts 2011, No. 544, p. 996

Established the Homeowners and Storm Victims Protection Act of 2011. Allowed single-family dwellings and a fully-developed lot owned by a home builder to be classified as residential property for ad valorem taxes. The reclassification terminates when one of the following occurs: (1) the classification has been in place for 24 months; (2) the owner no longer holds a valid license; or (3) the sale, transfer, or other action resulting in the single-family dwelling or fully-developed lot no longer being held by the person seeking reclassification.

Acts 2011, No. 710, p. 2192

Provided that residential property does not lose its classification as residential property for a period of 24 months if the property is not used as the owner's single-family dwelling because the property is not inhabitable or is otherwise under repair after being damaged by a natural disaster. Also, any homestead exemption is not affected during any period the homestead is being repaired after being damaged by a natural disaster.

Acts 2012, No. 313, p. 708

Increased the income limit for persons over 65 years of age to qualify for a full homestead exemption (state and local) from \$7,500 to \$12,000 in net taxable income as shown on the person's and spouse's United States income tax return or other appropriate evidence. Reinstated an income limit for persons retired due to total and permanent disability to qualify for a full homestead exemption at \$12,000 in net taxable income as shown on the person's and spouse's United States income tax return or other appropriate evidence.

Acts 2013, No. 295, p. 1003

Restored the following homestead exemption provisions that were changed by Act 2012-313, retroactive to August 1, 2012:

- Language interpreted by Attorney General Opinion to allow persons totally disabled to receive a full homestead exemption regardless of income.
- Language allowing persons over 65 with adjusted gross income less than \$12,000 on their State income tax return to receive a homestead exemption of \$5,000 of assessed value of the county portion of their ad valorem taxes.

The provision in Act 2012-313 that increased the income limitations for persons over 65 to receive a full (state and local) homestead exemption from \$7,500 on their Federal income tax return to \$12,000 was not changed.

Assessed a penalty for any person who knowingly and willfully gives false information for claiming a homestead exemption or assisting another person in claiming a homestead exemption. Authorized the Department of Revenue, by regulation, to issue certificates of disability to persons determined to be "permanently and totally disabled" and requires the Department to automatically grant a certificate to any person drawing any pension or annuity from the armed services, a private company or any governmental agency because they are permanently and totally disabled.

Acts 2015, 2nd Ex. Sess., No. 556, p. 2085

Established the Motor Vehicle Ad Valorem Tax Fairness Act. Removed the tax deferral on new motor vehicles being registered for the first time beginning January 1, 2016.

Acts 2022, No. 295

Provided for an exemption from ad valorem taxation on grain bins used exclusively to store, hold, dry, preserve, or otherwise prepare grains for market.

Alabama Trust Fund

Acts 1986, No. 206, p. 269

Created the County Government Capital Improvement Fund and provided that 10% of the Alabama Trust Fund income shall be appropriated to this fund when such income exceeds \$60 million. (The income exceeded \$60 million for the first time in FY 1997).

Acts 1986, No. 234, p. 345

Created the Municipal Government Capital Improvement Fund and provided that 10% of the Alabama Trust Fund income shall be appropriated to this fund when such income exceeds \$60 million. (The income exceeded \$60 million for the first time in FY 1997).

Acts 1998, No. 499, p. 1075

Effective October 1998, changed the distribution date for the appropriation of trust income to the County Government Capital Improvement Fund and the Municipal Government Capital Improvement Fund from January 2 to April 15.

Acts 2003, No. 438, p. 1516

The Education Trust Fund appropriations act for FY 2004 provided for a conditional appropriation of \$36 million to make the first installment on the repayment to the Rainy Day Account. The conditional appropriation was released.

Acts 2004, No. 456, p. 810

The Education Trust Fund appropriations act for FY 2005 provided for a conditional appropriation of \$36 million to make the second installment on the repayment to the Rainy Day Account. The conditional appropriation was released.

Acts 2005, No. 173, p. 295

The Education Trust Fund appropriations act for FY 2006 provided for an appropriation of \$36 million to make the third installment on the repayment to the Rainy Day Account.

Acts 2006, No. 282, p. 519

The Education Trust Fund appropriations act for FY 2007 provided for an appropriation of \$71,993,229 to make repayment in full to the Rainy Day Account.

Acts 2010, No. 555, p. 1124

Proposed an amendment to the *Constitution of Alabama of 1901* to appropriate \$100 million from the Alabama Trust Fund for each of the fiscal years 2011 through 2020 for state and local transportation purposes. (The proposed amendment was defeated at the 2010 General Election).

Acts 2011, No. 3, p. 90

Established the Education Trust Fund Rolling Reserve Act. Provided that on or before November 15 of each fiscal year, any excess of revenues in the preceding fiscal year above the preceding fiscal year's appropriation cap shall be transferred to the Education Trust Fund Rainy Day Account until repaid in full. Based on the revenues and appropriation cap in FY 2013, a repayment of \$260,388,971 was made in the beginning of FY 2014.

Acts 2011, No. 655, p. 1675

The Education Trust Fund appropriations act for FY 2012 provided for a repayment to the Education Trust Fund Rainy Day Account of 50% of any ending balance of the Education Trust Fund. The Education Trust Fund ending balance in FY 2012 was \$28,825,968 which equated to an Education Trust Fund Rainy Day Account repayment of \$14,412,984.

Acts 2013, No. 6, p. 17

Established the People's Trust Act. Required the Legislature to provide for the repayment of the \$437,390,829 in additional transfers from the Alabama Trust Fund to the State General Fund authorized by Amendment No. 856 to the *Constitution of Alabama of 1901* no later than September 30, 2026.

Acts 2013, No. 264, p. 827

The Education Trust Fund appropriations act for FY 2014 provided an absolute appropriation of \$35 million and a first priority conditional appropriation of \$65 million to the Education Trust Fund Rainy Day Account. Only \$35 million of the first-priority conditional appropriation was released in FY 2014 resulting in a total repayment of \$70 million to the Education Trust Fund Rainy Day Account in FY 2014.

Acts 2014, No. 456, p. 1690

The Education Trust Fund appropriations act for FY 2015 provided an absolute appropriation of \$35,088,873 and a conditional appropriation from the Gross Sales Tax Account to repay the remaining outstanding balance owed to the Education Trust Fund Rainy Day Account which equated to \$57.5 million.

Acts 2016, 1st Ex. Sess., No. 456, p. 1237

Required bond proceeds payable from revenues received from certain settlement claims of the state against BP Petroleum and Exploration, Inc. to be deposited and paid from the BP Settlement Fund to be used (1) to repay in full the General Fund Rainy Day Account for the \$161,565,874 transferred to the State General Fund pursuant to Amendment 803 of the *Constitution of Alabama 1901*; (2) to repay a total of \$238,434,126 of the \$422,390,829 unpaid amount owed to the Alabama Trust Fund from the transfer to the State General Fund over fiscal years 2013, 2014, and 2015 pursuant to Amendment 856 of the *Constitution of Alabama 1901*; (3) to provide a total of \$120 million to the Alabama Medicaid Agency, to be distributed \$15 million in fiscal year 2017 and \$105 million in fiscal year 2018; (4) to pay an amount not to exceed \$120 million to supplement allocated or planned revenues for transportation projects to be distributed \$65 million to the Alabama Department of Transportation District 91 of the Southwest Region for Highway 98/Highway 158 from the Mississippi state line to Interstate 65 and \$55 million to the Alabama Department of Transportation District 92 of the Southwest Region; and (5) any remaining proceeds to make an additional payment to the Alabama Trust Fund for amounts transferred over fiscal years 2013, 2014, and 2015 pursuant to Amendment 856 to the *Constitution of Alabama 1901*.

Aviation Gasoline Tax

Acts 1945, No. 367, p. 590

Established tax on all gasoline or other fuels used to propel aircraft at the same rate in effect for gasoline (\$.06 per gallon).

Acts 1967, Ex. Sess., No. 221, p. 278

Authorized the Commissioner of Revenue to adjust the aviation fuel rate to ensure that the net revenue would be maintained at \$450,000 annually; and reduced tax rate on aviation fuel to \$.015 per gallon for gasoline and \$.005 per gallon for jet fuel.

Acts 1977, No. 674, p. 1163

Authorized the Commissioner of Revenue to adjust rates to ensure that the net revenue from the aviation gasoline tax would be maintained at \$500,000 annually.

Acts 1979, No. 714, p. 1267

Authorized the Commissioner of Revenue to adjust the aviation gasoline tax rate to ensure net revenue of \$600,000 per 12-month period.

Acts 1986, No. 214, p. 282

Exempted fuel used in aircraft of an air carrier with a hub operation in Alabama.

Acts 2000, No. 220, p. 328

Via Sunset legislation, transferred Aeronautics Department and funds to the Department of Transportation.

Acts 2002, No. 153, p. 401

Effective October 1, 2002, exempted fuel used in jet or turbine aircraft destined for a foreign port or engaged in international flights or commerce.

Acts 2011, No. 565, p. 1084

Effective October 1, 2012, repealed and reestablished the state gasoline and motor fuel taxes at the same rates as the taxes previously levied except the rate on aviation gasoline was increased from \$.03 per gallon to \$.095 per gallon and the rate on aviation jet fuel was increased from \$.01 to \$.035 per gallon. Changed the point of collection of the taxes from the distributor to the supplier, which could reduce the ability to avoid the taxes and generate additional fuel tax revenues.

Acts 2013, No. 200, p. 391

Provided a refund of the excise tax paid on jet fuel sold to a certificated or licensed air carrier conducting all-cargo operations engaged in international flights. Also, exempted the gross receipts from the sale of any aviation jet fuel to a certificated or licensed air carrier conducting all-cargo operations engaged in international flights from sales tax; and exempted the storage, use, or other consumption of any aviation jet fuel used by an aircraft operated by a certificated or licensed air carrier that purchases jet fuel for all-cargo operations engaged in international flights from use tax.

Beer Tax

Acts 1936-37, No. 66, p. 40

Levied a \$.005 excise tax on each 12 ounces of beer and distributed the proceeds to the State General Fund.

Acts 1945, No. 358, p. 575

Levied an additional \$.005 excise tax on each 12 ounces of beer and distributed the proceeds of the additional tax equally to all counties in the state.

Acts 1955, 2nd Ex. Sess., No. 66, p. 177

Levied an additional \$.01 excise tax on each 12 ounces of beer and distributed the proceeds of the additional tax to the Public Welfare Trust Fund.

Acts 1963, 2nd Ex. Sess., No. 92, p. 257

Repealed the 1945 and 1955 acts and levied an additional \$.035 tax per 12 ounces of beer, making the total tax \$.04 per 12 ounces of beer; and provided that the additional \$.035 tax would be distributed \$.005 equally to all counties in the state; \$.01 to the Public Welfare Trust Fund; and \$.02 to the Education Trust Fund.

Acts 1969, No. 746, p. 1324

Levied an additional \$.01 tax per 12 ounces of beer and distributed the proceeds of the additional tax to the State General Fund.

Acts 1979, No. 802, p. 1475

Replaced the three separate state levies with one levy of \$.05 per 12 ounces of beer and established the present distribution of the proceeds.

Acts 1982, No. 344, p. 473

Abolished all local beer taxes and established a levelized local beer tax of \$.04875 per 12 ounces.

Acts 2004, No. 541, p. 1143

Amended Chapter 8B of Title 35, relating to community development districts, to require that if a dry county or municipality has a community development district, then that county or municipality will share in the distribution of alcoholic beverage tax and license revenues to local governments.

Acts 2007, No. 417, p. 869

Amended Chapter 8B of Title 35, relating to community development districts, to require that counties that contain a community development district will participate in the distribution of alcoholic beverage tax revenues to local governments, even if the community development district is located in a municipality. Also, provided that any alcoholic beverage revenues received by a county as a result of this act will offset any T.V.A. in-lieu-of tax payments received by that county.

Acts 2011, No. 630, p. 1488

Allowed manufacturer licensees of the Alcoholic Beverage Control Board actively and continuously engaged in the manufacture of alcoholic beverages to provide tastings and samplings that would be subject to the state and local excise taxes on alcoholic beverages. Also allowed brew pubs to sell beer in original, unopened barrel or keg containers to any licensed wholesaler for resale and to purchase other draft or keg beer for resale.

Acts 2016, No. 97, p. 133

Allows licensed beer manufacturers that produce less than 60,000 barrels of beer per year to sell products for off-premise consumption not to exceed 288 ounces per day per customer. Removes location requirements of such licensed beer manufacturers. Also allows such license manufacturers to donate and deliver two kegs, still subject to taxation, to a licensed charitable special event for a nonprofit organization and defines 'keg'.

Boat Registration Fees

Acts 1959, No. 576, p. 1442

Established the registration of vessels; established a numbering and identifying system in compliance with the Federal Boating Act of 1958; established exemptions from numbering provisions; and established license fees on vessels as follows: Class 1-\$2; Class 2-\$3; Class 3-\$6; Class 4-\$12; Class 5-\$10 plus a \$.25 issuance fee.

Acts 1961, No. 878, p. 1377

Amended Act 1959-576 relating to the distribution of proceeds and changed the Class 5 registration fee to \$10 for first license and \$1 for each additional license.

Acts 1965, No. 787, p. 1473

Provided the fee of \$1 for the registration of an ownership change, with an issuance fee of \$.25; also provided for a duplicate of a lost or misplaced registration certificate for \$.50.

Acts 1971, No. 2081, p. 3352

Increased the annual license fees for vessel registrations as follows: Class 1-\$4; Class 2-\$6; Class 3-\$12; Class 4-\$24; Class 5 first license-\$20 and each additional license-\$2. Livery: Class 1-\$2; Class 2-\$3; Class 3-\$6. Also, increased the issuance fees on registrations to \$.50.

Acts 1981, No. 296, p. 377

Increased the annual license fees for vessel registrations as follows: Class 1-\$6; Class 2-\$10; Class 3-\$20; Class 4-\$40; Class 5 first license-\$25 and each additional license-\$3. Livery: Class 1-\$4; Class 2-\$6; Class 3-\$8.

Acts 1984, No. 446, p. 1040

Provided for a statewide fee schedule for the collection of various license fees by probate judges and increased said fee from \$.50 to \$1.

Acts 1988, No. 552, p. 868

Established a staggered system for annual vessel registrations (same schedule as for motor vehicle registration).

Acts 1993, No. 754, p. 1508

Increased the annual license fees for vessel registration as follows: Class 1-\$11; Class 2-\$15; Class 3-\$30; Class 4-\$50. Provided that the above fees also apply to livery boats.

Acts 1994, No. 622, p. 1162

Removed the provision allowing vessel owners to file an application for vessel registration with the Department of Conservation and Natural Resources. Such application must be filed only to the probate judge or license commissioner offices.

Acts 2007, No. 420, p. 896

Increased annual license fees for vessel registration, issuance fees, and change of ownership fees to current rates. Established the inspection fee for all homemade boats requiring hull identification numbers at current rate.

Acts 2013, No. 67, p. 130

Created the Marine Police Division within the Department of Public Safety and succeeded to the Department of Conservation and Natural Resources. Transferred funds of the division to the succeeding entity. Beginning January 1, 2015, boat registration fees began being deposited into the Public Safety Fund.

Acts 2016, No. 421, p. 1191

Provides an optional five-year vessel identification sticker, to be issued by the Alabama Law Enforcement Agency, in addition to current annual registration fees. The fee for each sticker is \$20, plus \$2 issuance fee retained by issuance official, and the \$20, less costs of production and processing, is distributed to the Department of Conservation and Natural Resources (DCNR) for state parks. Also provides for a five-year distinctive vessel identification sticker at a fee of \$50, of which \$25 is distributed to the sponsoring organization and \$25, less any additional production and processing costs, is distributed to DCNR for the operation of state parks.

Acts 2017, No. 379, p. 1210

Amended Act 2016-421 relating to distinctive vessel identification stickers; specifically, to: (1) remove the five (5) year vessel identification sticker and (2) change the renewal period for the distinctive vessel identification sticker from five (5) years to one (1) year. The proceeds from the \$50 distinctive identification sticker fee are distributed as follows: (1) actual cost of production delivery not to exceed 14% to the Alabama Correctional Industries Division of the Department of Corrections; (2) actual cost of processing applications, not to exceed 6%, to the Alabama State Law Enforcement Agency; (3) one-half of the remainder to the sponsoring organization; and (4) one-half of the remainder to the Department of Conservation and Natural Resources, designated for the operation of state parks. In addition, this bill would allow the issuance of one-year distinctive vessel identification stickers at an additional cost of \$50, plus an additional issuance fee of \$2 and any other surcharge or convenience fee, not to exceed the credit transaction fee, charged by the credit card processor.

Acts 2022, No. 144

Adopts the Uniform Certificate of Title for Vessels Act to: (1) require owners of vessels to obtain a certificate of title; (2) provide for the procedure for the owner of a vessel to apply for a certificate of title with the Alabama State Law Enforcement Agency; (3) provide for the issuance of the certificate of title and an issuance fee; and (4) specify the process for perfecting a security interest on a vessel and provide for the maintenance of records and files regarding the security agreement.

Acts 2022, No. 199

Adopts the Uniform Certificate of Title for Vessels Act to: (1) require owners of vessels to obtain a certificate of title; (2) provide for the procedure for the owner of a vessel to apply for a certificate of title with the Alabama State Law Enforcement Agency; (3) provide for the issuance of the certificate of title and an issuance fee; and (4) specify the process for perfecting a security interest on a vessel and provide for the maintenance of records and files regarding the security agreement.

Bureau of Loans Fees

Acts 1945, No. 159, p. 200

Created Bureau of Loans and established a \$200 annual license fee to be paid by loan companies making loans of \$300 or less. Exemptions same as present.

Acts 1951, No. 787, p. 1385

Provided for a \$25 investigation fee to accompany initial application for license by loan companies making loans of \$300 or less.

Acts 1957, No. 603, p. 862

Established an examination fee of \$100 annually on all licensees of the Bureau of Loans with fees collected to be paid into the State General Fund and earmarked for the use of the State Banking Department.

Acts 1959, No. 374, p. 966

For loan companies making loans of \$300 or less, increased investigation fee to current rate of \$100; changed examination fee to \$50 per day per examiner plus \$10 per diem per examiner, to be limited to \$400 total per year for licensees free from willful violations of this act; and provided that examination fees collected by the Bureau of Loans are deposited into a special fund to be used by the Bureau.

Acts 1971, No. 2052, p. 3290

Established \$200 annual license fee and present rate of \$100 investigation fee for all persons extending consumer credit not covered by the Alabama Small Loan Act; and increased examination fee to \$60 and examiner per diem to \$15.

Acts 1979, No. 327, p. 490

Increased the maximum amount to be considered as a "small" loan from \$300 to \$749; and changed the annual examination fee for small loan companies from \$60 per day to "the actual cost of each examination."

Acts 1980, No. 444, p. 689

Provided that the examination of small loan companies, finance companies and any other holder of a license from the State Banking Department may be conducted at any "reasonable" time (previously annually); based examination fees for all holders of licenses from the State Banking Department on the actual cost of conducting the examinations, as determined by the Superintendent of Banks.

Acts 1983, No. 747, p. 1244

Increased the annual license fee to \$400 for entities covered under the Small Loan Act and the Consumer Credit Act; and altered the distribution of collections schedule to the present schedule.

Acts 1992, No. 597, p. 1227

Provided for licensing and regulation of pawnshops.

Acts 1996, No. 576, p. 887

Increased the annual license fee from \$400 to \$500 for entities covered under the Alabama Consumer Credit Act.

Acts 2001, No. 692, p. 1439

Provided for licensing and regulation of mortgage brokers.

Acts 2002, No. 305, p. 863

Increased the maximum amount to be considered a "small" loan from \$749 to less than \$1,000; and increased the annual license fee for businesses regulated under the Small Loan Act from \$400 to \$500.

Acts 2003, No. 359, p. 992

Provided for licensing and regulation of businesses offering deferred presentment check-cashing services.

Acts 2004, No. 290, p. 407

Allowed for an acquisition charge (not in excess of 10% of the amount of the loan) and an account handling charge (rate structure based on the amount of the loan) on loans less than \$1,000 as an alternative to interest rates and other charges currently permitted by a license.

Acts 2006, No. 238, p. 435

Allowed for the charge of an account maintenance fee of \$3.00 for each month of repayment if such charge is provided for in the contract.

Acts 2007, No. 281, p. 383

Increased the late charge allowed by licensees under the Alabama Small Loan Act from no more than \$10 or 5% of scheduled payment in default to no more than \$18 or 5% of the scheduled payment default.

Acts 2009, No. 624, p. 1891

Amended the Mortgage Brokers Licensing Act. Limited those excluded from the licensure requirement, required certain applicants to have experience in the mortgage industry, combined the initial license and investigative fees, allowed for surety bonds and background checks, excluded exemptions from licensing fees, and allowed the licensee's principal place of business to be outside the State of Alabama.

Acts 2009, No. 625, p. 1900

Changed the months relating to when fees are due under the Alabama Small Business Loan Act. The Alabama Consumer Credit Act: (1) required a license to be held at each location where activity is conducted; (2) removed exemption of licensure for life insurance companies; (3) increased the amount a person licensed under the Small Loan Act can loan without being licensed under the Alabama Consumer Credit Act; (4) changed the months relating to when fees are due; (5) made all fees nonrefundable; and (6) allowed the State Banking Department to require applicants to obtain a surety bond, apply to the Nationwide Mortgage Licensing System and Registry, and submit to background checks. Deleted certain exemptions.

Acts 2009, No. 627, p. 1907

Provided for the licensing and regulation of mortgage loan originators, licensure exemptions, and a civil penalty for violations.

Acts 2011, No. 529, p. 866

Set the maximum late charge allowed by licensees under the Alabama Consumer Credit Act to match the late fees allowed under the Alabama Small Loan Act.

Acts 2017, No. 373, p. 1175

Increased the maximum loan amount under the Alabama Small Loan Act to \$1,500.

Business Privilege Tax

Acts 1999, 2nd Ex. Sess., No. 665, p. 131

Established the privilege tax at current rates, except for the minimum tax rate for financial institutions.

Acts 2000, No. 705, p. 1442

Established the current minimum tax for financial institution groups and made numerous other technical corrections to the privilege tax.

Act 2017, No. 363, p. 1136

The act amends Sections 40-14A-22 and 40-14A-25, Code of Alabama 1975, to ensure that business privilege tax returns are due at the same time as the corresponding federal income tax return and to delete the maximum business privilege tax amount for a Real Estate Investment Trust. The act also directs the Code Commissioner to change the name of the Taxpayer Advocate to the Taxpayer Assistance Officer and provides for multiple Taxpayer Assistance Officers.

Act 2022, No. 252

Provides that taxpayers who would otherwise be subject to the minimum tax business privilege tax due of \$100, would be required to pay only \$50 for taxable years beginning January 1, 2023; and further provides that for tax years beginning January 1, 2024, those taxpayers would be exempt from the payment of the business privilege tax.

Cigarette Tax

Acts 1935, No. 194, p. 256

Established cigarette tax rate as follows: 1.5 mills on those 3 inches or less; 3 mills over 3 inches and less than 6 inches; 6 mills on those in excess of 6 inches in length; and provided for the distribution of revenues to the Special Educational Trust Fund.

Acts 1945, No. 326, p. 528

Changed the tax rate on cigarettes as follows: 1.5 mills on each cigarette three and two-fifths inches or less; 3 mills on each cigarette three and two-fifths inches but less than five and one-half inches; and \$.01 on each cigarette five and one-half inches or longer.

Acts 1955, 2nd Ex. Sess., No. 73, p. 188

Increased cigarette tax rate to 2 mills on each cigarette three and two-fifths inches or less; 4 mills on each cigarette three and two-fifths inches and less than five and one-half inches; and \$.0133 on cigarettes five and one-half inches or longer. Also, changed distribution of revenues as follows: one-fourth to the Public Welfare Trust Fund for old age assistance purposes; and the balance to the Special Educational Trust Fund.

Acts 1959, 2nd Ex. Sess., No. 101, p. 318

Levied an additional cigarette tax of \$.02 per pack of 20 or less; \$.04 per pack of 21-40; and \$.06 per pack of more than 40; and provided for the distribution of revenues from this additional tax to the Special Educational Trust Fund.

Acts 1965, No. 654, p. 1177

Levied an additional cigarette tax of \$.01 per pack of 20 or less; \$.02 per pack of 21-40; and \$.03 per pack of more than 40. All revenues from this additional tax were distributed as follows: (a) to pay principal and interest on bonds issued by the State Industrial Development Authority; and (b) the balance to the General Mental Health Fund to be distributed: 60% to the State Health Officer for general health work; 30% to Alabama state hospitals; and 10% to Partlow State School.

Acts 1967, No. 275, p. 784

Levied an additional cigarette tax of \$.02 per pack of 20 or less; \$.04 per pack of 21-40; and \$.06 per pack of more than 40. All revenues from this additional tax were distributed as follows: (a) for acquiring and constructing mental health facilities and to pay principal and interest on bonds issued by the Mental Health Building Authority or the state for mental health facilities; and (b) the balance to the General Mental Health Fund to be distributed: 30% to the State Health Officer for general health work; and 70% to the Mental Health Board for mental health purposes.

Acts 1967, No. 309, p. 850

Levied an additional cigarette tax of \$.01 per pack of 20 or less; \$.02 per pack of 21-40; and \$.03 per pack of more than 40. All revenues from this additional tax were distributed as follows: (a) to pay principal and interest on bonds issued by the State Parks Development Authority; and (b) the balance to the State Parks Fund.

Acts 1969, No. 168, p. 453

Changed the distribution of the additional tax levied by Acts 1965, No. 654 to appropriate as much as necessary for the retirement of additional bonds issued by the State Industrial Development Authority. Similar distribution change made by Acts 1971, No. 1402; Acts 1973, No. 1021; and Acts 1975, No. 1175.

Acts 1969, No. 551, p. 1034

Levied an additional cigarette tax of \$.02 per pack of 20 or less; \$.03 per pack of 21-40; and \$.04 per pack of more than 40. All revenues from this additional tax were distributed to the State General Fund.

Acts 1973, No. 819, p. 1285

Changed the distribution of revenue for the cigarette tax that was established by Acts 1955, 2nd Ex. Sess., No. 73 by changing references to the use of funds distributed to the Public Welfare Trust Fund for "old age assistance purposes" to "general welfare purposes."

Acts 1978, 2nd Ex. Sess., No. 100, p. 1813

Amended the distribution of revenue to reallocate and appropriate as much as necessary for the retirement of additional bonds issued by the State Industrial Development Authority. Similar distribution change made by Acts 1981, 3rd Ex. Sess., No. 1141 and Acts 1983, 4th Ex. Sess., No. 922.

Acts 1980, No. 701, p. 1411

Levied an additional cigarette tax of \$.04 per pack of 20 or less; \$.08 per pack of 21-40; and \$.10 per pack of more than 40. All revenues from this additional tax were distributed to the State General Fund.

Acts 1984, No. 309, p. 684

Increased tax on cigarettes by \$.005 per pack of 20; abolished varying tax rates on cigarettes and established rate of 8.25 mills/cigarette or \$.165 per pack of 20 cigarettes; and changed distribution formula to allocate the additional \$.005 per pack of 20 to retire Industrial Development Bonds with residue allocated to Department of Mental Health and Mental Retardation.

Acts 1987, No. 550, p. 842, and No. 554, p. 857

Increased the debt service paid from cigarette tax receipts on maturing bonds issued by the State Industrial Development Authority; and decreased the distribution of such tax receipts annually to the State Health Officer and the Department of Mental Health and Mental Retardation.

Acts 1988, No. 475, p. 739

Established the Alabama Mental Health Finance Authority; pledged a portion of the cigarette tax proceeds, which was distributed to the Alabama Mental Health Building Authority, to the repayment of bonds issued by the Alabama Mental Health Finance Authority.

Acts 1988, No. 476, p. 749

Deleted the distribution of revenue derived from the cigarette tax to the Alabama Mental Health Building Authority and provided for the distribution of 12.12% of the said proceeds to the Alabama Mental Health Finance Authority. Also, changed references to the Mental Health Board to the Department of Mental Health and Mental Retardation.

Acts 1999, 2nd Ex. Sess., No. 650, p. 96

Effective January 1, 2001, deleted distribution of privilege/use taxes on cigarettes to the Education Trust Fund (formerly 30.30%) and increased distribution share to the State General Fund from 36.37% to 66.67%.

Acts 2004, No. 545, p. 1157

Increased the state cigarette tax rate to \$.425 per pack of 20 cigarettes and doubled the various taxes on other tobacco products; provided that no additional local taxes may be levied after the date of passage; provided that local taxes would be collected through the use of local stamps; and provided the distribution of proceeds.

Acts 2006, No. 619, p. 1694

Required each person who makes delivery sales of cigarettes to a consumer located in the state to comply with state tax laws, license and revenue-stamping requirements, and escrow payment obligations and to file with the Department of Revenue a statement for each sale with the name and location of the purchaser, the brand and quantity of cigarettes sold, and an indication of whether or not the cigarettes bore a tax stamp evidencing payment of cigarette taxes.

Acts 2014, No. 262, p. 827

Separated little cigars from certain filtered cigars and eliminated the retail selling price requirement to determine the tax rate on cigars. Also, required all wholesalers, jobbers, semi-jobbers or any other person selling, receiving or distributing tobacco products in Alabama for resale to file a report of its activity with the Department.

Acts 2015, 2nd Ex. Sess., No. 535, p. 1901

Effective October 1, 2015, increased the state cigarette tax by \$.25 per pack of 20 cigarettes to the current rate of \$.675 per pack of 20 and provided for the distribution of revenues from the increase in tax rate to the State General Fund for the Medicaid Program. Levied a floor-stock tax on tobacco products owned by any permitted wholesaler as of October 1, 2015. Reduced the discount allowed to wholesalers and jobbers to the current amount. Changed the distribution of sales taxes collected on consumable vapor products to the General Fund beginning January 1, 2016. Also, required wholesalers to stamp cigarettes and collect tobacco tax when the tobacco products are sold to a reservation tobacco vendor and provided for a refund of tobacco taxes paid by tribal members for products purchased within the boundaries of a federally recognized Indian reservation.

Coal Severance Tax

Acts 1971, No. 2305, p. 3719

Established the coal severance tax of \$.135 per ton of coal; provided for its collection and disposition; and provided that the tax would terminate upon the repayment of Docks facility bonds.

Acts 1971, No. 2306, p. 3724

Amended the act that authorized the issuance of \$15 million in bonds for the State Docks and then levied a special handling charge of \$.25 per ton on coal to be used to pay debt service on the bonds issued by that act. Upon repayment of the bonds, the special handling charge was discontinued.

Acts 1977, No. 598, p. 799

Imposed an additional levy of \$.20 per ton of coal severed; required that the proceeds be distributed to the counties and cities where the coal was severed; and prohibited local taxation of coal or lignite.

Acts 1980, No. 645, p. 1217

Repealed provisions of the \$.135 per ton levy which allowed proceeds in excess of the amount required to pay annual principal and interest on port facility bonds to be refunded to coal producers to provide that residual proceeds be credited to the State General Fund.

Acts 1985, No. 648, p. 1005

Provided that the Alabama State Docks may receive proceeds from the \$.135 per ton coal severance tax in order to pay for expenses and operating costs of its coal handling facilities and provided that the \$.135 per ton tax would terminate on the later of the redemption and repayment of Docks facility bonds or their final maturity date.

Acts 1990, No. 562, p. 956

Provided that the \$.135 per ton tax would terminate on October 1, 2006, unless extended by the Legislature.

Acts 1993, No. 680, p. 1301

Provided further for the distribution of the \$.135 per ton levy by transferring the following before any proceeds are credited to the State General Fund: first \$300,000 to the Alabama Mining Academy; \$500,000 to the Tuscaloosa County General Fund; \$500,000 to the Jefferson County General Fund; and \$200,000 to the Walker County Economic and Industrial Development Authority.

Acts 1997, No. 615, p. 1078

Provided further for the distribution of the \$.135 per ton levy distributed to the Tuscaloosa County General Fund.

Acts 2006, No. 386, p. 984

Provided further for the distribution of the \$.135 per ton levy by transferring additional amounts beginning with the 2006-07 fiscal year: \$100,000 to the Community Development Foundation, Inc.; \$100,000 to the Marion County Community Development Association, Inc.; \$100,000 to the West Alabama Development Association of Fayette County; \$100,000 to the Jackson County Economic Development Association; and \$100,000 to the West Alabama Economic Development Association. Also extended the termination date of the \$.135 per ton tax to October 1, 2011.

Act 2012, No. 386, p. 1030

Re-established the \$.135 per ton coal severance tax and provided for the current distribution of proceeds. Also, extended the termination date of the tax to October 1, 2021.

Act 2017, No. 369,

Levied an additional coal severance tax of \$0.025 per ton on coal produced from underground mining and \$0.05 per ton on coal produced from surface mining, on an amount not to exceed two million tons of coal mined per company each year, to be deposited into a special fund in the State Treasury and used exclusively for the operation of the Surface Mining Commission, and would expire on August 1, 2019.

Acts 2021, No. 120

This act amends Sections 40-13-6 and 40-13-8, Code of Alabama 1975, to: (1) extend the coal severance tax (1971 tax) set to expire on October 1, 2021, to October 1, 2031; (2) continue the distribution of the revenue for the payment of bonds for the Alabama State Docks and for distribution to the counties where the coal is severed; and (3) provide that after this distribution, any remaining revenue shall be distributed for the operation of the Surface Mining Commission in lieu of the State General Fund.

Contractors' Gross Receipts Tax

Acts 1963, No. 308, p. 787

Established 1% contractor's gross receipts tax on all contractors who construct, reconstruct, or build any public highway road, bridge, or street in the state and provided for proceeds to be credited to the Pensions and Security Trust Fund.

Acts 1971, No. 1517, p. 2635

Increased the rate from 1% to 5% of the gross receipts to current rate, except for contracts entered into before October 1, 1971, and provided for the distribution of the proceeds, after deduction of administrative cost, as 15% to the Pensions and Security Trust Fund and 85% to the Special Mental Health Trust Fund.

Acts 1981, No. 682, p. 1151

Provided an exemption for gross receipts received for escalations in construction costs.

Acts 1983, No. 723, p. 1177

Deleted the exemption for contracts in which the State is a joint party with a city, town, or county and defined "Gross Receipts."

Corporation and Business Entity Filing Fees

Acts 1971, No. 1513, p. 2609

Established the Alabama Partnership Act.

Acts 1980, No. 633, p. 1094

Established the Alabama Business Corporation Act.

Acts 1981, 2nd Ex. Sess., No. 1073, p. 320

Eliminated \$5 fee for filing annual reports.

Acts 1983, No. 513, p. 737

Established the Alabama Limited Partnership Act of 1983.

Acts 1984, No. 290, p. 502

Established the Alabama Nonprofit Corporation Act. **Acts 1988, 1st Ex. Sess., No. 899, p. 459**

Established Secretary of State Corporations Fund and schedule for deposits of collections into the Fund; also increased filing fees for business corporations.

Acts 1993, No. 724, p. 1425

Established the Alabama Limited Liability Company Act.

Acts 1994, No. 245, p. 343

Repealed and reestablished the Alabama Business Corporation Act.

Acts 1996, No. 528, p. 685

Established the Uniform Partnership Act of 1996; and provided for limited liability partnerships.

Acts 1997, 1st Ex. Sess., No. 920, p. 312

Revised substantially the Alabama Limited Liability Company Act.

Acts 1997, 1st Ex. Sess., No. 921, p. 335

Established the Alabama Limited Partnership Act of 1997.

Acts 2000, No. 211, p. 279

Established the Business Entities Conversion and Merger Act.

Acts 2000, No. 724, p. 1550

Increased the surcharge for expedited handling of filings by business corporations from \$10 to \$100.

Acts 2009, No. 513, p. 967

Established the Alabama Business and Nonprofit Entities Code to rearrange and provide uniformity among various statutes. Brought into a single section the various filing fee provisions scattered throughout the former law and increased filing and copying fees to current amounts. Changed the name of the Secretary of State's Corporations Fund to the Entity Fund. The provisions of the act were effective January 1, 2011.

Acts 2009, No. 621, p. 1805

Repealed the Alabama Limited Partnership Act of 1997 and established the Uniform Limited Partnership Act of 2010. The act became effective January 1, 2010; however, several provisions did not apply to certain limited partnerships until January 1, 2012.

Acts 2010, No. 211, p. 337

Changed the effective date for provisions of Act 2009-621 related to certain limited partnerships from January 1, 2012 to January 1, 2011 to coincide with the effective date of the Business and Nonprofit Entities Code established by Act 2009-513.

Acts 2018, No. 125

Amends the fee schedule for filing documents and issuing certificates for business entities collected by the Secretary of State or judge of probate. Increases fees collected by the Secretary of State and judge of probate for copying and certifying copies.

Acts 2020, No. 73

This act substantially revises the Alabama Business and Nonprofit Entities Code to: (1) allow business corporations to elect to become benefit corporations; (2) allow electronic filing of all entity filings; (3) provide a mechanism for the Secretary of State to reject certain filing instruments not accompanied by full payment; (4) clarify requirements of certificates of existence for entities; and (5) clarify that volunteer partners, managers, members, governing persons, and other members of a governing authority are considered officers of a qualifying nonprofit entity, thereby recognizing that there are nonprofit partnerships, nonprofit limited partnerships, and nonprofit limited liability companies.

Acts 2021, No. 222

Allows the Secretary of State to waive the Certificate of Existence fee for business entities if a state of emergency that has been declared in any state or by the federal government renders substantial compliance with the filing requirements impossible or unreasonable.

Credit Union Fees**Acts 1957, No. 603, p. 862**

Established examination fees for credit unions of \$25 per examiner per day for each credit union examined plus actual expenses of the persons making the examination with graduated maximum examination fees set according to total assets.

Acts 1967, No. 221, p. 589

Increased examination fees; and levied a \$50 application fee for a certificate of organization.

Acts 1975, No. 561, p. 1267

Increased operating fees.

Acts 1981, No. 852, p. 1529

Increased operating fees.

Acts 1985, No. 457, p. 425

Revised the fee schedule and application fee amount; and removed Bureau of Credit Unions from State Banking Department, creating the Alabama Credit Union Administration.

Acts 1995, No. 315, p. 667

Provided for membership fees of credit unions.

Acts 2014, No. 317, p. 1122

Established the current fee schedule. Allowed the Administrator to set the annual operating fees using the federal credit union fee schedule and to set an annual operating fee for corporate credit unions, not to exceed the maximum annual operating fee schedule for state-chartered credit unions. Increased the maximum application fee to \$1,000.

Acts 2016, No. 133, p. 315

Clarifies the application fee charged for the organization of a credit union cannot exceed \$1,000.

Acts 2017, No. 319, p. 569

Amended the examination cycle for credit unions to at least once every 18 months.

Deed Record Tax

Acts 1935, No. 194, p. 256

Established Deed Record Tax at present rates.

Acts 1951, No. 816, p. 1449

Provided for exemption from the Deed Record Tax of recordings of instruments previously exempt from the Mortgage Record Tax upon transfer to a person or entity not exempt from the Mortgage Record Tax.

Acts 1953, No. 769, p. 1029

Provided procedure for filing instruments which have been exempted by law from payment.

Acts 1976, No. 274, p. 304

Further exempted certain conveyances of religious organizations.

Acts 1979, No. 332, p. 506

Provided that deeds filed to convey to or from or create any property interest in or by a Municipal Special Health Care Facility Authority created pursuant to Chapter 62 of Title 11 are exempt.

Acts 1984, No. 314, p. 695

Provided that deeds filed to convey to or from or create any property interest in or by a public corporation organized pursuant to Chapter 97 of Title 11 are exempt.

Acts 1987, No. 816, p. 1630

Exempted re-recording instruments which are made to correct errors.

Acts 2012, No. 494, p. 1444

Required any instrument presented for record to be accompanied by proof of the actual purchase price paid for the property or if the property has not been sold proof of the actual value of the property which is the subject of the instrument being recorded.

Driver Record Report Fee

Acts 1951, No. 704, p. 1224

Established a fee of \$.50 for a motor vehicle operator's record certified abstract.

Acts 1961, No. 707, p. 999

Provided that the fee for a motor vehicle operator's record certified abstract may be no less than \$.50 but no more than \$1, to be determined by the Director of the Department of Public Safety.

Acts 1971, No. 1598, p. 2743

Increased the fee for a motor vehicle operator's record abstract to \$2.

Acts 1983, No. 722, p. 1177

Increased the fee for a motor vehicle operator's record abstract to \$4.

Acts 1988, 1st Ex. Sp. Sess., No. 721, p. 112

Increased the fee charged for a copy of any record in the files of the Department of Public Safety to \$5.

Acts 1988, 1st Ex. Sess., No. 909, p. 486

Increased the fee for a motor vehicle operator's record abstract to the current rate.

Acts 1989, No. 878, p. 1759

Provided for the Alabama Uniform Commercial Driver's License Act, which provides that driving record information will be provided to employers or prospective employers and businesses upon request and payment of a fee of \$5.75.

Acts 2001, No. 471, p. 627

To comply with the federal commercial driver's license provisions, the Department of Public Safety began providing a lifetime driver record history to employers and prospective employers of the CDL holder and charging \$15 per record. The fee was based on this act which increased the maximum fee for a copy of a record or report to \$15. Ten dollars of the fee is paid into the State General Fund (an increase of \$5 to the General Fund) and the remaining \$5 is deposited into the Department of Public Safety Highway Traffic Safety Fund (now the Public Safety Fund).

Driver's License Fees

Acts 1939, No. 181, p. 300

Established the regulation of motor vehicles on public highways and established the license fee at \$1.10 (\$.10 of which was retained by the probate judges) for a 2-year license and \$.25 for a duplicate license or temporary instruction permit; provided that driver's license receipts be deposited to a separate fund in the State Treasury – the Highway Patrol Fund.

Acts 1951, No. 485, p. 868

Increased driver's license fee to \$2.25 (\$.25 of which was retained by the probate judges and the counties).

Acts 1951, No. 880, p. 1519

Increased temporary instruction permit fee to \$.35.

Acts 1959, No. 346, p. 935

Provided for issuance of learners' permits to 15-year old's and established \$.50 fee for such permits.

Acts 1963, No. 193, p. 582

Increased license fee to \$4.25 for a 2-year license (\$.25 of which was retained by the probate judges and the counties and changed distribution of driver license receipts to provide that they be deposited to the State General Fund and be appropriated to the Department of Public Safety for salaries and other expenses of traffic and motor vehicle enforcement personnel.

Acts 1971, No. 1597, p. 2743

Provided for \$25 application fee for reinstatement of canceled, suspended, or revoked license to be deposited to the State General Fund.

Acts 1971, No. 1933, p. 3121

Increased fee for duplicate license to \$1 and \$4 for subsequent duplicates.

Acts 1973, No. 1289, p. 2201

Increased temporary instruction permit fee for persons 16 years of age or older to \$.50.

Acts 1973, No. 1290, p. 2203

Increased fee for first duplicate license to \$1.50.

Acts 1975, No. 539, p. 1192

Required photograph on license and changed fee to \$9 for a 4-year license (\$.50 of which was retained by the probate judges and the counties) and provided for \$9, 4-year nondriver identification cards and changed the use of driver license receipts appropriated from the State General Fund to "Public Safety Use."

Acts 1979, No. 203, p. 311

Increased the fee from \$9 to \$10 for a 4-year license or nondriver identification card with the additional \$1 for a total of \$1.50 to be retained by the probate judges and/or the counties.

Acts 1980, No. 510, p. 789

Increased the fee for a 4-year driver's license or nondriver identification card to \$15.

Acts 1980, No. 530, p. 829

Provided for an examination fee of \$5 prior to testing for driver's licenses, temporary instruction and learners' permits, and motor driven cycle operator's licenses.

Acts 1983, 3rd Ex. Sess., No. 825, p. 41

Provided that nondriver identification cards do not require renewal.

Acts 1984, No. 305, p. 678

Authorized the Department of Public Safety to levy an additional fee (not to exceed \$.10 over actual costs of materials) to recover the cost of obtaining photo driver's licenses and nondriver's identification cards. The Department implemented this act effective January 7, 2002, at which time fees were increased by \$3, with the additional \$3 deposited to the Highway Traffic Safety Fund.

Acts 1984, 1st Ex. Sess., No. 815, p. 248

Provided for special 8-year nondriver identification cards for intellectually disabled persons for a fee of \$2 and allowed the counties to retain \$.25 for each card issued.

Acts 1988, 1st Ex. Sess., No. 728, p. 125

Increased the cost of a duplicate license from \$1.50 to \$5 and the cost of subsequent duplicates from \$4 to \$15.

Acts 1988, 1st Ex. Sess., No. 729, p. 125

Increased the cost of temporary instruction and 15-year-old learner's permit to \$15 and extended validity of such permit to four years (converts to operator's license for duration if driver's examination passed during that time).

Acts 1988, 1st Ex. Sess., No. 731, p. 134

Increased the cost of an application for reinstatement of a canceled, suspended, or revoked license to \$50; established additional fee of \$50 if canceled, suspended, or revoked license not surrendered within 30 days.

Acts 1989, No. 878, p. 1759

Established the Uniform Commercial Driver License Act. Effective October 1, 1990, persons driving a commercial motor vehicle must hold a commercial driver's license valid for the vehicle being driven (or must hold a valid automobile license and be accompanied by the holder of a commercial driver's license valid for said vehicle). Provided for an application fee of \$5 (not assessed against existing bus drivers); \$45 for a Class A CDL; \$35 for a Class B CDL; and \$15 for a Class C CDL.

Acts 1990, No. 577, p. 982

Provided for \$15 fee for school bus driver's commercial driver's license.

Acts 1993, No. 352, p. 546

Levied an additional \$25 fee for reinstatement of drivers' licenses suspended pursuant to this act for conviction of certain drug related crimes. The additional fee is deposited to the Public Safety Drug Offender Reinstatement Fund for use of the Department of Public Safety.

Acts 1993, No. 769, p. 1538

Increased the fee for a 4-year regular driver's license, nondriver identification card, or learner's license from \$15 to \$20; created the Public Safety Law Enforcement Fund into which the additional \$5 is deposited, to be appropriated and expended for law enforcement purposes.

Acts 1995, No. 522, p. 1057

Changed nondriver identification card for mentally handicapped persons from \$2 fee and 8-year renewal requirement to \$1.50 fee for permanent card; changed nondriver identification card for physically disabled or legally blind persons from \$20 fee for permanent card to \$1.50 fee for permanent card; changed nondriver identification card for persons age 62 and over from \$20 fee for permanent card to the cost to the Department of Public Safety and the county issuance fee (total of \$5 - \$3.50 Department cost and \$1.50 issuance fee). Fee for nondriver identification card for persons less than age 62 who are not mentally or physically disabled or legally blind remained \$20, with 8-year renewal required (former card was permanent).

Acts 2000, No. 800, p. 1901

Created the Highway Traffic Safety Fund for the Department of Public Safety to replace the Drug Offender Reinstatement Fund and the Public Safety Law Enforcement Fund; increased the fee from \$5 to \$15 for issuance of the first duplicate; and provided that all receipts from fees for duplicate of a lost or destroyed license shall be deposited in the Highway Traffic Safety Fund, rather than to the State General Fund, effective October 1, 2000.

Acts 2001, No. 471, p. 627

Increased certain fees (also see Motor Vehicle Accident Report Fee), effective August 1, 2001, imposed by the Department of Public Safety. The fee for reinstatement of a driver's license increased as follows:

- from \$50 to \$275 for a license canceled, suspended, or revoked as a result of a drug or alcohol related offense, of which \$200 shall be deposited to the Highway Traffic Safety Fund and \$75 to the State General Fund (a \$25 increase to the General Fund);
- from \$50 to \$175 for a license revoked as a result of an offense not related to drugs or alcohol, of which \$100 shall be deposited to the Highway Traffic Safety Fund and \$75 to the State General Fund (a \$25 increase to the General Fund); and
- from \$50 to \$100 for a license canceled or suspended as a result of an offense not related to drugs or alcohol, of which \$25 shall be deposited to the Highway Traffic Safety Fund and \$75 to the State General Fund (a \$25 increase to the General Fund).

Also exempted from reinstatement fees, anyone whose driver's license has been suspended for medical reasons.

Acts 2004, No. 521, p. 1060

Amended certain sections of the Alabama Uniform Commercial Driver License Act, including provisions to increase or add certain commercial driver license fees as follows:

- Increased the application fee for a Commercial Driver License (CDL) from \$5 to \$25, with \$19.25 of the additional \$20 to be deposited to the State General Fund and \$.75 to the Peace Officers' Annuity and Benefit Fund.
- Increased the application for an endorsement fee from \$5 to \$25, with the additional \$20 to be distributed to the Highway Traffic Safety Fund.
- Increased the retest fee from \$5 to \$15, with the additional \$10 to be deposited to the Highway Traffic Safety Fund.
- Established an application fee of \$25 for the CDL learner's permit, with \$24.25 to be deposited to the State General Fund and \$.75 to the Peace Officers' Annuity and Benefit Fund; a skills portion of the license test fee of \$20, to be deposited to the Highway Traffic Safety Fund; and a hazardous materials endorsement fee, which shall not exceed the actual cost of conducting a background check, to be deposited to the Automated Fingerprint Identification System Fund.
- Increased by \$5 the fee for the issuance of a CDL, with the additional \$5 to be deposited to the Highway Traffic Safety Fund.
- Provided for the issuance of a CDL learner's permit, valid for one year, for a fee of \$20, to be deposited to the Highway Traffic Safety Fund.

Acts 2006, No. 554, p. 1274

Provided that all driver's license and nondriver identification card fees remain the same including the \$1.50 fee that goes to the county. However, prior to enactment of this act in counties in which the judge of probate was compensated by fees (Marion and Winston), 40% of each \$1.50 was retained by the judge and the remaining 60% was paid into the public highway and traffic fund of the county, and in counties in which the judge was not compensated by fees, the entire amount (\$1.50) was paid into the public highway and traffic fund of the county. This act provides that the \$1.50 be remitted to the county general fund, rather than the public highway and traffic fund of the county and, in Marion and Winston Counties, the judge of probate (fund).

Acts 2009, No. 762, p. 2308

Changed the list of items to be considered in determining the actual cost of obtaining a photo driver's license and nondriver identification card and imposed an additional \$.50 for each driver's license and photo nondriver identification card issued, with the additional receipts allocated and appropriated to the Alabama Veterans Living Legacy Trust Fund.

Acts 2015, No. 185, p. 476

Effective January 30, 2016, required the Alabama Law Enforcement Agency, in collaboration with the Board of Pardons and Paroles, to implement a hardship driver license program with specified driving privileges for inmates in work release or community corrections programs and for persons released from incarceration.

Acts 2015, No. 223, p. 656

Provided for a motorcycle knowledge test, at a fee of \$5, prior to operating a motorcycle on a highway as well as a Class M motorcycle endorsement or a Class M motorcycle license.

Act 2016, No. 336

Provided that an applicant may renew a driver's license within 180 days, rather than 30 days, prior to the expiration of the license. Active duty members of the United States Armed Forces are exempted from the 180-day limit upon proof of deployment.

Acts 2019, No. 249

Authorizes the issuance of Class A commercial driver licenses to individuals who have reached the age of 18 years but who have not reached the age of 21 years for use only in intrastate commerce.

Acts 2022, No. 300

Provides for an exemption for students who meet the definition of a homeless child or youth under federal law from the payment of certain fees associated with obtaining a driver's license or nondriver identification card, including the driver's license or nondriver identification card issuance fee, renewal fee, replacement fee, examination fee, and certain other fees.

Financial Institution Excise Tax

Acts 1935, No. 194, p. 256

Established financial institution excise tax at 6%.

Acts 1965, No. 276, p. 390

Provided that production credit associations were to be subject to the excise tax.

Acts 1978, No. 840, p. 1247

Provided that bank holding companies were to be recognized as financial institutions for excise tax purposes and were therefore exempted from state income taxation.

Acts 1991, No. 478, p. 866

Permitted incorporated municipalities to levy license taxes, but not in excess of those authorized by Section 11-51-130, *Code of Alabama 1975*. This tax may be credited against the tax levied by Section 40-16-4.

Acts 1993, 1st Ex. Sess., No. 852, p. 95

Expanded deductions from gross income to include the amount of aid or assistance provided to the State Industrial Development Authority.

Acts 1999, 2nd Ex. Sess., No. 664, p. 124

Increased the tax rate to 6.5% for all tax years beginning after December 31, 2000; and provided that all revenue generated from the increased tax rate be deposited to the State General Fund. The rate increase was contingent upon the ratification of the constitutional amendment proposed by Act 1999-600. The amendment was ratified as Amendment No. 662 on June 19, 2000.

Acts 1999, 2nd Ex. Sess., No. 665, p. 131

Directed the Department of Revenue to adopt regulations to prescribe the method of allocating and apportioning net income of financial institutions that do business in more than one state; provided that businesses issuing credit cards to Alabama residents are subject to the tax; and provided that all revenue generated from taxpayers with no physical presence of the state is to be distributed to the State General Fund.

Acts 2006, No. 114, p. 173

Conformed Alabama tax law to federal law regarding the taxation of trusts and estates. Known as "Subchapter J and Business Trust Conformity Act."

Acts 2016, No. 280, p. 712

Prohibited taxpayers from applying new or amended credits allowed to a financial institution on or after January 1, 2016, to the portion of the financial institution excise tax liability distributable to a municipality or county.

Acts 2016, No. 283, p. 718

Removes the requirement that the Department of Revenue use the allocation and apportionment formula for financial institutions recommended by the Multistate Tax Commission.

Acts 2017, No. 165, p. 216

Provided that loan and credit card receivables be included as property for the apportionment formula for financial institutions with income from activity taxable both inside of and outside of Alabama for tax years beginning on or after January 1, 2017. Required the Alabama Department of Revenue (ADOR), on or before December 31, 2030, to certify to the Legislature that: (1) the applicable law in a majority of the states, including two states contiguous with Alabama, requires a financial institution to allocate and apportion its net income based at least in part on the institution's property in that state, and (2) the related definition of property in each of those states excludes a financial institution's loans and credit card receivables; then ADOR must adopt a rule consistent with the applicable law in those states.

Acts 2019, No. 284

Transitioned the current Financial Institutions Excise Tax (FIET) post-payment system to a pre-payment system. Provided that the Department of Revenue shall distribute the balance of financial institutions excise tax revenue, net of refunds, quarterly as follows: (1) 50% to the State General Fund (SGF), (2) 33.3% to municipalities, and 16.7% to counties. Provided for the distribution of total municipal and total county financial institutions excise tax revenue. Provided that to account for the transition, the Department of Revenue shall waive penalties and interest attributable to underpayments of estimated tax payments occurring within the first two applicable tax years not attributable to an intentional disregard of the law.

Fireworks and Explosives Permit Fees

Acts 1981, No. 409, p. 638

Established fireworks permit fees at following rates:

Manufacturer	\$750
Distributor	\$750
Wholesaler	\$250
Retailer	\$25
Display	\$1

Provided for deposit of permit fees to Fire Marshal Fund.

Acts 1987, No. 563, p. 876

Increased fireworks permit fees to the following rates:

Manufacturer	\$1,000
Distributor	\$1,000
Wholesaler	\$350
Retailer	\$100
Seasonal Retailer	\$100
Seasonal Retailer after July 10	\$50
Display	\$25

Acts 1993, No. 713, p. 1390

Established the Alabama Explosives Safety Act of 1993. Established explosives certification and blasting contractor license fees at following rates and provided for deposit of those fees to Fire Marshal Fund.

Certification	\$50
Blasting Contractor License	\$1,000

Acts 2003, No. 378, p. 1068

Increased fireworks permit fees and explosives certification and blasting contractor license fees to current rates; and established fee at current rates for use of pyrotechnics before a proximate audience.

Act 2016, No. 414

Provides for crimes for unlawful manufacture of a destructive device or biological or bacterial weapon and provides for the State Fire Marshal to establish qualifications and procedures for issuing a permit to lawfully manufacture a destructive device.

Act 2018, No. 464

Requires the State Fire Marshal to regulate and license pyrotechnic display operators and pyrotechnic special effects operators, on a two-year basis. Established the fee of \$120 for each initial application, renewal and reciprocal license issued.

Act 2021, No. 399

Further defines fireworks and the sale of fireworks and increase the fees for various permits, including automatic adjustments of the fees based on the Consumer Price Index, and provides further for the operation of the State Fire Marshal Fund and provide for a transfer of a portion of fees to the Firefighter's Annuity and Benefit Fund.

Forest Products Severance Tax

Acts 1945, No. 169, p. 285

Established forest products severance tax (see act for various rates).

Acts 1967, No. 763, p. 1619

Increased the tax rates as follows: \$.30 per 1000' for pine lumber sold as logs; \$.12 per 1000' for hardwood and others; \$.10 per cord for pulpwood.

Acts 1973, No. 500, p. 738

Levied a privilege tax against the processor or manufacturer of forest products in the amount of 50% of the tax on the severer.

Acts 1985, No. 700, p. 1141

Increased the tax rates (see act for various rates).

Acts 1988, 1st Ex. Sess., No. 842, p. 315

Increased forest products severance tax rates to present rates; and prohibited the levy of any local tax on severing, processing, or manufacturing of forest products.

Acts 1993, 1st Ex. Sess., No. 888, p. 158

Provided the option to pay forest products severance tax based on either volume (existing law) or weight (new law).

Acts 2017, No. 301, p. 514

Removed the alternate means for calculating the severance tax (Doyle rule) and revised the definition of forest products subject to the severance tax. Removed the severance tax on the following products: 1) pine lumber; 2) hardwood lumber; 3) chemical wood; 4) bolts; 5) crossties; 6) switch ties; 7) mine ties and coal mine props; 8) pine ore mine props; 9) hardwood ore mine props; and 10) turpentine. Exempts pulpwood chips and residual pulpwood chips used as residual fuel.

Acts 2022 No. 206

Provided that the current annual license tax and registration fees for trucks and truck tractors owned and used by any person for transporting forest products are also applicable to trucks and truck tractors owned and used by any person for activities reasonably related to the harvesting and processing of forest products.

Freight Line Equipment Companies Tax

Acts 1935, No. 194, p. 256

Established tax at 2% of 60% of the value of the average number of cars.

Acts 1971, No. 1413, p. 2408

Changed the tax rate to 3.5% of 30% of the value of the average number of railroad cars.

Public Law 94-210, 90 Stat. 54, February 5, 1976

Limited the assessment rate of railroad transportation equipment, for purposes of state and local taxation, to the rate that applied to all other commercial and industrial property, and thereby reduced the assessment rate of the freight line equipment tax to 20% (current rate).

Fishing Licenses - Freshwater

Acts 1923, No. 588, p. 762

Established freshwater fishing license fees for nonresidents for annual fee of \$5; created the Fish Hatchery Fund into which all revenues arising from the sale of fishing licenses and from fines, penalties, and forfeitures were to be deposited; and authorized probate judges to retain \$.15 of license fee.

Acts 1935, No. 240, p. 632

Provided for nonresident 7-day trip freshwater fishing license fee of \$2; and provided that receipts from all hunting and fishing license fees, penalties, forfeitures, etc. be deposited to Game and Fish Fund.

Acts 1936-37, Ex. Sess., No. 147, p. 165

Provided a \$1 resident fishing license fee for those over the age of 16 while fishing with rod and reel and artificial bait.

Acts 1966, No. 423, p. 567

Established an annual special fishing license for totally disabled persons with a license fee of \$0.25.

Acts 1971, No. 1980, p. 3222

Amended the method of obtaining a resident fishing license by requiring that residents between the ages of 16 and 65 purchase such licenses; provided issuance fees of \$.25 for the resident license and \$.15 for persons over the age of 65; and provided exemptions for fishing in a private pond and for fishing with a hook and line in a resident's county of residence

Acts 1975, No. 1209, p. 2523

Provided the issuance fee for all licenses sold by the Game and Fish Division of the Department of Conservation and Natural Resources to be \$.25.

Acts 1977, No. 351, p. 468

Increased the nonresident fishing license fee to \$10 and expanded it to include salt and brackish water (as well as freshwater); provided for issuance fee of \$.25; provided that of the new \$10 fee, \$7 be deposited to Game and Fish Fund and \$3 to Marine Resources (Seafoods) Fund; increased nonresident trip fishing license to \$4 and expanded it to include salt and brackish water; and provided that of the new \$4 fee, \$3 be deposited to Game and Fish Fund and \$1 to Marine Resources (Seafoods) Fund.

Acts 1979, No. 803, p. 1481

Increased the cost of resident fishing licenses to \$6; and restricted the hook and line license to the county in which the licensee resides.

Acts 1981, 3rd Ex. Sess., No. 1122, p. 386

Established a lifetime resident hunting license fee of \$200, lifetime resident freshwater fishing license fee of \$100, and a combination lifetime hunting/freshwater fishing license fee of \$300; and provided that such license fees be deposited into a special account known as the Alabama Game and Fish Endowment Fund within the Game and Fish Fund.

Acts 1984, No. 446, p. 1040

Increased license issuance fee for probate judges to \$1 per license.

Acts 1986, 1st Ex. Sess., No. 649, p. 31

Exempted nonresidents under the age of 16 from fishing license requirements; increased nonresident fishing license fee to \$15, except that license fee for residents of Florida, Georgia, Louisiana, Mississippi, and Tennessee to be that charged to Alabama residents by those states; increased nonresident 7-day trip license fee to \$7 and provided for same reciprocal arrangement with certain other states as the annual license; provided for current distribution of nonresident fishing license fees; and provided 90% of the above license fees be deposited into the Game and Fish Fund and 10% be deposited into Marine Resources (Seafoods) Fund.

Acts 1988, Ex. Sess., No. 805, p. 242

Increased the annual resident freshwater fishing license fee to \$8.50; provided for a reciprocal agreement with Florida to exempt residents of Alabama over 65 years of age from the requirement of procuring a fishing license; and provided for the issuance of a combination hunting/fishing license.

Acts 1989, No. 300, p. 487

Increased the fees for lifetime resident freshwater fishing license to \$150, lifetime resident hunting license to \$300, and combination lifetime resident hunting/freshwater fishing license to \$450; and prohibited nonresident Alabama property owners from obtaining lifetime hunting, lifetime fishing, or combination lifetime hunting/fishing licenses.

Acts 1993, No. 322, p. 486

Established the resident 7-day freshwater trip license at \$5 and nonresident annual combination saltwater/freshwater license at \$60; decreased the resident annual combination saltwater/freshwater license to \$23.50 and changed its distribution; and increased nonresident annual freshwater license to \$30 and nonresident 7-day freshwater license fees to \$10.

Acts 1996, No. 667, p. 1129

Increased issuance fee for disabled persons from \$.25 to \$1; and provided for the issuance of the licenses to be on a continuous basis during the period of disability.

Acts 2000, No. 735, p. 1604

Established the 64 lifetime licenses at the current rates and distribution. Changed the effective date of Act 1999-660, 2nd Ex. Sess., from November 29, 2000 to June 1, 2000.

Acts 2000, No. 742, p. 1647

Established the annual resident sportsman's license at \$58.50 and provided distribution of \$15 to the Marine Resources Fund and the balance to the Game and Fish Fund. (See also Hunting Licenses, Legislative History, Acts 2000, No. 742 for hunting provisions).

Acts 2004, No. 449, p. 794

Authorized U.S. military personnel stationed in Alabama on active duty to be deemed residents for hunting and fishing license purposes; exempted Alabama residents that are active members of the National Guard and certified law enforcement personnel from hunter safety education requirements; clarified that hunting and fishing licenses are not transferable; and authorized residents of the state on leave from active military duty to hunt or fish without obtaining a license.

Acts 2007, No. 418, p. 874

Established the Wildlife Heritage Act of 2007. Increased the license fees for the following freshwater fishing licenses to base amounts before Consumer Price Index (CPI) adjustments: annual resident; annual nonresident (including issuance fee); nonresident 7-day trip (including issuance fee); lifetime resident freshwater fishing; lifetime resident hunting/freshwater fishing license; and lifetime resident hunting/saltwater and freshwater fishing license. Provided that these license fees and accompanying issuance fees are subject to possible annual adjustment beginning in FY 2011 based on the percentage increase in the CPI if such adjustment is recommended by the Commissioner and approved by the Department's Advisory Board. Repealed laws providing for the issuance of annual resident hunting and fishing licenses on a combination basis, resident 7-day trip freshwater fishing license, resident combination freshwater/saltwater license, and the sportsman's license. Established the disabled military veteran license, annual resident wildlife heritage license, and lifetime resident wildlife heritage license. (See also Hunting Licenses, Legislative History, Acts 2007, No. 418 for hunting provisions).

Acts 2014, No. 340, p. 1262

Established the resident daily state lake fishing license at \$5 and the nonresident state lake fishing license at \$5 per day or \$10 per year. Both licenses are subject to the cost adjustment provided in Section 9-11-68, *Code of Alabama 1975*, in addition to the applicable issuance fee. Established the nonresident 3-day family fishing license at the same rate as the nonresident 7-day trip fishing license for up to 4 additional family members. Established a disabled 3-day fishing event license at \$100 to include up to 20 disabled residents or nonresidents and 20 assistants; and an additional \$5 is charged per additional disabled person over the 20-person limit.

Acts 2015, No. 455, p.1491

Established an annual special disabled hunting license, in addition to the special disabled fishing license already established. Provided the following license fees in addition to the \$1 issuance fee: hunting license, \$5; freshwater fishing license, \$2, fishing license, \$2. Provided that the annual license and issuance fee are subject to adjustment based on the Consumer Price Index upon approval of the Commissioner of the Department of Conservation and Natural Resources, Advisory Board of Conservation and Natural Resources, and Legislative Council.

Acts 2017, No. 92, p. 131

Authorizes a non-resident student at an institution of higher education in this state to purchase a resident hunting or fishing license.

Acts 2021, No. 83

This act adds Section 9-11-65.3 to the Code of Alabama 1975, to require the Department of Conservation and Natural Resources to issue lifetime resident disabled military veterans appreciation hunting licenses, fishing licenses, saltwater fishing licenses, and combination licenses at a reduced cost for the licenses based on the age and percentage of disability of a disabled veteran.

Fishing Licenses - Saltwater

Acts 1977, No. 351, p. 468

Increased the nonresident fishing license fee to \$10 and expanded it to include salt and brackish water (as well as freshwater) and provided for issuance fee of \$.25; provided that of the new \$10 fee, \$7 be deposited to Game and Fish Fund and \$3 to Marine Resources (Seafoods) Fund; increased nonresident trip fishing license to \$4 and expanded it to include salt and brackish water; and provided that of the new \$4 fee, \$3 be deposited to Game and Fish Fund and \$1 to Marine Resources (Seafoods) Fund.

Acts 1986, 1st Ex. Sess., No. 649. p. 31

Exempted nonresidents under the age of 16 from fishing license requirements; increased nonresident fishing license fee to \$15, except that license fee for residents of Florida, Georgia, Louisiana, Mississippi, and Tennessee, to be that charged to Alabama residents by those states; increased nonresident 7-day trip license fee to \$7 and provided for same reciprocal arrangement with certain other states as the annual license; provided for the distribution of nonresident fishing license fees; and provided 90% of the above license fees be deposited into Game and Fish Fund and 10% be deposited into Marine Resources (Seafoods) Fund.

Acts 1992, No. 344, p. 736

Provided for annual resident saltwater fishing license at \$15 and a combination annual resident

saltwater/freshwater license for a fee of \$25; provided for the distribution of annual resident saltwater fishing license fees to the Marine Resources (Seafoods) Fund; provided for the distribution of the combination license fees with \$15 going to the Marine Resources (Seafoods) Fund and \$10 going to the Game and Fish Fund; repealed the requirement that 10% of resident freshwater fishing licenses be deposited to the credit of the Marine Resources (Seafoods) Fund; and expressed legislative intent that the Department of Conservation and Natural Resources enter into a reciprocal agreement with the State of Florida exempting persons 65 years of age or older from state fishing and hunting license requirements.

Acts 1993, No. 322, p. 486

Provided for the following new license fees: resident 7-day saltwater trip license at \$15, annual public fishing pier operator license at \$1,000, resident annual saltwater pier fishing license at \$5, nonresident annual saltwater fishing license at \$30, nonresident 7-day trip saltwater fishing license at \$10, and nonresident annual combination saltwater/freshwater license at \$60; and decreased the resident annual combination saltwater/freshwater license to \$23.50; and changed distribution to \$15 to the Marine Resources Fund and \$8.50 to the Game and Fish Fund.

Acts 1999, 2nd Ex. Sess., No. 660, p. 117

Established the resident lifetime saltwater license at \$250, saltwater combination freshwater/saltwater license at \$400, lifetime combination saltwater/hunting license at \$550, and lifetime combination freshwater/saltwater and hunting license at \$700. Established the Alabama Marine Resources Endowment Fund.

Acts 2000, No. 735, p. 1604

Established the 64 lifetime licenses at the current rates and distribution. Changed the effective date of Act 1999-660, 2nd Ex. Sess. from November 29, 2000 to June 1, 2000.

Acts 2000, No. 742, p. 1647

Established the annual resident sportsman's license at \$58.50 and provided distribution. (See also Hunting Licenses, Legislative History, Acts 2000, No. 742 for hunting provisions).

Acts 2004, No. 449, p. 794

Authorized U.S. military personnel stationed in Alabama on active duty to be deemed residents for hunting and fishing license purposes; clarified that hunting and fishing licenses are not transferable; and authorized residents of the state on leave from active military duty to hunt or fish without obtaining a license.

Acts 2007, No. 418, p.874

Established the Wildlife Heritage Act of 2007. In addition to hunting and freshwater fishing provisions, increased the fees for lifetime saltwater and combination saltwater/freshwater and hunting license fees; and made fees subject to possible annual adjustment beginning in FY 2011 based on the percentage increase in the Consumer Price Index (CPI). Repealed laws providing resident annual combination saltwater/freshwater license, resident annual combination hunting/fishing license, public pier license, and sportsman license.

Acts 2007, No. 419, p. 897

Increased the fees for saltwater fishing licenses to the following base amounts before CPI adjustments: annual resident to \$20; resident 7-day trip to \$8; annual nonresident to \$44; and nonresident 7-day trip to \$24. Also, made the above fees subject to possible annual increase beginning in FY 2011 based on the percentage increase in the Consumer Price Index (CPI). Repealed law providing for public pier license.

Acts 2008, No. 384, p. 714

Increased fines for various violations of game and fish laws. Reestablished the public pier fishing license at current rate.

Acts 2008, No. 467, p. 1022

Required the Department to promulgate rules and establish and administer a voluntary program to acquire and retire commercial gill net permits of saltwater commercial fishermen and to provide economic relief to qualified resident and nonresident saltwater commercial fishermen who surrendered their license on or before March 1, 2009. Levied a temporary \$8 surcharge on each resident and nonresident saltwater fishing license issued for a period of five years. Deposited receipts from the surcharge into the Marine Resources Restoration Fund established by this act and used to offset the cost of providing the economic relief to the commercial saltwater fishermen and for research and development. (**NOTE:** The surcharge is no longer collected by the Department.)

Acts 2010, No. 513, p.846

Established a nonresident saltwater pier fishing license for \$10, plus a \$1 issuance fee. Changed the expiration date of public pier fishing licenses and resident saltwater pier fishing licenses from July 31 to August 31.

Acts 2014, No. 340, p. 1262

Subjected the public fishing pier license, resident and nonresident annual saltwater pier fishing license, and applicable issuance fees to possible annual adjustment based on the percentage increase in the Consumer Price Index if recommended by the Commissioner and approved by the Department's Advisory Board.

Acts 2015, No. 455, p. 1491

Established an annual special disabled hunting and saltwater fishing license, in addition to the special disabled fishing license already established. Provided the following license fees, in addition to the \$1 issuance fee: hunting license: \$5; freshwater fishing license: \$2, fishing license: \$2. Provided that the annual license and issuance fee are subject to adjustment based on the Consumer Price Index upon approval of the Commissioner of the Department of Conservation and Natural Resources, Advisory Board of Conservation and Natural Resources, and Legislative Council.

Acts 2019, No. 134

Authorized the Department of Conservation and Natural Resources to issue military veterans' appreciation saltwater fishing licenses to veterans who are 20 percent or more disabled for \$2 plus a \$1 issuance fee. This act also authorized a check-off option for persons obtaining any saltwater fishing license to donate an additional \$1 to the Division of Marine Resources and established a disabled three-day saltwater fishing event license for events sanctioned by the Commissioner. The three-day saltwater fishing event license will cost \$100 for up to 20 residents or nonresidents and any licenses issued over the 20-person limit will require an additional \$5 fee.

Acts 2022, No. 199

Provided that for commercial fishing activities: (1) all vessels and equipment used predominantly in the business of commercial fishing are exempt from ad valorem taxation; (2) bait and other fishing materials and equipment used for commercial fishing are exempt from sales and use tax; and (3) the purchase and storage of vessels and machinery used for commercial fishing have a levy for sales and use tax rate differential of one and one-half percent.

Acts 2022, No. 423

Provided that for commercial fishing activities: (1) all vessels and equipment used predominantly in the business of commercial fishing are exempt from ad valorem taxation; (2) bait and other fishing materials and equipment used for commercial fishing are exempt from sales and use tax; and (3) the purchase and storage of vessels and machinery used for commercial fishing have a levy for sales and use tax rate differential of one and one-half percent.

Gas Pipeline Safety Inspection Fee

Acts 1983, No. 588, p. 920

Established the fee at the current rate.

Gasoline Tax (and Gasoline Portion of the Motor Carrier Fuel Tax)

Acts 1923, No. 62, p. 36

Established the excise tax on gasoline at \$.02 per gallon.

Acts 1927, No. 340, p. 326

Increased tax to \$.04 per gallon.

Acts 1931, No. 743, p. 859

Increased tax to \$.05 per gallon.

Acts 1932, No. 324, p. 314

Increased tax to \$.06 per gallon.

Acts 1955, 1st Ex. Sess., No. 44, p. 73

Increased tax to \$.07 per gallon.

Acts 1961, No. 674, p. 925

Provided further for the taxation of gasoline and/or motor fuel sold to or withdrawn from storage or used in the state by motor carriers by establishing a separate excise tax on motor carrier fuel.

Acts 1980, No. 427, p. 590

Levied an additional excise tax of \$.04 per gallon on gasoline, motor fuel, and lubricating oil.

Acts 1987, No. 675, p. 1205

Authorized municipalities to use proceeds from the \$.04 tax on gasoline, motor fuel, and lubricating oil for new road construction.

Acts 1992, No. 203, p. 486

Levied an additional excise tax of \$.05 per gallon on gasoline and provided for its distribution. Proportionately increased refund on gasoline for agricultural use and static testing of engines.

Acts 2000, No. 736, p. 1608

Provided additional allocations from the gross \$.07 and \$.05 receipts of 70% of 1% to the Game and Fish Fund and 18% of 1% (60% to State Water Safety Fund and 40% to Seafood Fund). These allocations are deducted from the portion of gasoline tax revenues otherwise credited to the Public Road and Bridge Fund.

Acts 2011, No. 565, p. 1084

Effective October 1, 2012, amended, repealed, and reestablished the state gasoline and motor fuel taxes at the same rates as the taxes were previously levied. Changed the point of collection of the taxes from the distributor to the supplier. Expanded the administrative discounts allowed to distributors and suppliers for the collection of fuel taxes. Appropriated \$150,000 from the revenues collected to the Department of Revenue for the fiscal year ending September 30, 2012. Each fiscal year thereafter, an amount of revenue will be appropriated to the Department to offset its cost of administering the act.

Acts 2013, No. 402, p. 1541

Allowed the proceeds of the \$.04 excise tax on gasoline and oil distributed to the counties to be used for vegetation management.

Acts 2014, No. 105, p. 169

Amended current law relating to bonds and notes of the Alabama Federal Aid Highway Finance Authority to provide that so much of the state's share of net gasoline tax proceeds as shall be necessary shall be pledged and appropriated for the purpose of providing funds to enable the Authority to pay principal and interest of obligations.

Acts 2015, No. 54, p. 198

Transfers the collection of gasoline inspection fees from the Alabama Department of Agriculture and Industries to the Alabama Department of Revenue (ADOR); and included a change in the distribution of collected fees to allow an appropriation to ADOR for costs of administration and collection of fees.

Acts 2019, No. 2

Enacted the Rebuild Alabama Act which levied an additional six cent (\$.06) excise tax on each net gallon of gasoline and diesel fuel effective August 31, 2019; and will further increase the excise tax by two cents to eight cents (\$.08) effective October 1, 2020, and by two cents to ten cents (\$.10) effective October 1, 2021. Additionally, the act provides for an indexing process to adjust the excise tax rate by up to one cent (\$.01) every other year based on the yearly average of the National Highway Construction Cost Index. Further, the act provided for the administration, distribution, and collection of the Rebuild Alabama Act tax.

Hazardous Waste Disposal and Monitoring Fees

Acts 1981, No. 229, p. 307

Local act which levied \$5 per ton (or \$2 per barrel) fee on all waste disposed of at the Chemical Waste disposal site in Sumter County. Said fee deposited to Sumter County General Fund, for use as specified in the act, less 15% (\$.75 per ton) to the State Treasurer – 5% for deposit in the State Hazardous Waste Management Fund and 10% for deposit in a special account to be used for the state's perpetual care responsibilities under the Hazardous Waste Act of 1978 (Act 1978-129).

Acts 1981, 1st Ex. Sess., No. 916, p. 51

Amended Act 1981-229 regarding the distribution of the Sumter County share of the \$5 per ton (or \$2 per barrel) fee on all waste disposed of at the Chemical Waste disposal facility in Sumter County; and also reduced the percentage remitted to the State Treasurer from 15% to 10% (5% for deposit in the State Hazardous Waste Management Fund and 5% for deposit in the special account for the state's perpetual care responsibilities under the Hazardous Waste Act of 1978 (Act 1978-129)).

Acts 1983, No. 480, p. 672

Amended Act 1981-229 to alter the distribution of the Sumter County share of the \$5 per ton fee (or \$2 per barrel) on all waste disposed of at the Chemical Waste disposal facility in Sumter County to include \$100,000 annually to ADEM; and eliminated the 10% formerly remitted to the State Treasurer.

Acts 1984, No. 447, p. 1056

Levied a fee of \$1 per ton on all hazardous waste received at commercial hazardous waste disposal sites receiving off-site waste for disposal to be used by ADEM to finance a three-member monitoring team to monitor the operations of such sites.

Acts 1985, No. 751, p. 1244

Clarified that the \$1 per ton disposal fee authorized by Act 1984-447 is to be paid by the operators of hazardous waste disposal facilities.

Acts 1988, 1st Ex. Sess., No. 872, p. 392

Established the state hazardous waste disposal fee at \$7.60 per ton (to the State General Fund, less collection costs of the Department of Revenue not to exceed 10% of collections). County fee increased by \$.40 (to \$5.40) said increase designated to the county general fund to be expended for health purposes.

Acts 1989, No. 786, p. 1570

Provided that the tax levied on the disposal of hazardous waste generated outside the State of Alabama to impose a fee on such waste at the higher of: (1) fee imposed on the disposal of such waste in the state where the waste was generated; or (2) fee imposed on the disposal of hazardous waste generated and disposed of in Alabama.

Acts 1989, No. 787, p. 1571

Increased hazardous waste disposal fees by a total of \$16 per ton to be implemented as follows:

Effective Date	Fee Increase (\$) (per ton)	Distribution	
		SGF (\$)	Co. GF (\$)
10-1-89	8	7.00	1.00
10-1-90	4	3.50	.50
10-1-91	4	3.50	.50

Further specified that State General Fund revenues from this act were not to be appropriated until FY 1991.

Acts 1990, No. 326, p. 448

Increased the state fees for disposal of hazardous waste to:

<u>Date</u>	<u>Total Fee (\$)</u> (per ton)	<u>ADEM (\$)</u>	<u>Distribution</u>	
			<u>SGF (\$)</u>	<u>Co. GF (\$)</u>
Through				
7-14-90	22.00	1	14.60	6.40
7-15-90:				
In-state	40.00	1	32.60	6.40
Out-of-state	112.00	1	104.60	6.40
10-1-90:				
In-state	40.50	1	32.60	6.90
Out-of-state	112.50	1	104.60	6.90
10-1-91				
In-state	41.00	1	32.60	7.40
Out-of-state	113.00	1	104.60	7.40

Provided for county receipts and pledging of receipts for Public Health facility bonds, as described in DISTRIBUTION. (County increases provided by Act 1989-787).

Note: On June 1, 1992 the U.S. Supreme Court ruled that the differential fee established by this act was unconstitutional, so that beginning May 1, 1992, all waste was assessed at the in-state rate.

Acts 1992, 2nd Ex. Sess., No. 658, p. 32

Provided a base fee for hazardous/PCB waste and an additional fee for "P" waste and "U" waste; and established a fee for nonhazardous waste. These fees are the same for in-state and out-of-state generated waste. Established a fee of \$1 per ton for the Hazardous Substance Clean-up Fund. Provided for a cap of 600,000 tons on waste disposed of at commercial sites. Exceptions to this cap are given in the act (see Exemptions). Established a trust fund, ALERT, to be used to make matching grants to higher education institutions in Alabama with programs of "service and research."

Acts 1999, No. 195, p. 231

Amended the distribution of the fees levied by Act 1983-480 by reducing the distribution to ADEM to \$50,000 effective October 1999, and redirecting the funds elsewhere.

Acts 2006, No. 306, p. 644

Exempted, from the base fee of \$41.60/ton, the disposal of dust/sludge from the primary production of steel in electric arc furnaces (K061) and hazardous waste that will be de-characterized and rendered nonhazardous and subjected such disposal to a fee of \$11.60/ton. Provided for the distribution of half of the revenues generated from such waste to counties having a commercial site for the disposal of hazardous waste and half to the State General Fund with the first \$400,000 each year earmarked for appropriation to the Department of Environmental Management.

Acts 2007, No. 594, p. 1204

Reduced the base fee for disposal of hazardous waste at the commercial disposal facility located in Emelle, Alabama from \$41.60 to \$21.60 per ton. This facility is currently the only commercial disposal facility for hazardous waste in the state.

Acts 2013, No. 174, p. 325

Provided for a \$5.50 base fee on the disposal of all hazardous wastes at commercial sites for the disposal of hazardous waste and hazardous substances; prohibited a county from levying additional local fees; removed dust/sludge disposal fee receipts distribution; and removed the distinctive fee schedule for Emelle Facility in Sumter County.

Acts 2014, No. 418, p. 1529

Changed the distribution of revenues generated from the base fee on the disposal of hazardous wastes as follows: (1) 25% to each county having a commercial site for the disposal of hazardous waste or hazardous substances and (2) 75% to the State General Fund, with the first \$450,000 being earmarked for appropriation to the Alabama Department of Environmental Management.

Acts 2015, No. 315, p. 952

Effective retroactively to April 1, 2015, provided for the distribution of certain state fees by local law and authorization of certain local laws. Beginning October 1, 2015, changed the allocation of hazardous waste revenues to: (1) such amounts necessary to meet the annual guaranteed amount of \$4.2 million to counties with a hazardous waste facility (currently only Sumter County) and (2) any remaining amounts to be distributed 50% to the State General Fund and 50% to the county.

Acts 2018, No. 412

Repealed Section 22-30B-19, which established the Alabama Legacy for Environmental Research Trust (ALERT) Fund. Required any monies in the fund to revert to the Department of Public Health for the operation of the Bureau of Environmental Services.

Acts 2022, No. 338

Provided that a local governing body has authority to approve or disapprove a new solid waste management site or a modified existing solid waste management site, and that the Alabama Department of Environmental Management has authority to approve or disapprove a permit application for modification of services or activities to be conducted at each approved solid waste management site.

Hunting Licenses**Acts 1935, No. 240, p. 632**

Established hunting license fees for residents and nonresidents in Alabama as follows: annual resident, \$3; annual resident county, \$1; annual nonresident, \$25; and nonresident 7-day trip, \$5.

Acts 1965, No. 751, p. 1365

Provided for new types of and new fees for nonresident hunting licenses as follows: annual small game, \$10.15; annual all game, \$25.15; 7-day trip small game, \$7.15; and 7-day trip all game, \$10.15.

Acts 1965, 2nd Ex. Sess., No. 121, p. 169

Levied a special license for hunting deer and wild turkeys on state operated Wildlife Management Areas of \$3 and exempted persons 65 or older.

Acts 1971, No. 1515, p. 2629

Provided for the cost of and established the procedures for residents between the ages of 16 and 65 to obtain an annual resident state hunting license for a fee of \$5 and a county license for a fee of \$2.50, both with an issuance fee of \$.25.

Acts 1975, No. 1171, p. 2301

Provided for the issuance of a permanent lifetime hunting licenses for residents over 65 years of age at no cost, upon the payment of a \$.25 issuance fee.

Acts 1979, No. 545, p. 985

Created the migratory waterfowl hunting license stamp; required that each individual purchasing a hunting license would need a stamp affixed to the license in order to hunt migratory waterfowl; and provided that fees collected from said stamp be deposited into the Game and Fish Fund, to be used for the procurement, development, restoration, maintenance or preservation of wetlands for waterfowl habitat, and for public waterfowl hunting areas.

Acts 1979, No. 804, p. 1482

Increased the fees for the annual resident hunting licenses to \$10 and the county licenses to \$5.

Acts 1981, No. 720, p. 1226

Increased the fees for nonresident trip licenses as follows: 7-day trip small game, \$14.25; and 7-day trip all game, \$35.25.

Acts 1981, 3rd Ex. Sess., No. 1122, p. 386

Established a lifetime resident hunting license fee of \$200, a lifetime resident freshwater fishing license fee of \$100, and provided for a combination lifetime hunting/freshwater fishing license fee of \$300; and provided that the proceeds of such license be deposited into a special account in the Game and Fish Fund called the Alabama Game and Fish Endowment Fund.

Acts 1982, No. 407, p. 619

Increased the annual all game hunting license fees for nonresidents to \$175 and reduced the 7-day nonresident trip all game license to 5 days at a fee of \$75.

Acts 1982, 2nd Ex. Sess., No. 777, p. 279

Extended the period for a nonresident trip all game license to seven days at a fee of \$50.

Acts 1984, No. 446, p. 1040

Increased the license issuance fee for probate judges to \$1 per license.

Acts 1988, 1st Ex. Sess., No. 805, p. 242

Increased the fees for annual statewide license to \$15 and county license to \$7.50. Authorized the issuance of annual hunting and freshwater fishing license on a combination basis.

Acts 1989, No. 300, p. 487

Increased the lifetime resident hunting license fee to \$300 and the combination lifetime resident hunting/freshwater fishing license fee to \$450.

Acts 1992, 2nd Ex. Sess., No. 702, p. 172

Provided that in lieu of a regular hunting license, residents and nonresidents may elect to purchase a 7-day commercial fowl hunting preserve license. Allowed the license holder to hunt only artificially propagated or pen-raised fowl, as designated by the Commissioner of Conservation and Natural Resources as legal to hunt, on a licensed commercial fowl hunting preserve.

Acts 1994, No. 577, p. 1051

Increased license fees for the following: annual nonresident "small game only," \$40; annual nonresident "all game," \$200; nonresident "trip small game," \$25; and nonresident "trip all game," \$75; and established issuance fees for these licenses.

Acts 1998, No. 615, p. 1355

Increased the issuance fee from \$.25 to \$1 for migratory waterfowl stamp; and allowed other license agents authorized by the Department of Conservation and Natural Resources to issue migratory waterfowl stamps, provided such agents prepurchase sheets of stamps for resale at face value plus the issuance fee.

Acts 1999, 2nd Ex. Sess., No. 660, p. 117

Established the resident lifetime saltwater license at \$250, the lifetime saltwater/hunting combination license at \$550, and the lifetime saltwater/freshwater fishing and hunting combination license at \$700; provided the distribution of revenues from such licenses; and established the Alabama Marine Resources Endowment Fund.

Acts 2000, No. 735, p. 1604

Established the lifetime Senior 64 licenses at the current rates and distribution. Changed the effective date of Act 1999-660, 2nd Ex. Sess., from November 29, 2000, to June 1, 2000.

Acts 2000, No. 742, p. 1647

Established the annual resident sportsman's license at \$58.50, plus a \$1 issuance fee and provided distribution; increased fees for hunting on wildlife management areas to current rate, nonresident small game to \$75, and all game licenses to \$250; deleted the provisions for nonresident 7-day trip licenses; and established the nonresident 3-day license at \$30 (small game) and \$75 (all game) and the 10-day license at \$45 (small game) and \$125 (all game).

Acts 2004, No. 449, p. 794

Authorized U.S. military personnel stationed in Alabama on active duty to be deemed residents for hunting and fishing license purposes; exempted Alabama residents that are active members of the National Guard and certified law enforcement personnel from hunter safety education requirements; clarified that hunting and fishing licenses are not transferable and authorized residents of the state on leave from active military duty to hunt or fish without obtaining a license.

Acts 2007, No. 418, p. 874

Established the Wildlife Heritage Act of 2007. Increased the license fees for the following licenses to current base rates before CPI adjustments: annual resident all game; annual nonresident all game; annual nonresident small game; nonresident 10-day trip small game; nonresident 10-day trip all game; nonresident 3-day trip small game; nonresident 3-day trip all game; lifetime resident hunting license; lifetime resident hunting/freshwater fishing license; lifetime resident hunting/saltwater fishing license; and lifetime resident hunting/saltwater and freshwater fishing license. Provided that these license fees and accompanying issuance fees are subject to annual cost adjustment beginning in FY 2011 based on the percentage increase in the Consumer Price Index (CPI) if such adjustment is recommended by the Commissioner and approved by the Department's Advisory Board. Repealed laws providing county hunting licenses, for the issuance of annual hunting and fishing licenses on a combination basis and the sportsman's license. Established the annual resident small game license, annual resident wildlife heritage license, and lifetime resident wildlife heritage license at their current rates.

Acts 2010, No. 398, p. 653 (Also, Acts 2010, No. 697, p. 1688)

Authorized the operator of a commercial bird hunting preserve to purchase a license for \$500, plus a \$2 issuance fee, which entitles the licensee to operate a commercial bird hunting preserve and exempts the patrons of the preserve from individual hunting license requirements.

Acts 2013, No. 248, p. 607

Established the Physically Disabled Military Veteran's Appreciation hunting license and three-day trip event license available to veterans who are certified by the U.S. Veterans' Administration as at least 50% physically disabled at a fee equal to half the cost of the annual resident all-game hunting license plus the applicable fee for the hunting license and a fee for the trip event license equal to the nonresident all-game three-day hunting license, plus the applicable issuance fee. Provided the event licensed was valid for up to 10 veterans (resident or nonresident).

Acts 2014, No. 417, p. 1527

Established the 100 Percent Disabled Military Veteran's Appreciation Hunting License for a fee of \$2 plus applicable issuance fees as an alternative resident hunting license for veterans certified by the U.S. Veterans' Administration as 100 percent, service-connected, permanently and totally disabled. Provided both the license and issuance fee are subject to annual cost adjustment based on the percentage increase in the Consumer Price Index, if such adjustment is made by the Commissioner and approved by the Department's Advisory Board.

Acts 2015, No. 455, p. 1491

Established an annual special disabled hunting license in addition to the special disabled fishing license already established. Provided the following license fees in addition to the \$1 issuance fee: hunting license: \$5; freshwater fishing license: \$2; fishing license: \$2. Provided that the annual license and issuance fee are subject to adjustment based on the Consumer Price Index upon approval of the Commissioner of the Department of Conservation and Natural Resources, Advisory Board of Conservation and Natural Resources, and Legislative Council.

Acts 2016, No. 384, p. 1025

Increases the fee for the annual waterfowl stamp by \$5 to \$10. Provides that the annual stamp fee and issuance fee are subject to adjustment based on the Consumer Price Index upon approval of the Commissioner of the Department of Conservation and Natural Resources, the Advisory Board of Conservation and Natural Resources, and the Legislative Council.

Acts 2017, No. 92, p. 131

Authorizes a non-resident student at an institution of higher education in this state to purchase a resident hunting or fishing license.

Acts 2019, No. 103

Establishes the annual resident and non-resident bait privilege license fees and provides that the fees are subject to adjustment based on the Consumer Price Index upon approval of the Commissioner of the Department of Conservation and Natural Resources, the Advisory Board of Conservation and Natural Resources, and the Legislative Council. Provides that the bait privilege license allows a person to hunt whitetail deer or feral swine with the aid of bait on privately owned or leased lands.

Acts 2021, No. 277

Establishes the annual resident and non-resident Nighttime Feral Swine and Coyote Hunting license and fees.

Acts 2022, No. 423

Established the following provisions: (1) allowed certain owners and operators of deer enclosures to register with the Department of Conservation and Natural Resources (DCNR) and pay a \$2,500 registration fee for an earlier deer season start date; (2) authorized certain public officers to enter certain registered deer enclosures to enforce game and fish laws and revoke future registrations for violators; and (3) provided that a violation of the act or rules adopted pursuant to the act is a Class C misdemeanor.

Hydroelectric Kilowatt Hour Tax

Acts 1935, No. 194, p. 256

Established present tax rate of 2/5 mill per kilowatt-hour and provided that it be distributed to the Special Educational Trust Fund.

Acts 1957, No. 551, p. 772

Changed due date from October 1 to September 25 of each year.

Acts 1971, No. 1414, p. 2410

Changed distribution of tax from Special Educational Trust Fund to present distribution.

Income Tax

Acts 1935, No. 194, p. 256

Established income tax rates at 5% for individuals and at 3% for corporations.

Acts 1951, No. 208, p. 470

Allowed for an optional standard deduction of 7% or \$500, whichever is less.

Acts 1951, No. 842, p. 1473

Provided for appropriation from income tax receipts to the Property Tax Relief Fund to replace revenue losses which result from the homestead exemption.

Acts 1963, 2nd Ex. Sess., No. 104, p. 284

Increased the corporation tax rate to 5% of net income.

Acts 1965, No. 748, p. 1354

Raised the standard deduction to 10% of adjusted gross income or \$1,000, whichever is less.

Acts 1979, No. 618, p. 1088

Increased the religious, charitable, scientific or educational deduction allowed to individuals for state income tax purposes from 15% to 20% of the taxpayer's net income.

Acts 1983, No. 741, p. 1214

Required filing and declarations of estimated income tax by corporations. (One-time windfall for Education Trust Fund.)

Acts 1985, No. 515, p. 517

Adopted federal rules on computing gain or loss on gift or trust property; adopted federal rules on itemized deductions in computing an individual net operating loss; removed sales requirement on S corporations; removed the sunset provision for corporate net operating loss; plus, other federal law conformity changes.

Acts 1988, No. 952, p. 575

Provided for the withholding of wager winnings at pari-mutuel tracks.

Acts 1988, No. 954, p. 669

Conformed Alabama law to federal income tax law regarding interest deductions from income. Changed phased out deductions for consumer (personal) interest which increased income tax receipts. The resulting net gain to the Education Trust Fund from this act was offset by a percentage diversion of lodgings tax receipts and leasing or rental of tangible property tax receipts from the Education Trust Fund to the State General Fund. (See Lodgings Tax and Leasing or Renting of Tangible Personal Property.)

Acts 1990, No. 554, p. 912

Provided a deduction for individuals for certain adoption expenses.

Acts 1990, No. 583, p. 988

Conformed Alabama law to federal income tax law regarding determination of basis, recognition of gain (or loss), inventory methods, accounting methods, items included in gross income and allowable deductions of individuals, certain deductions for corporations and the reporting of gains on the installment basis.

Acts 1990, No. 596, p. 1041

Extended existing income tax exemptions on firefighters' and peace officers' retirement income to their beneficiaries; exempted all retirement income of firefighters and peace officers and their beneficiaries effective for the taxable year beginning January 1, 1991; exempted retirement income of U.S. Government retirees, private defined benefit plan beneficiaries (effective January 1, 1991) and military retirees and their beneficiaries (effective January 1, 1989); and clarified the elimination of state and local tax payments as a deduction from state taxable income.

Acts 1991, No. 480, p. 869

Extended the retirement income exemption to all "defined benefit" plans. Prior to this change only "private defined benefit" plans were exempt.

Acts 1993, No. 313, p. 470

Provided an income tax credit of \$5,000 for a period not to exceed five consecutive years to qualifying rural physicians.

Acts 1993, 1st Ex. Sess., No. 852, p. 95

Allowed deductions from taxable income for the amount of any aid or assistance provided to the State Industrial Development Authority in order to induce an approved company to undertake a major project in the state.

Acts 1993, 1st Ex. Sess., No. 907, p. 204

Provided for a tax credit for employers of 20% of the costs of an approved basic skills education program.

Acts 1995, No. 187, p. 250

Repealed tax incentives available to companies through the State Industrial Development Authority (Acts 1993-851 and 1994-370); and provided for a corporate income tax credit to qualified companies that expand or locate in the state. Available for a maximum of 20 years.

Acts 1995, No. 239, p. 403

Allowed a credit against corporate income tax for coal produced in the state. (\$1 per ton for increased production over previous year's production.)

Acts 1995, No. 591, p. 1251

Amended corporate income tax law to allow foreign corporations the option of classifying dividends from subsidiaries not doing business in the state as either: (1) apportionable business income or (2) nonbusiness income allocable to the state of the corporation's commercial domicile. Applicable only to dividends paid or deemed paid prior to July 31, 1995.

Acts 1995, No. 738, p. 1578

Allowed an income tax deduction for the amount of premiums paid pursuant to a qualifying insurance contract for qualified long-term care coverage.

Acts 1996, No. 526, p. 683

Provided that private and public deferred compensation plans shall receive the same tax deferred treatment for state tax purposes as is allowed for federal tax purposes. (Effective January 1, 1997.)

Acts 1997, No. 446, p. 765

Amended the Capital Credit Program (Act 1995-187) to allow costs paid by public development authorities to be included in the calculation of capital costs and made other changes to the program.

Acts 1997, No. 547, p. 957

Exempted tuition benefits paid from the Prepaid Affordable College Tuition (PACT) Program from state income taxation.

Acts 1997, No. 625, p. 1098

Established numerous changes to the state income tax statutes which conformed Alabama's treatment of partnerships, limited liability companies, sub-chapter S corporations and certain trusts to the treatment allowed for federal income tax purposes; and removed the requirement that individual business owners who do business in more than one state allocate and apportion income in accordance with the multistate compact.

Acts 1997, No. 705, p. 1456

Exempted from state income tax amounts up to \$25,000 received as severance, unemployment compensation or termination pay as a result of administrative downsizing.

Acts 1998, No. 468, p. 903

Increased the threshold for filing individual income tax returns (from \$1,500 to \$1,875 for single filers and from \$3,000 to \$3,750 for joint filers); and eliminated withholding tax from certain workers who incurred no tax liability in the previous year or expect no liability in the current year.

Acts 1998, No. 502, p. 1083

Established numerous changes to state income tax law, many of which conform to federal law including adoption of federal tax treatment of "Roth IRA's" and "Education IRA's." Allowed corporations to elect to file consolidated returns; and increased the threshold for filing individual income tax returns (same as Act 1998-468).

Acts 1999, No. 314, p. 423

Clarified pre-existing law relative to the definition of S Corporation; and conformed definition to federal law.

Acts 1999, No. 664, p. 124

Increased the corporate income tax rate to 6.5% beginning January 1, 2001; and established several technical changes to conform to federal law and changed depletion allowances for oil and gas wells. Contingent upon ratification of Constitutional Amendment No. 662 (see Constitutional Provisions).

Acts 2000, No. 702, p. 1425

Established several technical changes to the state corporate income tax, none of which materially affected corporate income tax receipts. (Further clarified changes made in Act 1999-664).

Acts 2001, No. 503, p. 886

Created a credit for certain investments in the Alabama State Port Authority infrastructure in new qualifying projects until December 31, 2005.

Acts 2001, 3rd Ex. Sess., No. 965, p. 854

Amended the Capital Credit Program (Acts 1995-187 and 1997-446) to lower the number of new employees that must be hired and the minimum investment that must be made to qualify for the credit in a favored geographical area as defined by the act.

Acts 2001, 4th Ex. Sess., No. 1088, p. 1095

Disallowed certain intangible and interest expense deductions between related entities; clarified the calculation of the federal income tax deduction and the nonbusiness interest expense deduction for corporations; disallowed net operating loss deductions for corporations for tax years beginning in 2001; conformed estimated payment rules to federal law; clarified that interest accrues on the entire amount of the final assessment; and allowed the Commissioner of Revenue to reallocate tax return items of related entities in certain circumstances.

Acts 2001, 4th Ex. Sess., No. 1089, p. 1113

Limited the use of consolidated returns by corporations; and required corporations that elected to file consolidated returns to accelerate their December 15, 2002 estimated tax payment to September 15, 2002.

Acts 2001, 4th Ex. Sess., No. 1105, p. 1169

Allowed subchapter K entities to make composite payments and returns on behalf of nonresident owners; required composite payments in the event that nonresident owners fail to consent to file returns and pay tax due; and required composite payments for tax years beginning during 2001.

Acts 2001, 4th Ex. Sess., No. 1113, p. 1178

Defined business income for purposes of the Multistate Tax Compact.

Acts 2005, 1st Ex. Sess., No. 269, p. 485

Continued the tax credit authorized by Acts 2001, No. 503 from December 31, 2005 until December 31, 2010.

Acts 2005, 1st Ex. Sess., No. 270, p. 486

Continued the tax credit authorized by Acts 2001, No. 503 from December 31, 2005 until December 31, 2010.

Acts 2006, No. 62, p. 75

Exempted from Alabama income tax all income, interest, dividends, gains, or benefits of any kind received from Alabama Higher Education 529 Fund accounts.

Acts 2006, No. 114, p. 173

Created The Subchapter J and Business Trust Conformity Act. Generally, this act conformed Alabama law to federal income tax rules for the taxation of trusts, estates and their beneficiaries. This act applies to entities taxed under the income tax law as well as entities taxed as financial institutions under the financial institution excise tax law.

Acts 2006, No. 352, p. 927

Increased the individual income tax threshold by increasing the standard deduction for taxpayers with adjusted gross income of \$30,000 or less and by increasing the dependent exemption for taxpayers with adjusted gross income of \$100,000 or less.

Acts 2006, No. 424, p. 1050

Exempted from Alabama income tax certain death benefit payments made to the designated beneficiary of any peace officer or fireman killed in the line of duty.

Acts 2006, No. 503, p. 1145

Consolidated Income Tax check-off provisions under Section 40-18-140, *Code of Alabama 1975*, and added for new check-offs for the Alabama Organ Center Donor Awareness Fund and the Alabama National Guard Foundation.

Acts 2008, No. 275, p. 402

Expanded the Income Tax Capital Credit Program to include credits for companies that produce electricity from alternative energy sources.

Acts 2008, No. 377, p. 691

Allowed a deduction of up to \$5,000 of contributions made to the Prepaid Affordable College Tuition Program or the Alabama College Education Savings Program.

Acts 2008, No. 504, p. 1114

Required income tax withholding on certain sales of real property by nonresidents of Alabama.

Acts 2008, 1st Ex. Sess., No. 543, p. 1175

Disallowed the use of "Captive REITS" to reduce Alabama income tax liability; modified the "add-back" law (Section 40-18-35); provided that these changes are effective January 1, 2007; and required the Department of Revenue to waive any penalties otherwise resulting from this act.

Acts 2008, 1st Ex. Sess., No. 549, p. 1192

Exempted rebates provided by the federal Economic Stimulus Act of 2008 from income tax and decoupled Alabama income tax law from all other provisions of the federal act, including bonus depreciation and additional Section 179 expensing.

Acts 2008, 1st Ex. Sess., No. 559, p. 1282

Allowed a deduction for an additional 50% of the health insurance premiums paid by qualified employers and employees.

Acts 2009, No. 722, p. 2143

Expanded the Income Tax Capital Credit Program to include credits for certain types of service industries; increased the base wage requirement for qualifying projects; and imposed penalties on new qualifying projects that subsequently fail to meet employment or wage requirements.

Acts 2010, No. 568, p. 1150

For tax years beginning after December 31, 2009, tied Alabama estimated income tax payment requirements to requirements under federal law. As a result, corporations and individuals will be required to make estimated tax payments if their income tax liability (on income not subject to withholding) is \$500 or more.

Acts 2011, No. 616, p. 1394

Amended Section 40-27-1, *Code of Alabama 1975*, regarding the Multistate Tax Compact and multistate taxpayers (corporations, partnerships, or other persons acting as a business entity in more than one state) for all tax years beginning on or after December 31, 2010 to: (1) change the sourcing rules for sales, other than sales of tangible personal property, to provide that sales are sourced to Alabama if the market for the sale is in Alabama; and (2) double-weight the sales factor in the apportionment of business income.

Acts 2011, No. 644, p. 1640

Allowed homeowners to receive a personal income tax deduction of up to \$3,000 for costs incurred to retrofit their homes so that the home is more resistant to hurricanes, flooding and catastrophic windstorm events.

Acts 2012, No. 54, p. 76

Added companies primarily engaged in the coal mining industry to the list of businesses qualifying for sales, use, mortgage, deed, and non-educational property tax abatements under the state's 1992 abatement law as well as provisions of the state's income tax capital credit; however, the abatement of state taxes and capital credits for these companies was limited to 50% of the state taxes that would otherwise be due and 50% of the capital costs, excluding the costs of acquiring land, surveying, engineering or other incidental costs. The abatements and capital credits allowed by this act will not be available for projects two years following the effective date of the act, unless the Legislature, by joint resolution, votes to continue or reinstate the abatements and capital credits.

Acts 2012, No. 385, p. 1025

Allowed businesses qualifying for capital credits that create at least 100 new jobs and have capital costs of at least \$100 million to carry forward the capital credit for a maximum of four years. This act also allowed those businesses to delay the initial utilization of the capital credit for up to three years after the project is placed into service. These provisions will be effective for all qualifying projects for which a project agreement has been entered into prior to December 31, 2011, but which have not been placed into service as of December 31, 2011, and for all projects for which a project agreement is entered into after December 31, 2011.

Acts 2012, No. 413, p. 1123

Provided an income tax deduction for amounts contributed to a catastrophe savings account as follows: (1) provided limits for amounts that may be contributed based on the taxpayer's deductible. If the taxpayer contributes more than the limit, the excess amount must be withdrawn from the account and included in income in the year of withdrawal; (2) distribution from the account must be included in the taxpayer's income unless it is used to cover qualified catastrophe expenses; (3) provided that no amount is included in income if the qualified catastrophe expenses during the taxable year are greater than the aggregate distributions during the taxable year; (4) provided that if aggregate distributions exceed qualified catastrophe expenses, the amount otherwise included in income must be reduced by the amount of the distributions for qualified expenses; and (5) tax paid pursuant to a taxable distribution must be increased by 2.5% of the amount included in income. However, the additional tax does not apply if the taxpayer no longer owns a residence which qualifies, or the distribution is from a self-insured's account and is made on or after the date on which the taxpayer reaches 70 years of age.

Acts 2012, No. 427, p. 1163

Amended Sections 40-18-14 and 40-18-21, *Code of Alabama 1975*, regarding individual income taxes to: (1) provide that a resident's gross income for income tax purposes includes the resident's proportionate share of any income arising from a pass-through entity regardless of whether the income is earned within or outside Alabama; (2) allow an individual owner a credit for their proportionate share of any tax based in whole or in part on the entity's net income, net profits, or gross profits; (3) provided that in no event will the credit for taxes paid to another state exceed the amount of tax that would be due on the same taxable income using the applicable Alabama income tax rates; and (4) expand the income tax credit for foreign taxes paid by pass-through entities beyond the mineral extraction and transportation industries currently listed in the statute such that the credits would apply to 50% of the proportionate share of the income taxes paid to a foreign country on any type of business or investment income.

Acts 2012, No. 486, p. 1399

Exempted spouses of United States Armed Forces members killed in action from Alabama income tax for the year in which the Armed Forces member was killed. If income tax has already been paid on any exempt income under the provisions of this act, the Department of Revenue must refund such money.

Acts 2014, No. 406, p. 1498

Allowed married taxpayers living apart for the entire year and filing separate tax returns to claim either the optional standard deduction or itemized deductions.

Acts 2015, No. 442, p. 1419

Established the Achieving a Better Life Experience (ABLE) Program pursuant to Section 529A of the Internal Revenue Code of 1986, to encourage and assist Alabama individuals and families in saving private funds for the purpose of supporting Alabama citizens with disabilities. Exempts all income, interest, dividends, gains or benefits received from ABLE savings account from income taxation by the state and its political subdivisions.

Acts 2015, 1st Ex. Sess., No. 504, p. 1821

Established the Alabama Taxpayer Fraud Prevention Act. Repealed the allowance of a withholding exemption certificate to be used to claim a total exemption from Alabama income taxes.

Acts 2015, 1st Ex. Sess., No. 505, p. 1823

Established a factor presence nexus standard for business activity for purpose of income tax by creating the following thresholds of nonresident individuals and business entities to determine if the entities would be subject to business privilege, financial institution excise, and income taxes: \$50,000 of property; \$50,000 of payroll; \$500,000 of payroll; and 25% of total property, total payroll, or total sales. Requires the Commissioner to adjust thresholds to reflect the cumulative percentage change, if the Consumer Price Index for All Urban Consumers (CPI-U) changes by 5% or more since January 1, 2015, or the date of the last adjustment, to apply to tax periods beginning after the adjustment. Provided that the state does not have jurisdiction to impose a tax on or measured by net income, even if thresholds are met, for entities that are located outside of the state whose only business activity in the state is the solicitation of orders for tangible personal property that are approved and shipped from outside the state.

Acts 2016, No. 345, p. 848

Creates a new income tax deduction beginning in FY 2019 for contributions made to health savings accounts with a maximum allowable deduction equal to the maximum amount allowed under federal law or regulation.

Acts 2016, No. 412, p. 1147

Conforms Alabama income tax return and payment due dates to federal income tax return and payment due dates effective for the taxable years beginning on or after January 1, 2016.

Acts 2017, No. 405, p. 1320

Creates the individual Income Tax Simplified Short Form Filing Act to allow an optional increased standard tax deduction to qualifying individual income tax taxpayers who file as single or married filing joint filing status and meet certain income criteria. Effective for tax years beginning after December 31, 2017.

Acts 2018, No. 232

Increased the optional standard deduction adjusted gross income floor for taxpayers that are married filing joint, head of family, and single from \$20,000 to \$23,000 and for taxpayers that are married filing separate from \$10,000 to \$10,500 beginning in tax year 2019. Exempted from income tax any housing allowance and earned income received from sources within a foreign country beginning in tax year 2018.

Acts 2021, No. 332

The act provides that payments of income tax or financial institution excise tax which were originally due between April 15, 2021, and June 30, 2021, shall be due on the revised due dates for the corresponding federal payments.

Acts 2021, No. 540

This act: (1) provides an income tax credit equal to \$3,000 or 50 percent of the total cost, whichever is less, for the construction, acquisition, or installation of a qualified storm shelter or safe room capable of withstanding an EF5 tornado; (2) limits the tax credit to an aggregate amount for all taxpayers of \$2,000,000 annually, to be issued on a first come, first served basis; (3) sunsets the tax credit at the end of the 2025 tax year, unless extended by act of the Legislature; and (4) provides that federal restaurant revitalization grants are excluded from Alabama income taxation to the same extent as under federal income tax law.

Acts 2021, No. 423

This act: (1) provides that for tax years beginning on or after January 1, 2021, an owner, member, partner, or shareholder of an electing pass-through entity shall report its pro rata or distributive share of the income of the entity as required for the payment of state income taxes and entitles those owners, members, partners, or shareholders to a credit in an amount equal to its pro rata or distributive share of the Alabama income tax paid by the electing pass-through entity in the corresponding tax year; (2) amends Section 40-18-376, Code of Alabama 1975, of the Alabama Jobs Act, to delete prohibitions restricting the investment credit from being used to reduce the distribution for the Education Trust Fund or the State General Fund; and (3) amends Sections 3 and 6 of Act 2021-2 of the 2021 Regular Session to clarify the intent of the Legislature regarding the entities that are eligible to claim the Growing Alabama Tax Credit.

Acts 2022, No. 252

Reduces the minimum business privilege tax for taxable years beginning after December 31, 2022, and provides a full exemption on amounts due of \$100 or less for taxable years beginning after December 31, 2023.

Acts 2022, No. 294

Exempts the first \$6,000 of retirement income received by individuals who are 65-years of age or older from state income tax.

Acts 2022, No. 297

For income taxes, increases the optional standard deduction amount and the adjusted gross income range for allowable maximum optional standard deduction and dependent exemption.

Acts 2022, No. 299

Expands the current income tax credit for certain adoptions that include adoptions by private individuals without an agency, and increases the amount of the credit from \$1,000 to \$2,000 per adoption for adoptees that are Alabama residents.

Insurance Company Licenses and Premium Tax**Acts 1935, No. 194, p. 256**

Established an insurance premium tax of \$1.50 on each \$100 of premiums of foreign fire or marine insurance companies, \$2.50 on each \$100 of premiums for other foreign insurance companies, and \$1 on each \$100 of premiums for domestic insurance companies; and established a \$200 annual filing fee.

Acts 1945, No. 156, p. 196

Equalized rate of premium tax paid by foreign and domestic insurance companies by increasing the domestic rates.

Acts 1955, 2nd Ex. Sess., No. 77, p. 193

Amended rates as follows: \$2.50 on each \$100 for foreign life or marine insurance, 1% on annuities and 3% on premiums for other foreign insurance companies, .5% on annuities and premiums of domestic insurance companies; provided for reduction of tax rates for foreign insurers based on percentage of company's admitted assets invested in Alabama investments; and provided that all premium tax receipts be deposited to the State General Fund.

Acts 1957, No. 598, p. 848

Established agents examination fee of \$5. (\$3 for re-examination.)

Acts 1963, No. 521, p. 1112

Established the Unauthorized Insurers Act. Provided for licensing of surplus line brokers and tax on surplus line brokers at rate of 4% on the direct premiums, less return premiums and exclusive of sums collected to cover state or federal taxes, on surplus line insurance transacted by the broker during the preceding calendar year; provided that the tax be paid on March 1 each year and deposited to the State General Fund; and exempted surplus line wet marine and transportation insurance and certain other surplus line insurance.

Acts 1969, Ex. Sess., No. 28, p. 74

Increased rates as follows: 4% of premiums for foreign insurance other than life; 1% of annuities and 3% of premiums for foreign life insurance; 1% of annuities and premiums for domestic life; and 2% of premiums on other domestic insurance companies, including certain non-profit health care organizations.

Changed distribution to:

(1) Education Trust Fund

- (a) 37.5% of premium tax on foreign fire, marine, and fire and marine insurers.
- (b) 25% of premium tax on foreign casualty insurers.
- (c) 50% of premium tax on domestic life insurers.
- (d) 75% of premium tax on domestic property and casualty insurers.
- (e) 100% of premium tax on certain non-profit health care organizations.

(2) State General Fund

- (a) 100% of premium tax on foreign life insurers.
- (b) 62.5% of premium tax on foreign fire, marine, and fire and marine insurers.
- (c) 75% of premium tax on foreign casualty insurers.
- (d) 50% of premium tax on domestic life insurers.
- (e) 25% of premium tax on domestic property and casualty insurers.

Exempted domestic insurers from premium tax on Medicare or Medicaid supplement policies.

Acts 1971, No. 407, p. 707

Provided for retaliatory tax; established company and agents' and brokers' filing, license and miscellaneous fees (and provided they be deposited to the State General Fund); and established wet marine and transportation insurance tax at rate of 0.75% of gross underwriting profit.

Acts 1971, No. 2106, p. 3375

Decreased rate on domestic insurance companies (property and casualty, but not life) and certain non-profit health care organizations to 1% of premiums.

Acts 1971, 2nd Ex. Sess., No. 3, p. 4113

Changed the distribution of premium tax proceeds from certain non-profit corporations (Blue Cross/Blue Shield) from the Education Trust Fund to the Special Mental Health Fund.

Metropolitan Life Insurance Co. v Ward, 105 S.Ct. 1676 (1985)

The U. S. Supreme Court ruled in a 5-4 vote that two of the seventeen purposes the state presented to justify the disparate premium tax rates charged foreign and domestic insurers violated the equal protection clause of the U.S. Constitution. This reversed an Alabama Supreme Court opinion and remanded the case to Montgomery Circuit Court for retrial. The case was dismissed by order of the court dated September 29, 1993.

Acts 1980, No. 774, p. 1608

Authorized the Commissioner of Insurance to examine surplus line brokers in the same manner as an insurer and allowed surplus line brokers to offset from their insurance premium taxes the cost of such examinations in the same manner allowed for domestic insurers.

Acts 1987, No. 333, p. 466

Changed the due dates for payment of premium taxes from annual to quarterly basis, resulting in receipt of six quarters worth of taxes in FY 1988.

Acts 1988, 1st Ex. Sess., No. 875, p. 410

Increased fees for licenses and certificates issued by Insurance Department. (See Insurance Premium Tax (pages 182-184) in January 2003 "A Legislator's Guide to Alabama's Taxes.")

Acts 1993, No. 679, p. 1291

Established the Insurance Premium Tax Reform Act of 1993. Provided for phase-in of equalization of domestic and foreign insurance premium tax rates (See Insurance Premium Tax in January 2003 "A Legislator's Guide to Alabama's Taxes" or Section 27-4A-3 *Code of Alabama 1975*, beginning in FY 1995; provided for economic development credits to reduce tax rate of property and casualty insurers, increased tax rate of surplus line brokers from 4% to 6%; altered tax payment schedule from 25% quarterly to 25% in May, 45% in August, 5% in November, with the remainder to be paid in March; limited deposits to Education Trust Fund and Special Mental Health Fund from insurance premium tax receipts beginning FY 1995 to no more than was deposited in FY 1992; provided that, beginning with first tax payment made on premiums received on or after January 1, 1995 (May 15, 1995 payment) 100% of premium taxes paid by health maintenance organizations (HMO) will be deposited to the State General Fund (previously 50% of domestic HMO premium taxes deposited to ETF); and provided that wet marine and transportation insurance written by Alabama admitted insurers be taxed as is other insurance (surplus lines wet marine and transportation insurance is exempt).

Acts 1993, 1st Ex. Sess., No. 847, p. 67

Provided for special rate of 1.6%, effective January 1, 1995, for premium tax on medical liability insurance (rather than the rate of 3.6% established by Act 1993-679).

Acts 1995, No. 738, p. 1578

Provided that all premium taxes paid on long-term care coverage shall be deposited to the Education Trust Fund.

Acts 1996, No. 343, p. 423

Established continuing education requirements for insurance agents, service representatives and brokers; provided for new fees related to continuing education and provided that these fees, as well as certain existing fees for agent licenses and appointments and certain existing fees for service representatives' licenses, be deposited to the Insurance Agents and Brokers Continuing Education Fund which was created in this act. (See Acts 2001, No. 702.)

Acts 1996, No. 692, p. 1161

Created the Insurance Department Fund, to be used for the operation of the Department of Insurance; provided that at the end of any fiscal year any unencumbered and unexpended balance in the Fund, up to 25% of the amount appropriated for that fiscal year, shall remain in the Fund and not revert to the State General Fund; provided that 50% of retaliatory taxes, license fees (except those deposited to the Insurance Agents and Brokers Continuing Education Fund pursuant to Act 1996-343) and certain other charges shall be deposited to the Insurance Department Fund. (See Acts 2001, No. 702.)

Acts 1998, No. 498, p. 1069

Altered tax payment schedule from schedule shown in Acts 1993, No. 679.

Alabama Municipal Insurance Corporation, et. al. v. State of Alabama 730 So. 2d 107 (1998)

In March 1995 eight domestic property and casualty companies filed suit in Montgomery County Circuit Court challenging the constitutionality of the Insurance Premium Tax Reform Act of 1993 (see Acts 1993, No. 679 above). This suit alleged that the economic development credits which allow property and casualty insurers to reduce their tax rate by an amount dependent upon (1) the number of offices in the state and the persons employed within each of those offices and (2) the value of real property investments made in the state discriminates in favor of large companies and is, therefore, unconstitutional. In June 1997, the Circuit Court ruled for the plaintiffs on the basis that the challenged tax credits violate the equal protection provisions of the Alabama Constitution and declared the premium tax as it applied to all property and casualty companies void. However, on May 22, 1998, the Alabama Supreme Court reversed the Circuit Court judgment and remanded the case to the trial court for further proceedings for an order consistent with the Supreme Court opinion. The Alabama Supreme Court denied a rehearing on February 19, 1999. On October 4, 1999, the U.S. Supreme Court denied the taxpayers' petition for a writ of certiorari and let stand the ruling of the Alabama Supreme Court.

Acts 1999, 2nd Ex. Sess., No. 665, p. 131

Reduced the credit for franchise or privilege taxes paid to the state from 100% of the amount paid to 60% of the amount paid, effective for all taxable years beginning after December 31, 1999.

Acts 2001, No. 702, p. 1509

Established the current company and producer (formerly agent/broker) licensing fee structure (Section 27-4-2) and the current continuing education fee structure (Section 27-8A-9); and provided that producer and service representative annual license renewal fees, continuing education compliance form late filing fees, continuing education course provider initial and annual renewal fees, and continuing education course approval filing fees be deposited to the Insurance Department Fund, rather than to the Insurance Agents and Brokers Continuing Education Fund (which was eliminated by this act).

Acts 2002, No. 429, p. 1108

Provided a credit against the insurance premium tax for investments by insurance companies in certified capital companies, as defined in Section 40-14B-1(4), *Code of Alabama 1975*. The credits against the premium tax cannot begin until calendar year 2004 and cannot exceed \$12.5 million per year or \$100 million in total for the life of the program.

Acts 2006, No. 299, p. 614

Provided for the biennial (instead of annual) renewal of licenses for insurance producers, service representatives and adjusters; doubled the license renewal fees for such licenses; required individuals to complete 20 hours of pre-licensing education for each major line of authority before qualifying to take the insurance producer examination for those lines of authority; required insurance producers and service representatives to complete 24 hours of continuing education on a biennial basis with a certain number of the hours to be on producer ethics or business practices (formerly 12 hours annually with no ethics class requirement); authorized the commissioner to promulgate annual to biennial license transition rules; and provided for an adjustment of licensing fees as necessary to accommodate biennial licensing.

Acts 2006, No. 509, p. 1153

Provided for the regulation, licensure, taxation, and operation of captive insurance companies.

Acts 2007, No. 472, p. 993

Extended the insurance premium tax credits for investments by insurance companies in certified capital companies to provide additional credits to insurers that provide venture capital to a certified capital company. The credits issued cannot exceed \$100 million for all years in which the premium tax credits are allowed. Additionally, the amount of credits issued may not exceed 5% of the certified investor's vested premium tax credit for any tax year until 2014, at which time 17.5% of the vested credit may be taken.

Acts 2008, No. 391, p. 742

Established the Alabama Coastal Captive Insurance Company Act; removed the prohibition of captive insurers from providing homeowners insurances; and provided for licensure and regulation of coastal captive insurance companies.

Acts 2009, No. 500, p. 924

Established an insurance premium discount or insurance rate reduction for homeowners who build, rebuild, or retrofit insurable property to resist hurricane or other catastrophic windstorm events.

Acts 2011, No. 537, p. 949

Established the Surplus Lines Insurance Multi-State Compliance Act; and levied a 6% tax on the direct premiums of surplus line insurance less return premiums and taxes collected.

Acts 2011, No. 556, p. 1039

Provided for title insurers to issue closing or settlement protection, includes Insurance Commissioner's approval of forms, fees, and notice to real estate purchasers (Section 27-3-6.1).

Acts 2011, No. 637, p. 1544

Provided for the licensing of independent insurance adjusters, apprentice independent adjusters, and emergency independent adjusters; granted the Insurance Commissioner authority to regulate independent adjusters; and amended fee schedule for adjusters.

Acts 2011, No. 643, p. 1638

Established the Strengthen Alabama Homes Program; and provided for the application for and distribution of grant funds to homeowners and nonprofits for retrofitting property against loss due to hurricane, tornado, or other catastrophic windstorm events.

Acts 2012, No. 312, p. 685

Eliminated the insurance producer lines of authority for automobile and industrial fire and provided a transition for existing producer licenses; added travel, crop, and portable electronics insurance as limited lines insurance; required fingerprinting and background checks for applicants; and provided for portable electronics insurance policy licensure and fees as a limited lines insurance producer.

Acts 2012, No. 374, p. 934

Established an insurance premium tax credit for insurers providing wind and hail coverage to coastal areas of Alabama. Insurers may claim 20-35% of insurance premium tax due for coastal property owners with the credit varying by zone.

Acts 2012, No. 397, p. 1078

Provided for the licensure of title insurance agents and repealed previous certification requirements.

Acts 2012, No. 429, p. 1170

Established the Insurance Fraud Investigation Unit and Crime Prevention Act; authorized the Department of Insurance to investigate insurance fraud; created the Insurance Fraud Unit within the department, as well as the Insurance Fraud Unit Fund; levied an annual \$200 assessment on each insurer in the state to be used for purposes of the act; and subjected health maintenance organizations to regulations adopted by the Commissioner of Insurance.

Acts 2013, No. 213, p. 489

Further provided for the regulation and licensure of travel insurance (Section 27-7-5.2), added travel insurance to the definition of limited line insurance (Section 27-7-1), and changed the definition of travel to reference Section 27-7-5.2 (Section 27-7-14.1).

Acts 2014, No. 219, p. 690

Provided for the dissolution of the Alabama Health Insurance Plan.

Acts 2014, No. 420, p. 1535

Amended the Alabama Wind Pool Plan to revise zones referenced in the Plan, to limit the amount of insurance premium tax credits claimable annually to \$50,000 total, provided for reservation of tax credits, and eliminated the requirement that premiums must be at least 12% less than the premium in the Wind Pool Plan to receive tax credit.

Acts 2015, No. 195, p. 566

Increased various fees collected by the Department of Insurance and paid by insurance producers, service representatives, brokers, and adjusters; and creates a new producer annual appointment late fee of \$250.

Acts 2016, No. 191, p. 446

Further provides for the regulation and licensure of captive insurance companies. Allows the issuance of provisional licenses; lowered the required capital and surplus levels; capped the maximum annual aggregate premium tax payment at \$100,000; created examination expense tax credits; and allowed proration of minimum tax due by companies licensed for less than a year or companies that surrendered their license.

Acts 2019, No. 392

Removed limited deposits of Insurance Premium Tax to Education Trust Fund beginning on October 1, 2020, changing distribution to:

- (a) Special Mental Health Trust Fund - \$4,525,338
- (b) State General Fund – all other premium tax collected.

Acts 2022, No. 148

Provided for the following: (1) required the Commissioner of Insurance to establish and support the Center for Risk and Insurance Research connected with a state university to conduct research, education, and outreach regarding risk management and insurance issues; (2) created the Center for Risk and Insurance Research Fund within the State Treasury to fund the center; and (3) allocated \$1,500,000 of certain fees, licenses, and taxes collected by the commissioner each fiscal year to the Center for Risk and Insurance Research Fund and a portion to the General Fund.

Note Regarding Local Rates:

Counties may not impose premium, license, or privilege taxes on insurance companies (Section 27-4A-5). Municipalities may impose a tax on fire and marine insurance companies not to exceed 4% per \$100 of the gross premiums, less return premiums, on policies on property located in the municipality (Section 11-51-120).

Interest on State Deposits**Acts 1967, No. 3, p. 336**

Granted the general authority of State Treasurer to deposit funds in state depositories and to earn interest on time deposits.

Acts 1975, No. 1, p. 57

Provided that an increased amount of state funds could be deposited in interest-bearing accounts.

Acts 1977, No. 45, p. 1460

Further amended provisions for determining interest to be paid on state funds and specifically allowed for investment in repurchase agreements.

Acts 1983, No. 80, p. 86

Provided that interest earned on state deposits would be paid monthly to the State Treasurer.

Acts 1988, No. 162, p. 256

Allowed the treasurer to enter into agreements with state lending institutions at rates of interest lower than the prevailing market rate to enable the respective state lending institutions to offer certain agriculture and business loans at less than the prevailing market rate; and provided that this provision (plan of linked deposits) would terminate at the end of FY 1991. (This termination date was extended by Acts 1991, No. 720; Acts 1993, No. 351; Acts 1995, No. 257; Acts 1999, 2nd Ex. Sess., No. 659; Acts 2003, No. 304; and Acts 2006, No. 416). See also Acts 2007, No. 397.

Acts 1989, No. 868, p. 1743

Authorized the treasurer to invest in six months and one-year U.S. Treasury obligations.

Acts 1990, No. 638, p. 1172

Eliminated certain requirements related to determination of income from time deposits, funds needed for projected monthly expenditures and investment of funds in the treasury 30 days or less; and provided that mortgage-backed securities may be used as security for state money deposited in state depositories.

Acts 1991, No. 570, p. 1052

Authorized state agencies the administrative option to require the timely electronic remittance of immediately available funds by any person, corporation or partnership for obligations due to the state agency of \$100,000 or more (\$50,000 or more effective January 1, 1993; and \$25,000 or more effective January 1, 1994).

Acts 1992, No. 169, p. 279

Changed the types of financial instruments available to the treasurer for investment of state funds. A limit of 20% of total state monies is available for investment in bonds, notes, Treasury bills or in obligations of any agency or instrumentality of the U.S. The limit is also applied to money market mutual funds solely in securities otherwise authorized by provisions of this section of the *Code of Alabama 1975*. The result was a broadening of investment opportunities for the treasurer.

Acts 1996, No. 764, p. 1349

Authorized the state to pay state depositories for: (1) the transfer or removal of funds; (2) item handling charges; or (3) other services performed by the depository.

Acts 2000, No. 748, p. 1669

Established the Security of Alabama Funds Enhancement Act (SAFE).

Acts 2003, No. 305, p. 723

Modified the list of securities and instruments that are eligible to be used as collateral for state monies held in state depositories to include other U.S. states' direct obligations; clarified the authority given to the State Treasurer to approve or disapprove any collateral for public deposits, and further clarified the interrelationship between the provisions of the SAFE Act of 2000, public deposits, and the requirement of pledged collateral.

Acts 2004, No. 486, p. 904

Amended the statute relating to interest paid on linked deposits so that the rate of interest on a one-year linked deposit and on a two-year linked deposit is two percent below the most recent weekly average one-year constant maturity yield and two-year constant maturity yield respectively as published by the Federal Reserve but in no event shall the interest rate on either deposit be less than one percent. On one-year time deposits the rate is based on the weekly average one-year constant maturity yield as published by the Federal Reserve for the calendar week immediately preceding the contract.

Acts 2007, No. 397, p. 771

Repealed the 1988 Linked Deposit Program and established the Linked Deposit Program of 2007.

Acts 2012, No. 208, p. 348

Amended the statute relating to the types of investments the State Treasurer may invest in with qualified public depositories.

Judicial Fees and Fines

Acts 1935, No. 240, p. 632

Provided that fines and forfeitures collected by the district courts upon conviction of violation of game and fish laws or rules and regulations promulgated there under shall be deposited to the Game and Fish Fund; and provided for a solicitor's fee of \$5 upon conviction of violation of game and fish laws and imposition of a fine or penalty (see Act 1945-449 and Act 1995-544).

Acts 1945, No. 449, p. 687

Eliminated \$5 solicitor's fee provided by Act 1935-240 (see Act 1995-544).

Acts 1964, 1st Ex. Sess., No. 244, p. 335

Provided for additional penalty of \$1 upon conviction in any state or city court of a moving traffic violation to be credited to Driver Education and Training Fund and to be used as follows: (1) 90% to be used by the Department of Education for driver education and (2) 10% for administrative expenses of State Safety Coordinating Committee.

Acts 1965, 2nd Ex. Sess., No. 60, p. 85

Provided for "fair trial tax" of \$1 on all criminal cases docketed in any court except the Supreme Court, Court of Appeals, or cases in the mayor's, recorders, or municipal courts if the offense charged was a violation of a municipal ordinance; provided that the tax be remitted to the Fair Trial Tax Fund and be expended for indigent defense; and provided that any unexpended balance in the Fair Trial Tax Fund at the end of a fiscal year shall revert to the State General Fund.

Acts 1969, No. 999, p. 1855

Provided for additional court cost of \$1 for each moving traffic violation, \$5 for each misdemeanor, and \$10 for each felony conviction to be deposited to the Alabama Peace Officers' Annuity and Benefit Fund and excluded Conservation law violations.

Acts 1971, No. 1210, p. 2104

Deleted language in Act 1969-999 which excluded Conservation law violations from the provisions of the act.

Acts 1971, No. 2101, p. 3371

Specifically included Conservation law violations in additional court costs designated for Peace Officers' Annuity and Benefit Fund (see Acts 1969-999 and 1971-1210).

Acts 1971, No. 2421, p. 3853

Amended Act 1965-60 to provide that the fair trial tax (1) also be levied in suits at law or in equity; (2) be increased from \$1 to \$2; (3) be levied in all courts except cases in the mayor's, recorders, or municipal courts when the offense charged is a violation of a municipal ordinance - except, however, if cases in such courts involve an offense which is also a violation of state law; (4) in counties with a public defender, a portion be collected in that county and expended for support of that office; and (5) any unexpended balance remaining in the Fair Trial Tax Fund at the end of a fiscal year shall not revert to the State General Fund.

Acts 1975, No. 1205, p. 2384

Implemented new Judicial Article of the *Constitution of Alabama of 1901* (Amendment No. 328) by establishing Unified Judicial System for the state, including uniform court costs (see act for fee schedule). Prior to 1975, the various court fees and fines were collected and distributed within the counties.

Acts 1976, No. 564, p. 763

Provided for \$35 fee for report of sales of abandoned automobiles, to be paid to the circuit court.

Acts 1978, No. 617, p. 877

Provided that municipal court clerks, instead of remitting receipts from the fair trial tax to the State General Fund, shall pay those receipts into the general fund of the municipality, to be expended by that municipality for defense of indigents in that municipality's courts, with any fines not expended for that purpose to revert to the state treasury.

Acts 1979, No. 751, p. 1336

Established organizational options for existing and future county law libraries. For those existing libraries opting to come under the provisions of this act and for new libraries organized under the provisions of this act, a library fee of \$2 shall be paid in all cases and causes wherein a docket or filing fee is paid in the district and circuit courts of the various counties wherein this act is in effect.

Acts 1980, No. 634, p. 1198

Provided for a distinct, uniform \$25 docket fee for juvenile cases and provided for distribution thereof and eliminated the distinction between moving and non-moving traffic violations for docket fee purposes.

Acts 1980, No. 635, p. 1201

Provided for a sliding scale fee to be collected from the proceeds of all judicial sales and remitted to State General Fund.

Acts 1981, No. 675, p. 1099

Clarified that the fee on judicial sales provided by Act 1980-635 does not apply to judicial sales in probate courts.

Acts 1981, No. 716, p. 1203

Provided for a \$5 increase in docket fees in every criminal and civil action docketed in the municipal, district, and circuit courts to be distributed to the Fair Trial Tax Fund (resulted in increase of from \$2 to \$7 of total docket fee designated for the Fair Trial Tax Fund).

Acts 1981, No. 864, p. 1654

Provided for an increase of \$5 for misdemeanors and violations, \$10 for felonies, and \$5 for juvenile cases in district and circuit court costs to be distributed to the Peace Officers' Standards and Training Fund for law enforcement training.

Acts 1983, No. 724, p. 1179

Provided for an increase from \$1 to \$1.50 in court costs provided by Act 1964-244 for traffic violations to fund courses of instruction in the driving of trucks.

Acts 1983, No. 744, p. 1225

Provided for the following increases in court costs for civil cases: \$5 for small claims cases, \$8 for other district court cases, and \$15 for circuit court cases; increased by \$10 juvenile, traffic, ordinance violation, and criminal cases in district and circuit courts and increased associated service fees (generally by \$2); and provided that the increased docket fees be deposited to the State General Fund.

Acts 1984, No. 658, p. 1308

Provided for increases in court costs of \$2 for traffic violations, \$10 for misdemeanor violations, and \$15 for felony violations to fund the Alabama Crime Victims Compensation Commission.

Acts 1984, 1st Ex. Sess., No. 732, p. 68

Provided that the fee collected from proceeds of judicial sales (see Act 1980-635) be levelized at 1%; and provided that \$1 of each periodic payment made through the courts for alimony, child support, or court-related restitution be remitted to the State General Fund.

Acts 1987, No. 405, p. 575

Increased court fees and costs as follows: civil cases in district court from \$38 to \$59, civil cases in circuit court from \$55 to \$95, jury demand from \$15 to \$50, traffic infractions in district court from \$37.50 to \$38, misdemeanors and ordinance violations from \$55 to \$60, and felonies from \$102 to \$130; increased associated service fees; provided for distribution of the increased fees to the State General Fund and county general funds; and provided for the appropriation of the fee increases from the State General Fund to the judiciary and district attorneys for FY 1988.

Acts 1987, No. 638, p. 1142

Provided for an increase in court costs for traffic violations from \$1.50 to \$2. Of this increase, \$.10 was designated for driver education by the Department of Education (for a total of \$1), \$.10 was designated for the payment of administrative expenses of the State Safety Coordinating Committee (for a total of \$.20), and the remaining \$.30 increase plus \$.15 formerly designated for truck driver education was designated to the Alabama Traffic Safety Center Fund to be used by institutions under the control of the State Board of Education to conduct programs in traffic, motorcycle, and boating safety (the new distribution resulted in \$.35 for truck driver education).

Acts 1988, No. 658, p. 1055

Provided that the portion of the \$2 court costs for traffic violations, designated by Act 1987-638 for the use of the Alabama Traffic Safety Center, would not be controlled by the State Department of Education or by any institution under its control.

Acts 1991, No. 433, p. 769

Increased court costs for traffic violations from \$2 to \$7 and provided for distribution of that \$7. Due to a change in the Administrative Office of Courts' interpretation of statutes affected by this act following its passage, Act 1991-824 was established to achieve the effect intended by this act.

Acts 1991, No. 438, p. 778

Increased docket fees as follows: traffic infraction in district courts from \$38 to \$40 and misdemeanors and municipal ordinance violations in district and circuit courts from \$60 to \$62. Provided that the \$2 increase be deposited to the Police Officers' Annuity and Benefit Fund.

Acts 1991, 1st Ex. Sess., No. 824, p. 224

Increased docket fees for traffic infractions in district court from \$40 to \$47 and levied a docket fee of \$8.50 for traffic offenses in municipal courts, with the increase to be distributed to the Drivers' Fund. Repealed the \$2 levied in Section 32-5-313 and added an overall \$7 increase to the existing \$1.50 designated for the Drivers' Fund for a total of \$8.50 (\$6.50 net increase) to the Fund. Provided that of the \$8.50 deposited to the Drivers' Fund, \$1.50 will go to the Department of Public Safety for implementation of the Commercial Driver's License program, with the remaining \$7 distributed as follows: 21% to the State Department of Education for driver education; 36% to the State Department of Postsecondary Education (to be distributed to certain technical colleges for truck driver training); 3% to the State Safety Coordinating Committee; 30% to the Catastrophic Trust Fund for Special Education; and 10% to the Alabama Traffic Safety Center Fund.

Acts 1992, No. 227, p. 562

Increased docket fees as follows: small claims cases filed in district court from \$20 to \$25; civil cases filed in district court from \$59 to \$74; civil cases filed in circuit court from \$95 to \$110; civil case jury demand fees from \$50 to \$51; traffic infractions in district court from \$47 to \$62; misdemeanors and municipal ordinance violations in district and circuit courts from \$62 to \$87; felonies in district and circuit courts from \$130 to \$155; and juvenile cases from \$40 to \$55. Provided that all increased fees be deposited to the State General Fund except the additional \$1 jury demand fee (which was directed to the Department of Youth Services for the payment of juvenile probation officers' salaries). Provided for the amendatory fees provided by this act to terminate during FY 1992 and FY 1993 when the amounts appropriated from the State General Fund to the judiciary by this act for those fiscal years was collected from said amendatory fees. Further provided that the amendatory fees terminate on September 30, 1994 (see Act 1993-133).

Acts 1992, 2nd Ex. Sess., No. 677, p. 58

Levied a criminal history processing fee (additional court cost) of \$10 on any person convicted of a crime in municipal, district, or circuit court, excluding traffic cases that do not involve driving under the influence of alcohol or controlled substances, and conservation and juvenile cases. \$7 of each \$10 fee is to be deposited to the Public Safety Automated Fingerprint Identification System Fund, and the remaining \$3 is to be deposited to the Court Automation Fund (see Act 1993-255 and Act 1993-641 for further provisions regarding expenditure of monies deposited to the Court Automation Fund).

Acts 1993, No. 133, p. 189

Amended Act 1992-227 to provide that fees generated by that act would be deposited in the State General Fund and the increase in court fees provided by that act would not terminate as provided in that act but would, instead, be effective until October 1, 1995.

Acts 1994, No. 694, p. 1334

Provided that, in addition to any other court costs and fees authorized, any municipal governing body may, by majority vote, levy additional court costs and fees up to an amount not to exceed the county court costs and fees on each case filed in municipal court. Any such additional court cost or fee is to be paid into a special municipal fund, the Corrections Fund, to be expended exclusively for the operation and maintenance of the municipal jail, other correctional facilities, juvenile detention center, or court complex (see Act 1995-401).

Acts 1994, 1st Ex. Sess., No. 804, p. 109

Levied an additional fee (court cost) of \$2 in municipal cases and in district and circuit court criminal and civil cases (excluding parking violations and small claims cases); in bond forfeiture proceedings, upon initiation of attachment, garnishment or execution proceedings; and upon the issuance of any alias or capias warrant of arrest. The fee is to be deposited to the Alabama DNA Database Fund and be used by the Director of the Alabama Department of Forensic Sciences for the exclusive purposes of Act 1994-804.

Acts 1995, No. 401, p. 835

Amended Act 1994-694 to clarify that "county court costs and fees" referenced in that act means court costs and fees in the district court of the county.

Acts 1995, No. 509, p. 1018

Amended Act 1993-133 to remove the October 1, 1995 termination date.

Acts 1995, No. 544, p. 1142

Provided for a district attorney's fee upon conviction of violation of game and fish laws, in the same manner as taxed in other cases involving criminal violations in the district court (see Act 1935-240 and Act 1945-449).

Acts 1995, No. 733, p. 1567

Levied an additional fee of \$100 upon conviction in any state or municipal court of certain drug offenses with the additional fee to be deposited, after deduction of a 1% administrative fee, in the Alabama Forensic Services Trust Fund, a revolving fund created by this act, and expended by the Alabama Department of Forensic Sciences.

Acts 1996, No. 752, p. 1323

Increased the jurisdictional limits of small claims courts from \$1,500 to \$3,000, effective July 1, 1996, but provided that docket fees for cases in small claims court in which the matter in controversy exceeds \$1,500 would be the same as the docket fees for cases in the district court that are not small claims cases.

Acts 1997, No. 945, p. 515

Increased from \$10 to \$30 the criminal history processing fee levied by Act 1992-677 (see above) and provided that the additional \$20 fee be distributed as follows: (1) \$3 to the Public Safety Automated Fingerprint Identification (AFIS) Fund; (2) \$2 to the Court Automation Fund of the Unified Judicial System; (3) \$10 to the Criminal Justice Information System (CJIS) Automation Fund (which was created in this act); and (4) \$5 to the Forensic Services Fund.

Acts 1998, No. 671, p. 1475

Provided that court clerks remit fines collected for driving while license is suspended, cancelled or revoked, or without a license directly to the State Comptroller (rather than to the Director of Public Safety); that the \$50 penalty levied in such cases be automatic (need not be specifically assessed by the judge); and that the fee be collected in municipal court cases.

Acts 1999, No. 427, p. 759

Increased docket fees as follows: small claims cases filed in district court from \$25 to \$35; civil cases filed in district court from \$74 to \$109; civil cases filed in circuit court from \$110 to \$145; traffic infractions in district court from \$62 to \$97; misdemeanors and municipal ordinance violations in district and circuit courts from \$87 to \$122; felonies in district and circuit courts from \$155 to \$190; juvenile cases from \$55 to \$90; and bond forfeiture in district and circuit courts from \$35 to \$70. The amounts above included the additional \$5 increase which became effective October 1, 2000. The initial increase (the current fee amount minus \$5 for each case type) was effective June 10, 1999. Except for small claims cases filed in district court and civil cases filed in circuit court, the act provided that the immediate increases be deposited as follows: \$9 to the Fair Trial Tax Fund; \$16 to the State General Fund; \$5 to the Advanced Technology and Data Exchange Fund (which was created by this act), and effective October 1, 2000, that the additional \$5 be deposited into the Fair Trail Tax Fund. In small claims cases, the \$5 increase, effective June 10, 1999, and the additional \$5 increase which became effective October 1, 2000, are deposited into the Fair Trial Tax Fund. The increased fees in civil cases in circuit court are distributed as follows: \$13 to the Fair Trial Tax Fund; \$12 to the State General Fund; \$5 to the Advanced Technology and Data Exchange Fund; and, effective October 1, 2000, an additional \$5 to the Fair Trial Tax Fund. The act also increased by \$30 costs assessed in municipal courts upon conviction of a municipal violation. Costs for a traffic violation increased from \$42.50 to \$72.50 and costs for a non-traffic violation from \$76 to \$106. The cost increase is distributed as follows: \$9 to the Fair Trial Tax Fund; \$2 to the municipal general fund; \$3 to the Advanced Technology and Data Exchange Fund; and \$16 to the State General Fund.

Acts 2000, No. 746, p. 1667

Provided that court costs assessed against persons convicted of game and fish violations would not exceed the fine for the violation except for convictions for night hunting or hunting on the lands of another. Does not apply where court costs are by constitutional amendment or where such costs are pledged for the repayment of bonds.

Acts 2000, No. 800, p. 1901

Provided that the \$1.50 to the Department of Public Safety for implementation of the Commercial Driver's License program of the total of \$8.50 deposited to the Drivers' Fund (pursuant to Act 1991-824) would be transferred to the Highway Traffic Safety Fund for law enforcement purposes beginning October 1, 2000.

Acts 2003, No. 402, p. 1170

Provided that the \$35 fee for report of sales of abandoned automobiles (see Act 1976-564) does not apply if the funds paid for such sales are equal to or less than \$35.

Acts 2004, No. 636, p. 1452

Increased docket fees as follows:

- Civil cases filed in district court in which the amount of controversy exceeds \$3,000 but does not exceed \$10,000 from \$109 to \$198
- Civil cases, other than domestic relations and cases in which the matter of controversy does not exceed \$50,000, filed in circuit court from \$145 to \$297
- Civil cases in circuit court in which the matter of controversy exceeds \$50,000 from \$145 to \$197
- Modification or enforcement of an existing domestic relations court order from \$145 to \$248
- Jury demand fee from \$51 to \$100
- Witness subpoena from \$8 to \$12
- Attachment from \$15 to \$28
- Garnishment from \$15 to \$28
- Execution from \$7 to \$28

Added fees as follows:

- \$50 for each additional plaintiff (not more than \$500 regardless of the number of additional plaintiffs) for civil cases in district court
- \$297 for a counterclaim, cross claim, third party complaint, third party motion, or an action for a declaratory judgment filed in a civil action in circuit court
- \$297 for a motion or complaint to appear as an intervener or a third-party plaintiff in a civil action in circuit court other than cases filed on a domestic relations docket
- \$100 for each additional plaintiff (not more than \$1,000 regardless of the number of additional plaintiffs) for civil cases (other than domestic relations) in circuit court
- \$50 for a dispositive motion

The fee increases or additions were distributed to the following funds:

- State General Fund
- Fair Trial Tax Fund
- Advanced Technology and Data Exchange Fund
- County General Fund
- DNA Database Fund

Acts 2006, No. 414, p. 1027

Repealed Section 12-19-76, which provided for a circuit court fee for the filing of a report of the sale of an abandoned motor vehicle, if applicable. (See Act 1976-564 and Act 2003-402).

Acts 2009, No. 768, p. 2355

Increased the DNA database fee from \$2 to \$12 for: (1) all criminal municipal, district and circuit court cases; (2) bond forfeiture proceedings; and (3) certain other court proceedings. Based on the Administrative Office of Courts' interpretation of the act, effective August 1, 2009, the \$2 DNA database fee is no longer imposed in juvenile cases. The fee is distributed to the Alabama DNA Database Fund and the Citizenship Trust according to the schedule specified in the act with one-half of the receipts distributed to the Trust being allocated to the David Mathews Center for Civic Life.

Acts 2010, No. 438, p. 704

Established a solicitor's fee to be imposed in juvenile, traffic, criminal, and quasi-criminal cases in juvenile, district, and municipal courts statewide. The solicitor's fee, which is in addition to other court costs, will be equal to the Fair Trial Tax Fund fee (currently \$21 in state courts and \$16 in municipal courts) imposed in each case and will be distributed as follows: (1) \$3 of the fee imposed will be retained by the clerk of the circuit court and used for operation of the clerk's office, and (2) the remainder will be deposited into the Solicitor's Fund or the District Attorney's Fund in the county where the case is heard or to the fund that may be hereafter prescribed by law for the solicitor's fee. The solicitor's fee may be expended by the district attorney for payment of any legitimate law enforcement purpose. The act does not supersede local laws established on or after the effective date of this bill. Upon repeal of a local act establishing a solicitor's fee, the county shall collect the fee pursuant to this act.

Acts 2011, No. 621, p. 1429

Doubled the penalty for a person convicted of driving under the influence (DUI) if that person has a blood alcohol content of at least 0.15 percent within four hours of operating a motor vehicle. The penalty for a person convicted of DUI if a child under the age of 14 was present in the vehicle must be at least double the penalty otherwise applicable.

Acts 2012, No. 266, p. 514

Authorized the appointment of former or retired judges to serve as private judges in certain district and circuit court cases (domestic relations, contract, or tort cases) and required a \$100 filing fee for a petition to appoint a private judge, with \$50 going to the Administrative Office of Courts and \$50 going to the office of the clerk in the county in which the case is pending.

Acts 2012, No. 535, p. 1582

Provided for an increase in docket fees in certain civil and criminal cases in circuit, district, and municipal courts, a bail bond filing fee, and a bail bond fee. \$45 increase in civil cases; \$15 increase in small claims cases; \$40 increase in criminal cases; and \$26 increase in traffic cases. \$35 filing fee on each bond executed. Bail bond fee varies.

Acts 2013, No. 193, p. 360

Eliminated an existing conflict of law by raising the contempt fine for failure to pay the bail bond filing fee in municipal court to a maximum of \$500 as provided in Act 2012-535 and extended the provisions of Act 2012-353 beyond September 30, 2015.

Acts 2013, No. 353, p. 1265

Allowed municipalities to establish pretrial diversion programs.

Acts 2013, No. 361, p. 1290

Established a statewide pretrial diversion program.

Acts 2014, No. 166, p. 472

Amended law relating to the Advanced Technology and Data Exchange Fund and court payments to provide that court clerks may accept charge cards, in addition to credit and debit cards, for court payments. Provided that court clerks shall impose a fee on payments made with such cards in an amount not exceeding the sum of: (1) the transaction fee or discount charged by the card issuer or processor and (2) any cost or fee charged pursuant to agreement between the Administrative Office of Courts and a contracting entity providing services in connection with the acceptance of payments with such cards.

Acts 2014, No. 350, p. 1299

Provided that the juvenile court shall have exclusive original jurisdiction over termination of parental rights proceedings. Included legislative intent that specifies that the original intent in the adoption of the Alabama Juvenile Justice Act was for the juvenile court to exercise exclusive original jurisdiction in all termination of parental rights proceedings. Amendatory language in this act applies retroactively to cases filed in juvenile court on or after January 1, 2009 and before this act for the purpose of ratifying and confirming the exercise of original jurisdiction of the juvenile court in such cases.

Acts 2014, No. 455, p. 1688

Provided that in civil actions, a justice or judge shall recuse himself or herself from hearing a case based on a substantial campaign contribution or electioneering communication made to or on behalf of the justice or judge by a party to the case if: (1) a reasonable person would perceive that the judge's ability to carry out his or her responsibilities with impartiality is impaired or (2) there is a serious, objective probability of actual bias due to acceptance of the campaign contribution.

Acts 2015, No. 224, p. 658

Changed circuit court jurisdiction to provide that the court shall have concurrent jurisdiction with the district court in civil actions in which the matter in controversy exceeds \$6,000, rather than \$3,000. Changed district court jurisdiction to provide that the court shall have exclusive jurisdiction in civil actions in which the matter in controversy does not exceed \$6,000, rather than \$3,000, and that such cases shall be placed on the small claims docket. Provided that for cases in district court in which the amount in controversy exceeds \$3,000 but does not exceed \$10,000, including small claims cases, the docket fee shall be \$198 and that the \$50 fee for dispositive motions for certain judgements does not apply to small claims cases in which the amount in controversy does not exceed \$3,000 (fee distributions remained unchanged).

Acts 2016, No. 398, p. 1060

Provides that certain pension, annuity, or retirement benefits under the Teachers' Retirement System and the Employees' Retirement System are subject to recovery actions involving restitution, fines, court costs, fees, or other financial obligations in felony criminal cases.

Acts 2017, No. 270, p. 441

Allows the Circuit Clerk in each judicial circuit to use money in the Circuit Clerk's Judicial Administration Fund to award merit and promotional raises to court personnel.

Acts 2018, No. 517

Reduces the fee for ignition interlock installation and changes the distribution of the fee for persons charged with driving under the influence.

Leasing or Renting of Tangible Personal Property

Acts 1971, 1st Ex. Sess., No. 96, p. 166

Established tax at current rates; and provided that all proceeds of the tax be deposited to the Education Trust Fund.

Acts 1988, 2nd Ex. Sess., No. 955, p. 680

Changed distribution of tax to 60% to the State General Fund and 40% to the Education Trust Fund.

Note: This act was contingent upon enactment of HB 45, which amended Alabama state income tax law to conform to federal income tax regarding interest deductions and deductions for entertainment, meals, and travel, resulting in increased receipts to the Education Trust Fund. This conformity bill became Act 1988-954.

Acts 1999, 2nd Ex. Sess., No. 650, p. 96

Changed the distribution of tax to current distribution effective January 1, 2001.

Note: This act was contingent upon enactment of a bill to substantially conform state income tax law to federal law relating to the determination of taxable income for corporations and the ratification of a Constitutional Amendment to increase the income tax on corporations to 6.5%. This conformity bill became Act 1999-664 and the amendment was ratified and designated Amendment No. 662, now appearing as Section 211.03 of the Official Recompilation of the *Constitution of Alabama of 1901*.

Acts 2001, No. 636, p. 1242

Clarified that the tax may be passed on to the lessee by adding the tax to the leasing price, but if the tax is added, it must be included in the gross proceeds subject to the tax. Retroactive to January 1, 1988.

Acts 2014, No. 453, p. 1685

Amended Section 40-9-30, *Code of Alabama 1975*, relating to exemption from taxation and licenses, to exempt any items used for the treatment of illness or injury or to replace all or part of a limb or internal body part purchased by or on behalf of an individual pursuant to a valid prescription and covered by and billed to Medicare, Medicaid, or a health benefit plan from state, county, and municipal sales, use, and rental and leasing taxes. Repealed Section 40-9-39.1, *Code of Alabama 1975*, which provided a sales and use tax exemption for certain durable medical equipment, prosthetics, orthotics devices, and medical supplies.

Acts 2019, No. 89

Amended Section 40-12-222, *Code of Alabama 1975*, to: (1) provide that, except for lease or rental transactions of registered motor vehicles, when tangible personal property is the subject of a lease or rental transaction and the property is delivered, the applicable local privilege or license tax is based on where the property is delivered; (2) provide that when such tangible personal property is picked up at the lessor's rental location, the applicable local privilege or license tax is based on the rental location; (3) provide various rules relating to the lease of motor vehicles; and (4) provide retroactive effect.

Acts 2021, No. 221

Deleted a restriction which limited the authority of a lessor to pass on the amounts of privilege or license tax to a lessee in the leasing or renting of tangible personal property; and provided a privilege or license tax exemption from the gross proceeds accruing from a motor vehicle lease transaction that last 180 or more days and involves the federal, any state, county, or municipal government or entity or any entity eligible for a sales tax exemption under federal law or state law.

Liquefied Petroleum Gas Board Permit Fees

Acts 1965, No. 220, p. 305

Established the Alabama Liquefied Petroleum Gas Board; provided that applicants in the business of selling liquefied petroleum gases pay a permit fee of \$.35 per thousand gallons on the first million gallons sold in the state and \$.25 per thousand gallons on all amounts over one million gallons sold; provided for a minimum permit and renewal fee of \$200 and a maximum fee of \$3,000; and provided all fees collected be deposited to the Liquefied Petroleum Gas Board Fund.

Acts 1979, No. 435, p. 690

Provided for Permits A, B, C, D, and E. (See Tax Rate).

Acts 1984, No. 293, p. 555

Added Permit F. (See Tax Rate).

Acts 1986, No. 531, p. 1029

Increased fees for permit holders not otherwise covered under this act from .2% of the cost of the sale to .4% of the cost of the sale.

Acts 1989, No. 535, p. 1097

Added Permit B1. (See Tax Rate).

Acts 1992, No. 123, p. 213

Increased the limit on balances which may be retained in the LP Gas Board Fund to \$200,000.

Acts 1993, No. 632, p. 1079

Created the Liquefied Petroleum Gas Research and Education Fund; and provided that all balances in excess of \$200,000 in the LP Gas Board Fund at the end of each fiscal year shall be transferred to the LP Gas Research and Education Fund.

Acts 1994, No. 211, p. 283

Established Permits C1 and C2 and created the Liquefied Petroleum Gas Recovery Fund. (See Tax Rate).

Acts 1997, No 685, p. 1361

Established Permit F1 and provided further for the use of funds in the LP Gas Research and Education Fund. Money in this fund could now be used for grants and contracts to fund research and education programs and to provide rebates for promoting use of LP gas. (See Tax Rate).

Acts 2004, No. 87, p. 111

Continued the existence and functioning of the Alabama Liquefied Petroleum Gas Board pursuant to the Alabama Sunset Law. Increased the membership of the board by adding a consumer member, permit ex officio members of the board to appoint designees to represent the members at board meetings, and to eliminate the credit or refund provided to Class A or B-1 permit holders who sell liquefied petroleum gas to end users located outside of this state.

Acts 2004, No. 489, p. 914

Provided for the LP Gas fee to be established by the Board and not to exceed \$.005 per gallon, assessed only once per gallon.

Acts 2014, No 145, p. 353

Required existing retail, off-premise cylinder filling stations of a Class A or B-1 permit holder to obtain a Permit F to continue operations; abolished the Liquefied Petroleum (LP) Gas Recovery Fund and transferred its balance to the LP Gas Board in fiscal year 2015; and eliminated obsolete LP Gas Board Personal Bond Fund.

Liquor Taxes, Wine Taxes, and Stores' Profit

Acts 1936-37, No. 66, p. 40

Established the ABC Board and its authority to regulate the sale of alcoholic beverages.

Acts 1943, No. 99, p. 104

Levied the first 10% tax on the sales price of liquors and wines and credited collections to the Alcoholic Beverage Control Stores Fund as liquor profits.

Acts 1955, 2nd Ex. Sess., No. 78, p. 199

Established the second 10% levy on liquors and wines with the entire proceeds credited to the Department of Human Resources.

Acts 1959, No. 312, p. 889

Established the third 10% tax on liquors and wines and distributed 50% of the revenue to the Department of Human Resources and 50% to the Department of Mental Health.

Acts 1969, No. 550, p. 1033

Authorized an additional 5% tax on the sales price of liquors and wines to be credited to the State General Fund.

Acts 1978, 2nd Ex. Sess., No. 92, p. 1786

Provided that dry counties and municipalities therein would cease to receive any share of the Alcoholic Beverage Control revenue and that the profits allocated to the wet counties were to be divided proportionately among those counties and the municipalities therein.

Acts 1979, No. 182, p. 291

Imposed an annual privilege or license tax of \$25 on the manufacturer and a \$.05 per gallon excise tax on the sale of native Alabama farm wines.

Acts 1979, No. 761, p. 1360

Repealed the 3% distributor's license tax and increased the associated filing fee from \$250 to \$500 and levied an additional excise tax of 3%.

Acts 1980, No. 382, p. 505

Allowed private enterprise sales of table wine in wet counties and set up a separate taxing system for table wine at a rate of 35% of the cost of merchandise.

Acts 1980, No. 478, p. 749

Established an additional 10% tax on the marked-up price of spirituous and vinous liquors to be credited to the State General Fund.

Acts 1982, No. 427, p. 675

Established an additional 2% sales tax on the marked-up price of spirituous and vinous liquors; 75% to be distributed to the municipality and 25% to the county from which it was collected.

Acts 1983, No. 427, p. 607

Provided that after June 30, 1983, any additional markup will be credited to the State General Fund.

Acts 1983, No. 594, p. 927

Changed tax rate on table wine.

Acts 1988, 1st Ex. Sess., No. 869, p. 380

Levied an additional 8% tax on the sales price of spirituous and vinous liquors to be credited to the State General Fund; up to 61.5% of the revenues from this tax are pledged as a secondary source of revenue for the payment of certain mental health bond obligations should the primary source of revenue (cigarette tax) be insufficient to pay such obligations.

Acts 2001, 3rd Ex. Sess., No. 891, p. 713

Changed the distribution of ABC store profits and prohibited transfers to the State General Fund or state agencies in the annual General Fund budget act.

Acts 2001, 4th Ex. Sess., No. 1114, p. 1179

Repealed the native farm wine tax; and repealed and reestablished the table wine tax at present rates.

Acts 2004, No. 266, p. 368

Prohibited the ABC Board from increasing the markup on case lot sales of liquor and fortified wine after December 1, 2004.

Acts 2010, No. 135, p. 190

Limited the amount of revenue distributed from the state liquor taxes to the State General Fund, the Public Welfare Trust Fund, and the Special Mental Health Fund at the amount received for fiscal year 2009 until the annual growth in liquor tax receipts above the fiscal year 2009 amount equals the amount of Tennessee Valley Authority (TVA) in-lieu-of-taxes payments distributed in FY 2009 to the dry counties not served by the TVA. Beginning with the fiscal year ending September 30, 2010, distributed to the dry counties not served by the TVA from the growth in state liquor taxes an amount up to the amount of TVA payments distributed to dry counties for fiscal year 2009 plus an amount equal to the percentage growth in TVA payments received by the state.

Acts 2010, No. 607, p. 1478

Removed the distinction provided for fortified wine and amended the definition of table wine to include wines previously defined as fortified wine. As a result, fortified wine will no longer be taxed as liquor. Levied a new \$2.42 per liter tax on fortified wine and provided for the distribution of revenues.

Lodgings (Transient Occupancy) Tax

Acts 1955, No. 248, p. 586

Established lodgings tax at 3% and provided that all receipts be deposited in the Education Trust Fund for teachers' salaries.

Acts 1956, 1st Ex. Sess., No. 96, p. 142

Provided that the Governor by Executive Order could authorize the Department of Revenue to allow persons subject to the tax, a discount not to exceed 5% of first \$100 of tax levied and 2% of the tax levied over \$100.

Acts 1963, No. 269, p. 715

Increased lodgings tax to 4% and established the distribution of proceeds: 75% to the Education Trust Fund for payment of teachers' salaries and 25% to the Bureau of Tourism and Travel for state travel advertising and travel promotion.

Acts 1979, No. 604, p. 1068

Increased the lodgings tax rate from 4% to 5% in 16 North Alabama counties which comprise the Alabama mountain lakes area and provided for the distribution of the additional tax proceeds.

Acts 1988, 2nd Ex. Sess., No. 956, p. 681

Changed distribution of the tax proceeds from the Education Trust Fund, for payment of teachers' salaries, to the State General Fund.

Acts 1996, No. 498, p. 629

To the exemptions from the tax, added non-profit camps and conference centers and film projects approved by the Alabama Film Commission that met specified requirements.

Acts 2001, 3rd Ex. Sess., No. 968, p. 865

Extended the number of continuous days, in order to qualify for the lodging exemption, to more than 180 days.

Acts 2001, 3rd Ex. Sess., No. 975, p. 908

Excluded those working in connection with the production of an approved motion picture project certified by the Alabama Film Office until September 30, 2005.

Acts 2005, 1st Ex. Sess., No. 305, p. 610

Amended Act 2001-975 to extend the lodgings tax exemption for motion picture projects approved by the Alabama Film Commission to September 30, 2006.

Acts 2009, No. 144, p. 268

Established the Entertainment Industry Incentive Act of 2009. Exempted qualified production companies from the state's portion of sales and use taxes and from all state and local lodgings taxes if a production company spends in the aggregate at least \$150,000 in the state within a 12-consecutive month period.

Acts 2011, No. 695, p. 2123

Amended the Entertainment Industry Act of 2009; both expanded and redefined criteria used to determine rebates and exemptions; clarified that sales, use, and lodgings tax exemptions applied to the state portion only of the taxes; capped sales, use, and lodgings exemptions when production expenditures reach \$10 million.

Acts 2012, No. 212, p. 378

Amended the Entertainment Industry Act of 2009 to increase aggregate annual cap on incentives from \$10 million to: (1) \$15 million for fiscal years 2013 and 2014; and (2) \$20 million in subsequent fiscal years.

Acts 2015, 1st Ex. Sess., No. 534, p. 1898

Required entities that were statutorily exempt from the payment of lodgings taxes, both state and local, to obtain a certificate of exemption and annually report to the Department of Revenue exempt purchases or potentially lose their exemption.

Acts 2019, No. 387

Imposed the lodgings tax on the renting or furnishing of marine ships, tent camping, or places or spaces for motor homes, travel trailers, self-propelled campers or house cars, truck campers or recreational vehicles unless space or place is rented or furnished for a period of less than 90 continuous days.

Note Regarding Local Levies:

Several counties and municipalities levy local lodgings taxes. Counties may levy a lodging tax by local legislative act. Municipalities may levy a lodgings tax by local ordinance (per Section 11-51-90 of the *Code of Alabama 1975*).

Lubricating Oil Tax

Acts 1935, No. 194, p. 516

Established the \$.02 per gallon levy to provide for general revenue with tax receipts credited to the State Highway Patrol.

Acts 1943, No. 477, p. 441

Authorized the Department of Revenue to exempt U.S. agencies from the \$.02 tax.

Acts 1955, No. 42, p. 259

Changed the distribution of the \$.02 per gallon tax receipts so that all receipts would be deposited after the cost of collection is deducted to the General Fund.

Acts 1980, No. 427, p. 590

Levied the additional excise tax of \$.04 per gallon on gasoline, motor fuel, and lubricating oil; and provided for its distribution.

Acts 1980, No. 694, p. 1397

Exempted the sale of lubricating oil destined for out-of-state use from the \$.02 tax.

Acts 1981, No. 787, p. 1379

Exempted local boards of education from the \$.04 tax on gasoline, motor fuel, and lubricating oil.

Acts 1987, No. 553, p. 854

Exempted from the \$.02 tax on lubricating oil private and parochial schools, city and county boards of education, Alabama Institute for the Deaf and Blind (AIDB), and the Department of Youth Services (DYS) School District; and exempted private and church school systems from the \$.04 tax on lubricating oil.

Acts 1987, No. 675, p. 1205

Further provided for use of lubricating oil tax proceeds in municipalities to include construction of new roads and streets.

Acts 1988, No. 641, p. 1027

Exempted Class 1 municipalities (Birmingham) from the payment of all oil, gasoline, and diesel fuel taxes of any kind.

Acts 1991, No. 665, p. 1273

Exempted Class 2 municipalities (Mobile) from the payment of all oil, gasoline, and diesel fuel taxes of any kind.

Acts 1991, No. 672, p. 1310

Exempted DYS, AIDB, city and county boards of education, and private and parochial schools from all gasoline, motor vehicle fuel, and oil taxes. The effect of this act relative to the Lubricating Oil Tax was to exempt the DYS School District, AIDB and private and parochial schools from the \$.04 tax.

Acts 1995, No. 410, p. 881

Inserted into the *Code of Alabama 1975*, the general exemption for DYS and AIDB granted in the Act 1991-672 above.

Acts 2011, No. 565, p. 1084

Beginning October 1, 2012, exempted all city and county governing bodies from the \$.02 tax; class 1 (Birmingham) and class 2 (Mobile) were previously exempted from the \$.02 tax; and all city and counties are exempted from the \$.04 tax.

Manufactured Home Registration Fee

Acts 1961, No. 44, p. 1897

Provided for a license tax of \$3 and that house trailers would be assessed in the same manner as motor vehicles for ad valorem tax purposes.

Acts 1988, 1st Ex. Sess., No. 824, p. 265

Removed mobile homes from motor vehicle registration requirements and classified them as residences for ad valorem tax purposes.

Acts 1991, No. 694, p. 1340

Provided for registration fee at current rates in lieu of ad valorem taxes on certain manufactured homes.

Acts 2001, 4th Ex. Sess., No. 1098, p. 1152

Provided that the portion of the issuance fee dedicated for use by the issuing official may be used by the issuing official for performance of his or her official duties.

Acts 2019, No. 239

Clarified that any existing transaction fees required to be paid to the Department of

Revenue for the titling of a manufactured home are based on each unit of a manufactured home subject to titling and provided that manufactured homes designated as a 1999-year model or older are exempt from the vehicle certificate of title requirements under Chapter 20 of Title 32.

Marriage License Fee

Acts 1911, No. 196, p. 154

Fee for issuance and recording of marriage license set at \$1.50.

Acts 1975, No. 556, p. 1259

Increased fee for issuance and recording of marriage license from \$1.50 to \$5.

Acts 1981, No. 813, p. 1452

Established an additional marriage license fee of \$5 for support of domestic violence facilities and provided for the distribution.

Acts 1984, No. 446, p. 1040

Increased the fee for issuance and recording of marriage license from \$5 to \$10.

Acts 1987, No. 596, p. 1035

Increased the additional marriage license fee for support of domestic violence facilities from \$5 to \$15.

Acts 1999, No. 589, p. 1344

Increased the additional marriage license fee for support of domestic violence facilities from \$15 to \$30.

Acts 2015, No. 493, p. 1679

Transferred the administration of domestic violence funds from the Office of Prosecution Services to the Alabama Department of Economic and Community Affairs (ADECA). Created the Domestic Violence Trust Fund (Fund) to fund domestic violence centers and increased the marriage license fee from \$30 to \$60 to be deposited to the Fund. Fines for violating a protection order are also deposited into the Fund. ADECA may pay administrative costs from the Fund but may not expend more than 8% of total available funds or the actual costs of administration, whichever is less. 10% of unspent and unencumbered monies at the end of the fiscal year shall be retained in the Fund with the remainder reverting to the State General Fund.

Acts 2019, No. 340

Amends Sections 22-9A-17, 30-1-5, 30-1-12, and 30-1-16, Code of Alabama 1975, to: (1) abolish the requirement of a marriage license for marriages performed in this state; (2) establish requirements for a marriage document to be completed and signed by the parties to the marriage; (3) require the payment of a recording fee to the judge of probate for each marriage recorded; (4) establish that there is no requirement for a marriage ceremony in order to legitimize a marriage; and (5) repeal Sections 30-1-9, 30-1-10, 30-1-11, 30-1-13, and 30-1-14, Code of Alabama 1975, relating to marriage.

Medicaid Provider Taxes

Acts 1987, No. 707, p. 1245

Created the Alabama Mothers and Babies Indigent Care Trust Fund and the Alabama Mothers and Babies Indigent Care Trust Board to administer the fund; and provided that funds from the trust are to be transferred to the Alabama Medicaid Agency to implement the Medicaid program in Alabama. The source of funds to the trust includes appropriations, grants, contributions, and donations and transfers from the two state teaching hospitals.

Acts 1991, No. 124, p. 148

Provided for a privilege tax of \$.10 per prescription with a retail price of \$3 or more on all providers of pharmaceutical services and provided for the distribution of such funds to the Alabama Health Care Trust Fund to be used for indigent health care and operation and maintenance expenses of the Alabama Medicaid Agency. (See note following Act 1991-127).

Acts 1991, No. 125, p. 152

Created the Alabama Health Care Trust Fund as a revolving fund into which Medicaid Provider Taxes are to be deposited. (See note following Act 1991-127).

Acts 1991, No. 126, p. 153

Imposed an annual privilege tax of \$999.96 per bed on nursing facilities which have an agreement to participate in the Alabama Medicaid Program. (See note following Act 1991-127).

Acts 1991, No. 127, p. 158

Defined a disproportionate share hospital and levied a privilege tax on them at the rate of 65% of their Medicaid occupancy, with the annual tax due to be determined by the Alabama Medicaid Agency; and provided for the Medicaid Agency to develop methodology for reimbursement to disproportionate share hospitals. The act had a "hold harmless provision" (subsequently disallowed by the federal government and eliminated in Act 1992-440) providing a reserve from which hospitals were to be assured a disproportionate share reimbursement not less than the taxes paid each fiscal year.

Note: Pursuant to PL 102-234, the provider specific taxes levied in 1991 and described above were disallowed by the federal Health Care Financing Administration as an approved method of financing the state share of financial participation in the Medicaid program. Broad-based taxes (a uniform tax on those in the same provider class) were given federal approval and were subsequently established in the 1992 Regular Session.

Acts 1992, No. 418, p. 849

Defined a public hospital and provided for a monthly transfer of funds, in lieu of a tax, to be made by all public hospitals to the Alabama Medicaid Agency, in an amount to be determined by the Medicaid Agency, to be credited to the Alabama Mothers and Babies Indigent Care Trust Fund. Effective January 10, 1993 through September 30, 1995.

Acts 1992, No. 440, p. 871

Amended the provider tax on nursing homes to provide that the tax shall be on all such facilities; levied a tax on all nonpublic hospitals; excluded public hospitals, state-owned teaching hospitals, and certain rehabilitation facilities; and provided for the Alabama Medicaid Agency to make an annual determination regarding the methodology of disproportionate share reimbursement to hospitals and guaranteed that such amount would never be less than the 1992 level. Effective January 10, 1993 through September 30, 1995.

Acts 1993, No. 314, p. 471

Repealed the hospital tax and provided for a refund to those nonpublic hospitals which were paying the tax under Act 1992-440, for the month of April 1993 and thereafter; repealed the criteria for a disproportionate share hospital (DSH); established that the Medicaid Agency will, at the beginning of each fiscal year, promulgate regulations regarding disproportionate share reimbursements to disproportionate share hospitals (criteria for defining these DSH hospitals will also be developed by the Medicaid Agency, in accordance with federal guidelines); and provided that DSH payments to hospitals would not be less than the DSH cap established by the federal Health Care Financing Administration (\$147 million), which was the 1992 level.

Note: Effective October 1, 1995, federal rules limited DSH payments to the cost of uncompensated care, with the exception of “high” DSH hospitals which can be paid a greater amount.

Acts 1997, 1st Ex. Sess., No. 901, p. 277

Levied a supplemental privilege tax of an additional \$200.04 per bed annually, effective until December 31, 1999, on every nursing facility in the state. (Act 1999-409 deleted the expiration date). Authorized the Department of Revenue, upon the advice of the Alabama Medicaid Agency, to reduce this supplemental privilege tax if such reduction is required to ensure that the total revenues from the aggregate of this supplemental privilege tax and the privilege tax during the fiscal year are less than or equal to 6% of the total revenues received by the nursing facilities subject to the tax.

Acts 1999, No. 409, p. 729

Deleted the provision in Act 1997-901 which provided that the privilege tax on nursing facilities would expire on December 31, 1999.

Acts 2002, No. 414, p. 1058

Effective July 1, 2002, provided that Alabama citizens would pay a privilege tax of \$.10 on all prescriptions filled in the state; and removed the exemption of prescriptions that cost less than \$3.00.

Acts 2004, No. 532, p. 1120

Increased the supplemental privilege tax for each bed in a nursing home facility from \$200.04 per bed to \$900 per bed making the total annual privilege tax \$1,899.96 per bed in a nursing facility; and increased the nursing facility provider’s cap on reportable cost per patient from cost plus 10% to cost plus 11%.

Acts 2009, No. 549, p. 1454

Levied a hospital assessment on privately owned hospitals of 5.38% of net patient revenue for fiscal years 2010 and 2011.

Acts 2010, No. 520, p. 879

Increased the supplemental tax on nursing home facilities to \$1,063.08 per bed effective September 1, 2010 through August 31, 2011.

Acts 2011, No. 614, p. 1376

Increased the supplemental tax on nursing home facilities to \$1,603.08 per bed effective October 1, 2011 through September 30, 2013. Provided the inflation factor applied is zero.

Acts 2011, No. 615, p. 1383

Extended the hospital assessment on privately owned hospitals and decreased it to 5.14% of net patient revenue for fiscal years 2012 and 2013.

Acts 2012, No. 536, p. 1589

Added a surcharge of \$131.25 to each licensed bed in a nursing facility for the period May 20, 2012 through September 20, 2012 at which time the surcharge was reduced to \$43.75 per licensed nursing facility bed per month and remain in effect until August 31, 2013.

Acts 2013, No. 240, p. 577

Extended the current supplemental privilege assessment and monthly surcharge on nursing home beds by two years through August 31, 2015.

Acts 2013, No. 246, p. 595

Extended for three years the hospital assessment on all private hospitals and increased the rate to 5.5 percent of net patient revenue through August 2016. If approved by the Centers for Medicare and Medicaid Services, this act would also extend the use of Certified Public Expenditures (CPE) for outpatient services provided by Disproportionate Share Hospitals and discontinue use of CPEs for all other inpatient and outpatient hospital services; and provided that beginning in FY 2014, inpatient and outpatient services provided to Medicaid recipients by public and state-owned hospitals shall be funded using intergovernmental transfers.

Acts 2015, No. 458, p. 1498

Extended the \$1,603.08 supplemental privilege assessment and \$43.75 monthly surcharge on nursing home beds through August 31, 2017.

Acts 2015, 2nd Ex. Sess., No. 536, p. 1919

Added a secondary supplemental assessment on each bed in a nursing facility in fiscal years 2016 and 2017 at an annual rate of \$401.28.

Acts 2015, 2nd Ex. Sess., No. 537, p. 1922

Imposed a 15 cents supplemental privilege tax on each prescription filled or refilled for a citizen of Alabama during fiscal years 2016 and 2017.

Acts 2016, No. 299, p. 749

Extended the 5.5% hospital assessment imposed on privately operated hospitals in the state, currently scheduled to expire in fiscal year 2016, through fiscal year 2017. Required the Medicaid Agency to use intergovernmental transfers (IGTs) to obtain federal matching funds for all hospital payments. Required payments for inpatient services be based upon all patient refined diagnosis-related groups (APR-DRG) and outpatient services be based upon a set fee for an outpatient encounter or encounter rate. Changed the way IGTs were calculated and limited the amount the Medicaid Agency could receive from IGTs to the amount received in IGTs and CPEs in FY 2016 and provided that those IGTs would not exceed \$324,858,765, except if a private hospital has a change of status and becomes subject to intergovernmental transfers, only if RCOs were implemented on or before September 30, 2017. Repealed Section 40-26B-77 (Hospital Certified Public Expenditures). Provided base payments for outpatient services in addition to any access payments or other payments made by Medicaid to hospitals. Provided that if Medicaid hospital reimbursement rates are less than rates approved by the Centers for Medicare and Medicaid Services, the hospital assessment will cease to be imposed.

Acts 2016, 1st Ex. Sess., No. 452, p. 1233

Repealed the 15 cents supplemental privilege tax that was imposed by Act 537 during the 2nd Extraordinary Session of 2015. This act required the Alabama Medicaid Agency to refund the privilege tax collected under this supplement tax back to pharmacies through monthly credits beginning October 1, 2016.

Acts 2017, No. 381, p. 1222

Extended the supplemental privilege assessment (\$1,603.08 annually) and the monthly surcharge (\$43.75 per month/\$525 annually) on nursing home beds to August 31, 2018.

Acts 2017, No. 382, p. 1224

Extended the 5.5% percent assessment on net patient revenue levied on all private hospitals as a cost of doing business in the state for the fiscal year ending September 30, 2018 and requires that the funds for the hospital assessment are deposited into the Alabama Health Care Trust Fund to be used by the Medicaid Agency to pay for inpatient and outpatient hospital services throughout the state. Also limited the intergovernmental transfers (IGTs) provided to the Medicaid Agency, if Regional Care Organizations (RCOs) were implemented, to \$333,434,048, and provided that if RCOs are not implemented the IGTs would not exceed the amount of state funds necessary for the Medicaid Agency to obtain those federal matching funds to pay publicly owned and state-owned hospitals. Further, required that, if the Medicaid Agency moved to making capitated payments through RCOs prior October 1, 2017, there would not be retroactive payments and required that the Agency obtain approval from the Hospital Services and Reimbursement Panel prior to making any change to the payment methodologies if Medicaid does not implement RCOs.

Acts 2018, No. 542

Extended the supplemental privilege assessment (\$1,603.08 annually), the secondary privilege assessment of \$401.28 annually, and the monthly surcharge (\$43.75 per month/\$525 annually) on nursing home beds to August 31, 2019; and extended the requirement that the nursing facility program be administered by the Alabama Medicaid Agency until at least October 1, 2019.

Acts 2018, No. 543

Extended the assessment imposed on privately operated hospitals in the state through fiscal year 2019; and increased the assessment on private hospitals in the state from 5.5% to 5.75% of net patient revenue in fiscal year 2016.

Acts 2019, No. 278

Extended the assessment imposed on privately operated hospitals in the state through fiscal year 2022; increased the assessment on private hospitals in the state from 5.75% to 6.0% of net patient revenue in fiscal year 2017; and required that the assessment be reviewed and updated annually, subject to the limitations on the use of funds in the Hospital Assessment Account.

Acts 2019, No. 279

Extended the supplemental privilege assessment (\$1,603.08 annually), the secondary privilege assessment of \$401.28 per bed annually, and the monthly surcharge per bed (\$43.75 per month/\$525 annually) on nursing home beds to August 31, 2022; and extended the requirement that the nursing facility program be administered by the Alabama Medicaid Agency until at least October 1, 2022.

Acts 2020, No. 147

Amends Sections 40-26B-21, 40-26B-26 and 40-26B-27, to increase the privilege assessment of \$1,899.96 imposed on each bed in a nursing facility by \$327.48 per bed per year beginning September 1, 2020, and (2) provides for recalculation of the current asset value of each nursing facility into calculation of each facility's per diem rate to be paid beginning October 1, 2020; recalculate the current asset value as it relates to the calculation of nursing facility rates; and 3) authorize the Alabama Medicaid Agency to fund a minimum \$5,000,000 pool to be used for a quality incentive program for nursing facilities that meet certain quality measures.

Acts 2022, No. 126

Extended the supplemental privilege assessment (\$1,603.08 annually), the secondary privilege assessment of \$401.28 per bed annually, and the monthly surcharge per bed (\$43.75 per month/\$525 annually) on nursing home beds to August 1, 2025; and extended the requirements that the nursing facility program be administered by the Alabama Medicaid Agency during the period in which the provider assessment is levied and collected.

Acts 2022, No. 127

Extended the assessment imposed on privately operated hospitals in the state through fiscal year 2025.

Mortgage Record Tax

Acts 1935, No. 194, p. 256

Established Mortgage Record Tax at present rates.

Acts 1947, No. 181, p. 66

Provided that the tax would not be collected on any bank unless applicable to all banks.

Acts 1951, No. 540, p. 953

Exempted production credit corporations and associations.

Acts 1951, No. 816, p. 1449

Provided for tax due on previously exempted instruments which upon transfer would no longer be exempt.

Acts 1953, No. 770, p. 1031

Provided for recordation process for exempt instruments; changed reference from State Tax Commission to the Department of Revenue.

Acts 1953, No. 841, p. 1131

Exempted corporations or associations engaged in making farm or crop loans.

Acts 1965, No. 549, p. 811

Created the Uniform Commercial Code and related existing mortgage record tax to new law.

Acts 1969, No. 503, p. 960

Provided that the exemption relating to farm or crop loan instruments also be applied to instruments of like character executed to corporations under the Federal Farm Loan Act by the Farm Credit Act of 1933.

Acts 1977, No. 671, p. 1152

Provided an alternative procedure for recording future indebtedness by banks, savings and loans and insurance companies.

Acts 1981, No. 662, p. 1078

Extended base of tax to include open-ended or revolving indebtedness at an amount not to exceed \$.15 for each \$100 of maximum principal indebtedness to be secured by such instrument.

Acts 1987, No. 816, p. 1630

Exempted re-recordation instruments which are made to correct errors.

Motor Carrier Mileage Tax

Acts 1931, No. 273, p. 303

Established motor carrier mileage tax at the following rates: 16 passengers or less, \$.0025 per mile; 17 to 20, \$.005 per mile; 21 to 25, \$.0075 per mile; 26 or more, \$.01 per mile.

Acts 1939, No. 664, p. 1050

Changed tax on passenger capacity to the following rates: 16 or less, \$.0025 per mile; 17 to 21, \$.005 per mile; 22 to 25, \$.0075 per mile; 26 or more, \$.01 per mile.

Acts 1961, No. 673, p. 923

Eliminated the mileage tax on motor vehicles transporting property for hire and changed the \$.0025 per mile rate from the previous capacity of 16 passengers or less, to a capacity of 9 to 16 passengers.

Acts 1992, 2nd Ex. Sess., No. 710, p. 205

Exempted tour buses and "chartered party" vehicles.

Motor Fuels (Diesel) Tax (and Motor Carrier Fuel Tax)

Acts 1939, No. 590, p. 958

Established motor fuels tax at \$.06 per gallon.

Acts 1955, 1st Ex. Sess., No. 42, p. 64

Increased motor fuels tax rate to \$.07 per gallon.

Acts 1961, No. 674, p. 925

Provided further for the taxation of gasoline and/or motor fuel, sold to or withdrawn from storage or used in the state by motor carriers by establishing a separate excise tax on motor carrier fuel; and provided for a one-time \$1 registration fee for motor carriers liable for the tax.

Acts 1971, No. 1408, p. 2403

Increased registration fee for motor carriers liable for the motor carrier fuel tax to current rate.

Acts 1971, No. 1727, p. 2889

Increased motor fuels tax rate to \$.08 per gallon.

Acts 1980, No. 427, p. 590

Levied an additional excise tax of \$.04 per gallon on gasoline, motor fuel and lubricating oil.

Acts 1992, No. 205, p. 503

Levied an additional excise tax of \$.05 per gallon on motor fuel (diesel).

Acts 1994, No. 586, p. 1078

Changed the fee for annual and 7-day trip permits from \$12 to an amount to be set by the Commissioner of Revenue. (See Tax Rate).

Acts 2004, No. 546, p. 1164

Exempted diesel fuel subject to state excise taxes from the \$.02 per gallon inspection fee; levied an additional \$.02 per gallon excise tax on motor fuel; and further provided for the distribution of revenues from the inspection fees and excise taxes on motor fuels.

Acts 2011, No. 565, p. 1084

Effective October 1, 2012, amended, repealed, and reenacted the state gasoline and motor fuel taxes at the same rates as the taxes were previously levied. Changed the point of collection of the taxes from the distributor to the supplier. Expanded the administrative discounts allowed to the distributors and suppliers for the collection of fuels taxed. Established new license fees for persons in the gasoline and motor fuel business to be deposited in the Public Road and Bridge Fund. Appropriated \$150,000 from the revenues collected pursuant to this act to the Department of Revenue for the fiscal year ending September 30, 2012. Each fiscal year thereafter, an amount of revenue will be appropriated to the Department to offset its cost of administering the act. Authorized the Department of Transportation to employ law enforcement officers to enforce and investigate the commission or suspected commission of transportation, public safety, and revenue offenses, including offenses regarding gasoline tax and tax on motor fuels.

Acts 2019, No. 2

Created the Rebuild Alabama Act which levied an additional six cent (\$.06) excise tax on each net gallon of gasoline and diesel fuel effective August 31, 2019: and will further increase the excise tax by two cents to eight cents (\$.08) effective October 1, 2020, and by two cents to 10 cents (\$.10) effective October 1, 2021. Effective October 1, 2023 and on July 1 every other year thereafter the act provides for an indexing process to adjust the excise tax rate by up to one cent (\$.01) based on the yearly average of the National Highway Construction Cost Index. Further, the act provided for the administration, distribution, and collection of the Rebuild Alabama Act tax.

Motor Vehicle Accident Report Fee

Acts 1971, No. 959, p. 1717

Established fee, not to exceed \$3, for copy of any record or report in the Department of Public Safety's files unless a different fee is otherwise prescribed by law. The fee is to be paid into the State Treasury to be credited to the State General Fund.

Acts 1988, 1st Ex. Sess., No. 721, p. 112

Increased the maximum fee for a copy of a record or report to \$5.

Acts 2001, No. 471, p. 627

Increased the maximum fee for a copy of a record or report to \$15. Ten dollars of the fee shall be paid to the State General Fund (an increase of \$5 to the General Fund) and the remaining \$5 shall be deposited to the Department of Public Safety Highway Traffic Safety Fund.

Acts 2013, No. 67, p. 130

Created the Alabama Law Enforcement Agency, consisting of the Department of Public Safety and the State Bureau of Investigations. Created the Public Safety Fund, consisting of all monies appropriated for support of the functions of the Agency, the Department of Public Safety, and the State Bureau of Investigations. Provided that all books, records, supplies, funds, equipment, and personnel of the units, departments, divisions, and other entities merged or abolished, and the functions of such entities were transferred to the succeeding entity.

Motor Vehicle Carrier Permit Fees

Acts 1939, No. 669, p. 1064

Established the following motor vehicle carrier fees: \$10 application for certificate of public convenience and necessity or permit; \$10 amendment to application; \$25 transfer of certificate of convenience and necessity or permit; \$10 application fee for approval of lease in excess of six months; and \$1 registration fee for every motor vehicle to be used by a motor carrier on a state highway.

Acts 1969, No. 477, p. 933

Changed fees as follows: \$100 application for certificate of necessity and convenience and \$100 application fee for amendment to certificate. The application fee for transfer of a certificate or permit remained at \$25; the application fee for approval of a lease of a certificate for more than six months at \$10; and the registration fee remained at \$1.

Acts 1985, No. 653, p. 1022

Increased the motor carrier registration fee to \$4 and further provided for the distribution of this fee.

Acts 1985, No. 688, p. 1103

Exempted wrecker services from PSC regulation.

Acts 1991, No. 730, p. 1422

Increased the motor carrier registration fee from \$4 to \$6 and further provided for the distribution of this fee.

Acts 1992, 2nd Ex. Sess., No. 710, p. 205

Provided that operators of tour buses may pay the fee to the Department of Tourism and Travel.

Acts 2001, No. 370, p. 474

Provided for the issuance of a certificate of authority to a household goods carrier, without the necessity of a hearing.

Public Law 109-59, 119 stat. 1144, August 10, 2005

Replaced the existing, outdated Single State Registration System for interstate motor carrier entities with the Uniform Carrier Registration (UCR) Act of 2005. Under the UCR Act, registration fees are capped at the amount received by the state in the 2004 registration year.

Acts 2006, No. 517, p. 1191

Designated the Public Service Commission as the agency responsible for the implementation and administration of the federal Unified Carrier Registration Act of 2005 which became effective January 1, 2007; repealed the federal Single State Registration system.

Motor Vehicle Certificate of Title Fee

Acts 1973, No. 765, p. 1147

Established original auto title law and fees.

Acts 1988, 1st Ex. Sess., No. 730, p. 127

Increased and standardized motor vehicle title transaction fee schedule and commissions and fees for services rendered by designated agents to current rates; and clarified inspection procedures for obtaining titles for rebuilt vehicles.

Acts 1989, No. 918, p. 1817

Provided for the titling of mobile homes and travel trailers designated a 1990 model or later, except for those mobile homes affixed to a parcel of property for whom a cancellation of title is obtained; and provided that \$5 from each mobile home title fee be credited to the Alabama Manufactured Housing Commission Fund for FY 1990.

Acts 2003, No. 345, p. 870

Exempted new manufactured homes that are placed on the owner's land and classified as real property from the requirement to be titled; and exempted utility trailers not exceeding 16 ft. in length from the requirement to be titled.

Acts 2005, No. 322, p. 784

Allowed for title-related fees to be collected "in a manner prescribed" by the Department of Revenue (DOR) (allowing for the possibility of title fees to be submitted to DOR electronically).

Acts 2006, No. 213, p. 312

Created the designation "flood vehicle" and required such designation to be placed on the title of flood vehicle-designated motor vehicles.

Acts 2009, No. 281, p. 472

Revised the exemption for vehicles transporting interstate persons or property; amended the exemption for certain travel trailers; and allowed the Department of Revenue to process titles electronically.

Acts 2009, No. 746, p. 2236

Moved the certificate of title statutes of manufactured homes to Chapter 20 under Title 32; established a new fee for cancellation of title of a manufactured home; added a new fee on each title transaction for manufactured homes earmarked for a non-profit housing foundation; allowed electronic filing of titles; and changed the exemption for interstate vehicles and utility trailers. Became effective January 1, 2010.

Acts 2010, No. 579, p. 1283

Allowed the Department to charge a fee of \$5 for any motor vehicle record requested, except a title history, which is either provided electronically or a printed version of an electronic record; the charge for a title history remained at \$15; one-half of the new \$5 fee is distributed to the State General Fund and one-half remains with the Department; allowed the Department to charge an additional fee up to \$5 retained by the Department for motor vehicle records obtained through the national motor vehicle title information system; and allowed the Department to prescribe other exempt vehicles from titling.

Acts 2010, No. 748, p. 1892

Exempted, under certain circumstances, owners of legally rebuilt motor vehicles from having to obtain a rebuilder's license before the Department's inspection prior to issuing a certificate of title; and allowed the Department to keep the titling fees in these circumstances rather than depositing the fees into the State General Fund.

Acts 2011, No. 633, p. 1507

Effective January 1, 2012, required automotive dismantlers, and parts and metals recyclers to file electronically the title cancellation notice required before crushing, dismantling or recycling a motor vehicle into scrap; allowed for the transfer of motor vehicles without a title to automotive dismantlers and parts and metals recyclers only, and only if the vehicle is worth \$1,000 or less and is at least 12 model years old; required the department to maintain an electronic lien verification system and to further verify whether the vehicle to be scrapped has been stolen; allowed the department to charge a fee for use of the verification system; allowed sharing of system information to local law enforcement authorities; provided that any lien or security interest shall be satisfied and release shall not be required after five years from date of security agreement for vehicles which are 12 or more model years old except by application for a new certificate of title.

Acts 2011, No. 645, p. 1643

Provided for a title to be issued by the Department of Revenue in the name of an insurance company on a vehicle reported as stolen when a settlement has been reached between the insurer and the insured.

Acts 2016, No. 358, p. 890

Changes the certificate of title requirements for motor vehicles not otherwise defined to any other motor vehicle not more than 35 model years old. Also changes the title requirements for trailers to include any trailer, semi-trailer, travel trailer, or moving collapsible and folding camper not more than 20 model years old.

Acts 2017, No. 242, p. 357

Revised the code concerning license plate validation decals to include the year of expiration, allows the county licensing officials to offer registration receipts in an electronic format, and allows dealerships that are designated agents to issue a temporary registration certificate.

Acts 2021, No. 171

Authorizes the Commissioner of Revenue to waive certain notification requirements associated with certain electronic filings; (2) provide that when the Department of Revenue processes a motor vehicle or manufactured home title application, and the application is not processed by a designated agent, the department may collect the commission that is otherwise authorized to be collected by the designated agent; and (3) authorize the Department of Revenue to issue a replacement certificate of title without the otherwise required 15-day hold if the title information can be verified through the National Motor Vehicle Title Information System.

Motor Vehicle, LP, and Natural Gas Fueled Fees

Acts 1980, No. 739, p. 1503

Established a flat fee at present rate on certain vehicles using liquefied petroleum gas a fuel, in lieu of an excise tax on such fuel; provided for issuance of annual decal and established fee therefore at present rate; and provided exemption from annual permit and decal fees established by this act for liquefied petroleum gas fueled vehicles owned and operated by the state or any incorporated municipality and vehicles not requiring a license plate or motor vehicle license.

Acts 1981, 3rd Ex. Sess., No. 1136, p. 409

Provided that owners of vehicles fueled by natural gas are liable for payment of the annual permit and decal fees and defined classes of vehicles subject to the fees; provided for purchase of decal and payment of permit fee by owners of newly converted vehicles; provided for decals to be placed on such vehicles to identify them as being "Powered by Liquefied Petroleum Gas"; and extended exemption from the permit and decal fees to counties and to agencies and instrumentalities of municipalities.

Acts 2014, No. 408, p. 1506

Suspended the requirement to obtain a decal from the Liquefied Petroleum Gas Board, as well as the requirement to collect the motor fuel tax prescribed in Article 3A of Chapter 14 of Title 40, *Code of Alabama 1975*, from April 9, 2014 until October 1, 2016. If no comprehensive approach for regulating and taxing natural gas used as fuel for motor vehicles has been established by October 1, 2016, beginning on that date, each 5.66 pounds of compressed natural gas that is taxable as motor fuel shall be taxed as one gallon of gasoline, and each 6.06 pounds of liquefied natural gas that is taxable as motor fuel shall be taxed as one gallon of diesel fuel (if standards are established for converting compressed natural gas to a gallon of gasoline and for converting liquefied natural gas to a gallon of diesel fuel, such standard conversions shall be used). Compressed natural gas and liquefied natural gas may be sold in gallon equivalents as established above until October 1, 2016. In the event that no comprehensive approach for regulating and taxing natural gas used as fuel for motor vehicles has been established at that time, compressed natural gas and liquefied natural gas shall be sold in gallon equivalents as established above.

Acts 2016, 1st Ex. Sess., No. 468, p. 1248

Extends the suspension of the requirement to obtain a decal from the liquefied petroleum gas board and the requirement to collect the motor fuel tax originally imposed by Act 2014-408 from October 1, 2016 to May 1, 2017.

Acts 2017, No. 229, p. 325

Further suspended the requirement to obtain a decal from the Liquefied Petroleum Gas Board until October 1, 2018. Additionally, it will levy on excise tax on compressed natural gas and liquefied natural gas at the rate of \$0.08 per gasoline gallon equivalent (GGE) or diesel gallon equivalent (DGE) respectively beginning October 1, 2018.

Motor Vehicle Registrations

Acts 1911, No. 452, p. 634

Provided for the registration, licensing, and identification of motor vehicles operated on the public highways of the state; established the license tax or registration fee based on horsepower; and required that 40% of said proceeds be distributed to the city (or county) where the owner or licensee resided.

Acts 1926-27, No. 347, p. 353

Required that the net revenue derived from the registration of motor vehicles, trailers, and tractors be used to finance the operations of the State Highway Department.

Acts 1935, No. 194, p. 256

Amended the provisions for the licensing and registration of private cars, buses, and motor trucks by basing such fees on vehicle weight.

Acts 1971, No. 1206, p. 2092

Provided for an increase in the license or registration fee above the established base amount for trucks and truck-tractors.

Acts 1979, No. 797, p. 1455

Established a staggered system for registering motor vehicles and provided for the annual issuance of motor vehicle plates. Also, provided that the amount charged by the Board of Corrections for the manufacture of revalidation devices would not be less than that charged for the manufacture of license plates. Effective October 1, 1980.

Acts 1984, No. 186, p. 286

Modified the registration weight ranges for trucks and truck-tractors; provided one schedule for heavy trucks; and provided various increases to truck plate fees.

Acts 1984, No. 240, p. 363

Provided for the payment of an additional \$10 on the registration of each passenger automobile, or truck with a gross weight of 8,000 pounds or less and \$8 additional fee for motorcycle. Said funds would be used by the Department of Public Safety for traffic regulation and expense of enforcing state traffic and motor vehicle laws.

Acts 1986, 1st Ex. Sess., No. 687, p. 83

Provided further for the weight classification and license cost of certain farm and forest product trucks and truck-tractors.

Acts 1987, No. 763, p. 1484

Amended Section 40-12-262, *Code of Alabama 1975*, relating to trip permits, by requiring cab cards of international registration plan vehicles to be present in the vehicle and provided for temporary trip permits.

Acts 1987, No. 764, p. 1486

Provided a limitation on the total cost of license plates, taxes and license fees for motorized recreational vehicles (to return the taxation of such vehicles to the rates, weights and amounts that existed prior to 1984); and exempted motorized recreational vehicles from the provisions of Section 40-12-248, *Code of Alabama 1975*.

Acts 1988, 1st Ex. Sess., No. 824, p. 265

Removed mobile homes from motor vehicle registration requirements and classified them as residences for ad valorem tax purposes.

Acts 1988, No. 946, p. 1859

Established a base and additional amount fee structure for motor homes distinct from that of trucks or truck tractors.

Acts 1988, 2nd Ex. Sess., No. 980, p. 701

Authorized a five-year registration option for truck trailers, tractor-trailers, and semitrailers.

Acts 1991, No. 694, p. 1340

Increased annual registration fee for privately owned utility trailers from \$3 to \$12 and included travel trailers; and increased annual registration fee for leased or rented utility trailers from \$8 to \$15.

Acts 1994, No. 584, p. 1071

Increased the fee for Dealer Plates to \$10 and provided for the number available; and created the Manufacturer's Plate for a fee of \$25.

Acts 1996, No. 746, p. 1307

Provided that license plates, except vintage, will follow the owner; required proof of ownership be retained in vehicle effective January 1, 1998; increased the penalty to \$10 for failure to register vehicle within 10 days; provided for two-year dealer plates; and increased the maximum dealer plates to three per full-time salesperson.

Acts 1996, No. 818, p. 1520

Replaced Alabama's antique plate with "vintage" plate category and clearly defined qualifications for obtaining the "vintage" plate. Owners were required to meet new requirements and exchange their antique plates for "vintage" plates between October 1, 1996, and September 30, 1997. On October 1, 1997, the antique plate expired and was no longer a valid plate.

Acts 1997, No. 633, p. 1148

Revised the process for the issuance of distinctive license plates to approval by the Legislative Oversight Committee instead of approval by the passage of legislation for each type of distinctive plate and placed specific restrictions on said approval.

Acts 1997, 1st Ex. Sess., No. 916, p. 305

Amended current annual license taxes and registration fees for trucks or truck-tractors used for agricultural purposes by establishing an additional class of trucks or truck-tractors with a maximum fee of \$250 where the gross weight of the vehicle is 80,001 pounds and over. A farmer is entitled to pay this reduced annual license tax and registration fee for only one truck-tractor.

Acts 1997, No. 919, p. 310

Provided a temporary plate for a maximum of 90 days for vehicles manufactured in Alabama but intended to be permanently licensed in some other jurisdiction than Alabama.

Acts 2000, No. 565, p. 1041

Established the process of converting from assessing and collecting ad valorem taxes in arrears to assessing and collecting ad valorem taxes forward on a current basis.

Acts 2000, No. 699, p. 1421

Provided for the issuance of permanent license plates for vehicles owned by volunteer fire departments and state and local governments upon the payment of an amount determined by the Department of Revenue and approved by the Legislative Council as sufficient to cover the cost of producing and issuing the plates.

Acts 2002, No. 256, p. 537

Deleted the fees for dealer and manufacturer plates and provided that the fee for a dealer plate would be the same as the fee for private passenger plates; allowed motorcycle dealers to obtain motorcycle dealer plates; and levied an additional issuance fee of \$1.75 on each dealer plate.

Acts 2004, No. 292, p. 414

Provided that anyone reregistering a vehicle (not including farm trucks, farm truck-tractors, motor homes, or vintage vehicles) would not be allowed to pay prorated registration fees, even if the owner or operator can document that the vehicle has not been used.

Acts 2004, No. 520, p. 1051

Established a new weight classification bracket and registration cost for trucks with a gross vehicle weight between 8,001 and 10,000 pounds; and increased from 8,000 to 10,000 pounds the maximum gross vehicle weight eligible for a distinctive and personalized license plate, with the exception of military and disability access plates.

Acts 2004, No. 529, p. 1106

Increased the number of days a person acquiring a new vehicle has to register that vehicle from 10 to 20; and increased the penalty for failing to register a vehicle within the timeframe granted by law from \$10 to \$15.

Acts 2004, No. 554, p. 1192

Provided that motor vehicle registrations become expired on the last day of the designated renewal month instead of the last day of the month preceding the designated renewal month.

Acts 2006, No. 276, p. 482

Provided for multi-year apportioned (IRP) plates to be issued every five years instead of annually, effective January 1, 2007; increased from \$780 and \$845 to \$815 and \$890 the annual registration fee for X8 (73,281 to 80,000 pounds) and X9 (80,000+ pounds) license plates; and also provided that truck trailers, tractor-trailers, and/or semitrailers may purchase a permanent trailer plate for a one-time registration fee of \$60 in lieu of an annual payment of \$20.

Acts 2006, No. 356, p. 946

Provided that the gross vehicle weight for pickup trucks used only for personal or agricultural purposes will be defined as the empty weight of the truck rather than the heaviest load carried and/or the weight of the truck when used in combination with another vehicle or portable equipment, which would still be the weight-defining standard for commercially used pickup trucks.

Acts 2009, No. 618, p. 1790

Allowed firefighters who qualify for distinctive plates under Section 32-6-272, *Code of Alabama*, to receive one free distinctive plate.

Acts 2010, No. 689, p. 1674

Provided that registration fees for governmental and volunteer fire department plates shall be determined by the Department of Revenue and may not exceed the fees for standard passenger plates, and also provided that the Department of Revenue shall retain the fees to cover costs of administration.

Acts 2011, No. 205, p. 384

Required qualified "mini-trucks" to have a plate and be registered.

Acts 2011, No. 540, p. 984

Provided that the registration fee for tow trucks will be determined only on the weight of the truck and will not include the weight of any vehicle being towed.

Acts 2011, No. 554, p. 1032

Placed limits on the amount of the dealer license plates that can be purchased by new and used motor vehicle dealers; and created a new dealer transit plate.

Acts 2013, No. 251, p. 625

Provided that the \$5 portion of the distinctive plate fee that was being distributed to the Penny Trust Fund will be distributed to the Senior Services Trust Fund.

Acts 2013, No. 398, p. 1516

Provided that plates may be issued for out-of-state colleges and universities; and provided with the extra fee be distributed to the State General Fund.

Acts 2014, No. 158, p. 445

Provided that a licensed new motor vehicle dealer may purchase a maximum combined total of 25 dealer and motorcycle dealer license plates, with exception. A licensed used motor vehicle dealer may purchase a maximum combined total of 10 dealer and motorcycle dealer license plates, with exception. A motor vehicle manufacturer who purchases license plates must pay the \$1.75 issuance fee, which is deposited into the county general fund for operation of the issuing official's office.

Acts 2015, No. 362, p. 1109

Provided for the creation of three additional categories of distinctive plates and fee schedules: (1) the "Bronze Star" license plate (annual fee \$25); (2) the "In Memory" license plate (annual fee \$50); and (3) the "Alabama Bicentennial" license plate (annual fee \$50). Also, adds a \$5 issuance fee for distinctive vehicle plates in the year of issuance, and raises the additional annual fee for all personalized or distinctive plates except those specifically exempted as provided for within this act to \$50.

Acts 2015, No. 499, p. 1801

Provides that a farmer may purchase up to four farm plates for truck tractors at the reduced annual registration fee of \$250.

Acts 2015, 1st Ex. Sess., No. 506, p. 1827

Provides that a member of the National Guard may select a license plate other than the "National Guard" for their one exempt license plate.

Acts 2016, No. 255, p. 620

Creates the "Stop Domestic Violence" license plate with an annual fee \$50. After the distribution of administrative and production costs, the remainder of the annual fee is to be distributed to the county district attorney in which the plate was issued and designated for domestic violence prevention programs.

Acts 2016, No. 339, p. 839

Provides the same reductions and exemptions to disabled veterans while allowing them to transfer that reduction or exemption to other license plates they may be qualified to obtain.

Act 2016, No. 408, p. 1096

Creates the following two new distinctive license plates: 1) a state parks license plate with an annual fee of \$50 distributed to Department of Conservation and Natural Resources for the State Parks system; and 2) a "Silver Star" distinctive license plate with an annual fee of \$25 and distributed to the Alabama Veteran's Assistance Fund; removes \$5.00 additional fee for all veteran/military license plates and the "Alabama Gold State Family" plate; excludes the "Alabama Bicentennial", "God Bless America", and "Alabama Gold Star Family" license plates from the \$50 annual fee for distinctive license plates; and clarifies the distribution of proceeds from the purchase of distinctive license plates.

Act 2017, No. 400, p. 1308

Creates the Distinguished Flying Cross distinctive license plate, deletes the requirement that a veteran must present a Department of Defense form DD-214 to prove eligibility for a veteran related distinctive license plate, and authorizes the Alabama Department of Veterans' Affairs to issue a certificate of eligibility.

Act 2019, No. 2

Created the Rebuild Alabama Act which levied an additional annual license tax and registration fee of \$200.00 on each battery electric vehicle and of \$100.00 on each plug-in hybrid electric vehicle operated on the public highways of this state; and provided for the distribution of the proceeds of the additional taxes and fees.

Act 2019, No. 305

Provided that the proceeds from annual license taxes and registration fees on battery electric and plug-in hybrid vehicles shall be allocated pursuant to a prescribed formula to counties and municipalities for transportation infrastructure improvements.

Oil and Gas Privilege Tax

Acts 1945, No. 2, p. 20

Established the oil and privilege tax at 4% of the gross value; and provided exemptions from ad valorem taxation for all oil or gas produced, for leases in production, and for oil or gas beneath producing properties to a maximum of 40 acres.

Acts 1971, No. 2057, p. 3317

Increased the rate to 5% of the gross value until October 1, 1973; after which, the rate was reduced to 4%.

Acts 1979, No. 434, p. 687

Increased the rate to 6% for wells producing 26 barrels or more per day and allowed wells beginning production after September 1, 1979, to be taxed at 4% for the first 10 years of production; and provided that additional collections be distributed 50% to the State General Fund and 50% to the county.

Acts 1980, No. 708, p. 1189

Increased the rate to 6% for well units producing 40 or more barrels per day and allowed well units producing less than 40 barrels per day to be taxed at 4% of the gross value at the point of production.

Acts 1983, 1st Ex. Sess., No. 39, p. 39

Increased the rate to 8% for wells producing 10 or more barrels of oil per day; and allowed well units producing less than 10 barrels per day to be taxed at 4% of gross value at the point of production; changed distribution formula to allow additional 2% to be deposited into the State General Fund; and removed the 10-year exemption.

Acts 1983, 4th Ex. Sess., No. 889, p. 116

Provided that all oil or gas produced by offshore production would be taxed at a rate of 6% of gross value at point of production to be distributed 90% the State General Fund and 10% to the county; raised 10 barrel per day exemption (taxed at 4% rather than 8%) to 25 barrels per day; taxed all wells producing 25 barrels of oil per day or more would be at 8%; and provided that any gas well producing 200 cubic feet of gas per day or less would be taxed at 4% rather than 8%.

Acts 1984, No. 328, p. 749

Provided that all production from onshore discovery wells and onshore development wells on which drilling commenced within four years of the completion date of the discovery well and producing from a depth of 6,000 ft. or greater, as well as all production from onshore development wells on which drilling commenced within two years of the completion date of the discovery well and producing from a depth less than 6,000 ft., would be taxed at 6% rather than 8% for a period of five years.

Acts 1984, No. 660, p. 1323

Exempted natural gas lawfully injected into the earth for cycling, pressure maintenance, or lifting of oil, or lawfully vented or flared in connection with production from the tax.

Acts 1984, No. 662, p. 1326

Provided that cities would receive 10% of any 4% tax levied on wells within the corporate limits of the municipalities.

Acts 1984, 1st Ex. Sess., No. 672, p. 5

Provided that any well which began commercial production of occluded natural gas from coal seams after June 7, 1984, would be taxed at the rate of 2% for a period of five years. This act expired on

June 7, 1994.

Acts 1985, 2nd Ex. Sess., No. 911, p. 182

Provided that incremental oil and gas production resulting from an "enhanced recovery project" would be taxed at 4% rather than 8%.

Acts 1987, No. 551, p. 849

Created the Alabama State Docks Facilities Contingency Trust Fund and provided that, beginning with FY 1987, the first \$9.5 million of collections from the Oil and Gas Privilege Tax required to be deposited to the State General Fund during each year would be credited to this Contingency Trust Fund, to be used by the Alabama State Docks Department for operations and/or bond expenses of the State Docks, upon verification by the Director of Finance that such use of these funds is necessary; also provided that, within 45 days after the close of the third quarter of each fiscal year, any funds remaining in the Contingency Trust Fund which have not been designated as required by the State Docks would be deposited to the State General Fund.

Acts 1988, No. 601, p. 935

Provided that the oil and gas produced from any well for which the initial permit issued by the Oil and Gas Board is dated on or after July 1, 1988, (except a replacement well for which the initial permit issued by the Oil and Gas Board is dated before July 1, 1988) would be taxed at a rate of 6% for onshore wells and 4% for offshore wells (a 2% reduction for both types).

Acts 1990, No. 652, p. 1249

Redefined offshore production as submerged lands, which means that if submerged lands are located within the police jurisdiction or corporate limits of any municipality, those submerged lands would be defined as onshore lands for the purpose of distributing the tax, therefore shifting the distribution of oil and gas privilege tax receipts from 90%-state, 10%-local to approximately 70%-state, 30%-local.

Acts 1994, No. 367, p. 615

Clarified that if any gas injected into the earth is sold for such purposes or injected into underground storage facilities, then the gas is not exempt from the tax. Also, exempted natural gas lawfully vented or flared in connection with production, treatment, or processing of oil or gas from the tax.

Acts 1996, 2nd Ex. Sess., No. 877, p. 1688

Reduced the privilege tax rate by one-half for a five-year period beginning with the date production began on oil or gas produced from wells permitted on or after July 1, 1996, but before July 1, 1999.

Acts 1998, No. 503, p. 1120

Required that monies in the State Docks Facilities Contingency Trust Fund be transferred monthly to the State General Fund if they are not needed to pay debt service on docks bonds.

Acts 1999, No. 584, p. 1332

Extended the reduced tax rate granted under Act 1996-877 that was scheduled to expire July 1, 1999. The extension was made through July 1, 2002.

Acts 2000, No. 598, p. 1199

In reference to the first \$9.5 million in receipts from this tax for State General Fund that is first used by the Port Authority, if needed by said Authority, changed the name from State Docks to Port Authority and restricted the Authority's use of these funds.

Acts 2004, No. 635, p. 1451

Levied a temporary oil and gas privilege tax at the rates of 1% on offshore production and 0.5% on onshore production for the period from July 1, 2004 through June 30, 2005 and distributed the proceeds to the State General Fund.

Acts 2009, No. 147, p. 284

Excluded deep water production of oil and natural gas from the privilege tax based on the gross value at the point of production and levied a new tax on deep water production computed at the rate of 3.65% of the gross proceeds attributable to the offshore production.

Oil and Gas Production Tax

Acts 1945, No. 1, p. 1

Established production tax at current rate to defray the expenses of enforcing Title 9, Chapter 17, Article 1 of the *Code of Alabama 1975*, and provided that tax returns and payments are due on the 15th day of the month following the month of production.

Acts 1961, 1st Ex. Sess., No. 95, p. 2008

Provided that the receipts from the tax be deposited into the State General Fund and expended as appropriated by the Legislature.

Acts 1984, No. 661, p. 1325

Exempted natural gas lawfully injected into oil or gas pools or reservoirs in the soil or beneath the soil or waters of the State of Alabama from the tax.

Acts 1994, No. 367, p. 615

Exempted natural gas lawfully vented or flared in connection with the production, treatment, or processing of oil or gas from the tax.

Acts 1996, 2nd Ex. Sess., No. 877, p. 1688

Reduced the tax rate to 1% for a 5-year period beginning with the date production began on oil or gas produced from wells permitted on or after July 1, 1996, but before July 1, 1999.

Acts 1999, No. 584, p. 1332

Extended the reduced tax rate granted under Act 1996-877 that was scheduled to expire July 1, 1999. The extension was made through July 1, 2002.

Acts 2009, No. 147, p. 284

Excluded deep water production of oil and natural gas from the production tax based on the gross value at the point of production and levied a new tax on deep water production computed at the rate of 1.66% of the gross proceeds received from the sale of the oil or natural gas.

Oil and Gas Rights, Lease of

Acts 1953, No. 825, p. 1111

Authorized and provided for the manner in which the Director of Conservation may execute oil, gas, and mineral leases on all lands owned by a state department.

Acts 1956, 1st Ex. Sess., No. 158, p. 224

Repealed and rewrote Act 1953-825 and authorized leases to be made on the basis of competitive bids.

Acts 1957, No. 611, p. 877

Required invitations for bids to be published at least 25 days before the final date for submitting bids; and required the Commissioner of the Department of Conservation and Natural Resources to either accept the most advantageous offer or reject all bids within five days of the date bids are opened.

Acts 1963, No. 529, p. 1141

Authorized the Department of Conservation and Natural Resources to charge a fee for copies of oil and gas lease tract charts; and required that advertising costs be borne by the agency requesting the lease of state lands.

Acts 1969, No. 479, p. 935

Provided further for the execution of oil and gas leases; and provided for the current distribution of revenue, except revenue from the lease of submerged lands in the Gulf of Mexico.

Oil Companies Wholesale License Fees

Acts 1935, No. 194, p. 256

Established tax at .5% preceding years gross sales less federal, state and local excise taxes.

Acts 1996, No. 521, p. 669

Allowed an exclusion from the tax base for sales between wholesalers and for federal, state, and local excise taxes included in the prices paid for taxable products.

Acts 2011, No. 565, p. 1084

Changed the rate from a percentage of gross sales to \$.0075 per gallon for each gallon of diesel fuel sold during the preceding fiscal years effective October 1, 2012. Also removed exclusion for quantities less than 25 gallons or less annually. For previous provisions, see the 2012 Tax Guide on our website (www.lfo.alabama.gov).

Acts 2013, No. 372, p. 1350

Provided for exemption for transmix and for diesel fuel exported from the state for which proof of export is available in the form of a terminal issued shipping document.

Outdoor Advertising Permit

Acts 1971, 3rd Ex. Sess., No. 276, p. 4544

Provided for the issuance of permits and the collection of permit fees at rates of \$5 for initial permit and \$3.50 for renewal.

Acts 1978, No. 383, p. 347

Increased outdoor advertising permit fees to current rates.

Acts 2016, No. 301, p. 760

Adopts the Federal Highway Administration's definition of "primary highways" that extends the boundaries of highway rights-of-way which increases the number of outdoor advertising signs regulated by the Alabama Department of Transportation.

Oversize/Overweight Permit Fees

Acts 1932, Ex. Sess., No. 58, p. 68

Provided that the State Highway Commission prescribe rules and regulations for issuance (at no cost to applicant) of special permits for the transportation of oversize, overweight, or overlength commodities and for the operation of super heavy or oversize motor trucks, semitrailer trucks, and trailers.

Acts 1977, No. 775, p. 1332

Provided further for the issuance of special permits for movement of certain oversized and overweight vehicles and loads on the state highway system; and authorized the Highway Director to collect fees for the issuance of such permits at current rate.

Acts 1977, 1st Ex. Sess., No. 78, p. 1506

A Senate Joint Resolution expressing that the intent of the Legislature, relative to Act 1977-775, was to exempt farm equipment and agricultural commodities and equipment from the provisions of said act related to oversize, overweight permits.

Acts 1978, No. 837, p. 1241

Specifically, exempted farm and agricultural commodities and equipment from the requirement of obtaining permits for movement on the state highway system of heavy commodities or equipment.

Acts 1998, No. 321, p. 562

Provided for an annual \$100 permit fee for the operation of oversized rubber-tired equipment used solely for mining refractory grade bauxite.

Acts 2019, No. 473

Authorized the Department of Transportation to issue an annual commercial wrecker emergency tow permit for commercial wreckers that exceed the maximum height, weight, or length limitations established by law.

Pari-Mutuel Pool Taxes

Acts 1984, No. 131, p. 159

Established state horse wagering fee of 1% to be effective after the fifth anniversary of the date on which horse racing was first conducted.

Acts 1988, 2nd Ex. Sess., No. 952, p. 575

Established the state dog racetrack pari-mutuel pool tax.

Acts 1989, No. 696, p. 1376

Clarified the non-payment of the additional 1% tax by the Mobile County dog track on races requiring the selection of three or more racers.

Acts 1991, No. 187, p. 246

Authorized greyhound racing in Jefferson County (in addition to horse racing) and provided for tax rates listed above.

Acts 1998, No. 128, p. 188

Provided further for the take-out from pari-mutuel pools for the Jefferson County racetrack.

Acts 1998, No. 130, p. 190

Provided further for the take-out from pari-mutuel pools for the Macon County racetrack.

Petroleum Commodities Fees

Acts 1971, No. 1403, p. 2363

Provided for the inspection of petroleum products by the Department of Agriculture and Industries and inspection fees paid to the Department as follows: (1) gasoline, 1/40 of \$.01 per gallon; (2) diesel fuel, \$.01 per gallon; (3) kerosene, \$.01 per gallon; (4) lubricating oil, \$.15 per gallon; (5) kerosene or diesel fuel for jet aircraft, 1/40 of \$.01 per gallon; (6) kerosene or diesel fuel for maritime vehicles, 1/40 of \$.01 per gallon; (7) kerosene or diesel fuel for tractors, 1/40 of \$.01 per gallon; and (8) diesel fuel for railroad locomotives, 1/40 of \$.01 per gallon. Provided that the first \$55,000 of all proceeds received each month would be deposited in the Agricultural Fund and the balance remaining thereafter in the Public Road and Bridge Fund.

Acts 1971, 3rd Ex. Sess., No. 339, p. 4643

Further restricted application of the fees to the first person selling petroleum products in Alabama; and exempted diesel fuel and kerosene used in firing steam boilers or combustion generating turbines by compression.

Acts 1973, No. 641, p. 949

Provided an inspection fee of 1/40 of \$.01 per gallon for kerosene or diesel fuel used in the treatment of wood products.

Acts 1979, No. 307, p. 460

Provided that 10% of the proceeds collected each month or no less than \$55,000 monthly would be deposited in the Agricultural Fund and the balance remaining thereafter in the Public Road and Bridge Fund.

Acts 1981, No. 793, p. 1395

Increased annual permit fee to current rate.

Acts 1984, No. 185, p. 279

Increased inspection fees; increased the monthly amount deposited in the Agricultural Fund to \$175,000; and provided current distribution for the remaining monthly balance.

Acts 1986, 1st Ex. Sess., No. 716, p. 132

Provided that the State Treasurer distribute the proceeds from petroleum permit and inspection fees and penalties.

Acts 2004, No. 546, p. 1164

Exempted diesel fuel subject to excise taxes from the \$.02 per gallon inspection fee; levied an additional \$.02 per gallon excise tax on motor fuel; and further provided for the distribution of revenues from the inspection fees and excise taxes on motor fuel.

Acts 2012, No. 400, p. 1092

Provided for additional 5% monthly distribution to Agricultural Fund.

Acts 2015, No. 54, p. 198

Transferred the collection of petroleum permit fees and inspection fees from the Alabama Department of Agriculture and Industries to the Alabama Department of Revenue (ADOR); required importers of motor fuel from a bulk plant or other non-terminal storage location to pay the previously levied tax by the 22nd day of each month for the preceding month; changed the disposition of petroleum permit fees, inspection fees, and penalties to include an appropriation to ADOR for costs of administration and collection of fees; required that a new and separate Terminal Excise Tax return to report the inspection fee on dyed diesel fuel, dyed kerosene, and lubricated oil sold by a supplier or permissive supplier. Effective October 1, 2016, transfers the administration of petroleum product permits and inspection fees to ADOR from the department.

Privilege License Tax

Acts 1935, No. 194, p. 256

Established privilege license tax and distribution.

Acts 1943, No. 546, p. 535

Established issuance fee at \$.50 and provided for the levy of county tax equal to one-half of state tax.

Acts 1955, No. 572, p. 1248

Provided for the current distribution of tax proceeds when both state and county license taxes are levied.

Acts 1984, No. 446, p. 1040

Increased issuance fee to current amount.

Acts 2015, No. 70, p. 258

Repealed privilege license tax for various types of businesses.

Public Utilities License Tax

Acts 1935, No. 194, p. 256

Established the tax at .2% of gross receipts for public utilities except electric, hydroelectric, telephone or telegraph companies, railroads (or sleeping car), and express companies; and established the tax at .4% of gross receipts for electric and hydroelectric companies.

Acts 1971, No. 1412, p. 2406

Increased the tax rate to present rate for electric and hydroelectric companies.

Acts 1971, No. 1417, p. 2420

Increased the tax rate to present rate for public utilities except electric, hydroelectric, telephone or telegraph companies, railroad (or sleeping car), and express companies.

Acts 1981, No. 867, p. 1659

Provided an exemption from this tax (credit equal to the amount of the tax) levied on electricity sold to disabled persons and persons who are 62 years of age or older and meet certain other specific criteria.

Acts 2009, No. 773, p. 2388

Repealed law regulating onsite wastewater entities using decentralized cluster wastewater systems and replaced it with a new law regulating privately owned wastewater systems. As a result of this act, the gross receipts of wastewater management entities operating as public utilities became subject to the utilities license tax.

Restored (Salvaged) Vehicle Inspection Fee

Acts 1985, No. 650, p. 1010

Established inspection fee at current rate.

Sales Tax

Acts 1939, No. 18, p. 16

Established the general sales tax rate at 2% on retail sales of tangible personal property and an amusement or entertainment enterprise and at .5 of 1% for automotive vehicles; provided for the distribution of portions of the proceeds depending on amount of collections to the 67 counties, the several funds to replace the homestead exemption, and the remaining balance to the Special Educational Trust Fund.

Acts 1959, 2nd Ex. Sess., No. 100, p. 298

Re-established sales tax rate at 3% on retail sale of tangible personal property and on amusement or entertainment enterprises; and established a rate at 1.5% for retail sales of machines used in mining quarrying, compounding, processing, and manufacturing of tangible personal property and sales of automotive vehicles or truck trailers and semitrailers.

Acts 1963, 2nd Ex. Sess., No. 106, p. 286

Increased sales tax to 4% on tangible personal property and entertainment enterprises.

Acts 1973, No. 1135, p. 1916

Allowed for distribution of funds to counties for the administration of the Food Stamp Act of 1964, PL 88-525.

Acts 1978, No. 359, p. 300

Allowed for distribution of funds to the Department of Human Resources for administration of the Food Stamp Program.

Acts 1981, No. 663, p. 1084

Exempted the sale of prescription drugs from sales tax.

Acts 1981, No. 665, p. 1086

Provided a 1.5% sales tax on the purchase of motor vehicles not bought at wholesale or from a licensed dealer ("casual sales").

PL. 99-198 (Food Security Act of 1985)

Provided that state and local sales taxes could no longer be collected on food stamp purchases beginning October 1, 1987.

Acts 1987, No. 580, p. 927

Provided that all food stamp purchases be exempt from taxation beginning October 1, 1987. This exemption is contingent upon the continued requirement of federal law that conditions the state's participation in the food stamp program upon exempting from state and local taxes purchases made with food stamps. Provided that the provisions of this act shall become inoperative, null and void if the food stamp sales tax amendment is either ruled unconstitutional or unenforceable by a federal court or is repealed by Congress.

Acts 1987, No. 662, p. 1170

Provided that any over-collection of sales tax by a retailer from the customer is to be paid to the state and not retained by the retailer to increase the net profits of the business.

Acts 1988, 1st Ex. Sess., No. 867, p. 372

Increased the retail and "casual" sales tax rate on automotive vehicles, truck trailers, semitrailers, and house trailers from 1.5% to 2% effective October 1, 1988; and provided that the additional \$.005 was to be deposited to the credit of the State General Fund.

Acts 1989, No. 691, p. 1358

Provided for collection of local gross receipts or sales taxes which may exist in the local taxing jurisdiction in which the purchaser resides on sales of automotive vehicles, truck trailers, trailers, semitrailers, or house trailers when such sales are made by a person or firm other than a licensed dealer, out-of-state dealers, or licensed Alabama dealers (where such local taxes were not collected at the time of purchase).

Acts 1989, No. 752, p. 1526

Amended the state "casual" sales and use taxes to include any mobile home purchased, other than at wholesale, from any person, firm, or corporation which is not a licensed dealer engaged in selling mobile homes, effective October 1, 1989.

Acts 1989, No. 920, p. 1823

Provided for a sales tax rate of 2% on materials and supplies to be used for mobile home set-up.

Acts 1992, No. 343, p. 720

Clarified that the state sales tax base is to include consumer excise taxes included in the purchase price of products (applies to alcoholic beverages and tobacco products); restricted the exemptions for fertilizer, insecticides, fungicides, and seedlings to "agricultural purposes"; and provided for exemption certification for fertilizer, insecticides, fungicides, and seedlings.

Acts 1993, No. 711, p. 1384

Provided for the collection of state and local sales and use tax from the purchaser of a boat prior to registration.

Acts 1994, No. 622, p. 1162

Consolidated the motorboat sales and use tax with the provisions of motor vehicle sales and use tax.

Acts 1996, No. 785, p. 1459

Allowed Governor to cap the sales tax discount allowed to retailers who collect sales tax; and provided for the distribution of any additional revenue generated as a result of the cap.

Acts 1996, No. 887, p. 1713

Made sales of eyeglasses and related items by optometrists subject to the state sales tax. Previously, these items were taxed at the wholesale level.

Acts 1997, No. 648, p. 1201

Provided that the sale to or use by a manufacturer or compounder of property that becomes an ingredient or component part of a finished product made by the manufacturer or compounder is excluded from taxes as a wholesale sale.

Acts 1997, 1st Ex. Sess., No. 867, p. 208

Provided that the sale of prepaid telephone calling cards and prepaid authorization numbers be treated as the sale of tangible personal property.

Acts 1998, No. 192, p. 310

Provided that county and municipal sales and use taxes must generally conform to the corresponding state levies, except for the rate of tax.

Acts 1999, No. 570, p. 1122

Clarified that refinery, residue, or fuel gas generated by a petroleum-refining process and then utilized in the distillation or refining of petroleum products is exempt from sales and use tax.

Acts 1999, 2nd Ex. Sess., No. 650, p. 96

Changed the distribution of revenue generated from the 2% sales and use tax on automobiles and related items from 25% to the State General Fund and 75% to the Education Trust Fund to 42% to the State General Fund and 58% to the Education Trust Fund, effective January 1, 2001.

Acts 2000, No. 731, p. 1578

Reaffirmed the Governor's authority to cap sales tax discounts; and provided for the distribution of any additional revenue generated from the sales tax discount cap.

Acts 2001, 3rd Ex. Sess., No. 975, p. 908

Exempted sales tax on tangible personal property purchased by a company actively engaged in a film production project approved by the Alabama Film Office. Effective until September 30, 2005.

Acts 2001, 4th Ex. Sess., No. 1122, p. 1190

Provided for the distribution of sales and use taxes generated from remote sellers when the U.S. Congress enacts legislation allowing states to collect sales and use taxes on remote sellers: (1) into the Education Trust Fund Rainy Day Account until the fund reaches and maintains a balance of 6% of the previous year's Education Trust Fund appropriations; (2) into the State General Fund Rainy Day Fund until the fund reaches and maintains a balance of 6% of the previous year's State General Fund appropriations; and (3) any remaining collections would be deposited into the Education Trust Fund.

Acts 2004, No. 638, p. 1461

Changed the distribution of revenue generated from the 2% sales tax on automobiles and related items from 42% to the State General Fund and 58% to the Education Trust Fund to the following:

(1) From July 1, 2004 through the fiscal year ending September 30, 2005, 48.7% would be deposited into the Education Trust Fund and 51.3% shall be deposited into the State General Fund.

(2) From October 1, 2005 through the fiscal year ending September 30, 2006, 39.4% would be deposited into the Education Trust Fund and 60.6% shall be deposited into the State General Fund.

Acts 2005, 1st Ex. Sess., No. 305, p. 643

Extended the sunset date for the sales and use tax exemption allowed for film companies approved by the Alabama Film Commission until September 30, 2006.

Acts 2006, No. 574, p. 1507

Established an annual sales and use tax holiday for the first full weekend in August of each year.

Acts 2006, No. 583, p. 1537

Exempted withdrawals from inventory by retailers from sales and use taxes if made for the purpose of making a gift to an entity that qualifies under federal law to receive tax exempt donations.

Acts 2006, No. 602, p. 1653

Provided that athletic events held by nonpublic schools are exempt from state sales tax.

Acts 2009, No. 144, p. 268

Established the Entertainment Industry Incentive Act of 2009. Exempted qualified production companies from the state's portion of sales and use taxes and from all state and local lodgings taxes if a production company spends in the aggregate at least \$150,000 in the state within a 12-consecutive month period.

Acts 2010, No. 514, p. 848

Exempted certain items related to commercial fishing vessels from sales and use taxes, including personal floatation devices and lifeboats.

Acts 2011, No. 642, p. 1633

Redistributed revenues, not to exceed \$5 million, that would otherwise be distributed to the Department of Conservation and Natural Resources for capital outlay, repairs, and maintenance of the state parks system to the State General Fund for fiscal years 2012 and 2013.

Acts 2012, No. 185, p. 298

Exempted from sales tax the parts, components, and systems that become part of a fixed rotary wing military aircraft or certified transport category aircraft which undergoes conversion or general maintenance in Alabama so long as the address of the aircraft is not in the state.

Acts 2012, No. 256, p. 492

Established an annual sales tax holiday for certain disaster preparedness supplies for the first full weekend in July 2012 and the last full weekend in February each subsequent year.

Acts 2012, No. 279, p. 563

Required the Department of Revenue to develop and make available before September 30, 2013, a system that will allow a taxpayer to voluntarily file and remit state and local sales or use, leasing, and retail taxes through an electronic single-point filing program.

Acts 2012, No. 309, p. 680

Exempted from sales tax any item used for the treatment of diabetes with a valid prescription.

Acts 2012, No. 395, p. 1056

Exempted the sale of metal, other than gold or silver, purchased for the purpose of transferring the metal to an investment trust in exchange for shares or other units.

Acts 2012, 1st Ex. Sess., No. 599, p. 1924

Repealed Acts 2001, 4th Ex. Sess., No. 1122 and provided for the distribution of taxes generated from remote sellers.

Acts 2013, No. 200, p. 391

Exempted from sales tax purchases of aviation jet fuel made by carriers conducting scheduled all-cargo operations engaged in international flights.

Acts 2013, No. 205, p. 439

Required the Department of Revenue to grant contractors and subcontractors, licensed by the State Licensing Board for General Contractors, a certificate of exemption from state and local sales tax for the purchase of building materials, construction materials and supplies, and other tangible personal property that becomes part of a structure that is the subject of a written contract for the construction of a building or other project for the State of Alabama, counties, municipalities, local boards of education, industrial development boards, and other governmental entities.

Acts 2013, No. 333, p. 1165

Required licensed ophthalmologists or licensed optometrists to collect state sales tax when dispensing or transferring ophthalmic materials and other therapeutic optic devices to a patient as part of their professional service.

Acts 2013, No. 443, p. 1761

Exempted any item used for the treatment of illness or injury or to replace all or part of a limb or internal body part.

Acts 2014, No. 316, p. 1120

Established the Small Business Tax Relief Act of 2014. Increased the average monthly state sales tax liability for estimated payments from \$1,000 to \$2,500.

Acts 2014, No. 325, p. 1189

Codified a regulation of the Alabama Department of Revenue exempting private educational institutions operating in the state from state and local sales and use taxes on tangible personal property and lunches provided to K-12 students that are not sold for a profit.

Acts 2014, No. 336, p. 1240

Defined "prepaid wireless service" and clarified that prepaid wireless services evidenced by a physical card and not evidenced by a physical card, which is considered a prepaid authorization number, are subject to sales tax.

Acts 2014, No. 453, p. 1685

Repealed Acts 2013, No. 443 and established an exemption for a durable medical equipment, prosthetics, or orthotic devices and medical supplies paid for by Medicare, Medicaid, or a health benefit plan from all state and local sales and use and rental taxes.

Acts 2015, 1st Ex., Sess., No. 503, p. 1816

Provided for the collection of sales tax from out-of-state residents who purchase a vehicle in Alabama and whose resident state does not allow Alabama residents to purchase vehicles in their state for "first titling and registration" in Alabama without the payment of tax to that state. Excluded vehicle campers and motor homes from the "drive-out" provisions.

Acts 2015, 2nd Ex. Sess., No. 535, p. 1901

Changed the distribution of sales tax collected on consumable vapor products from the Education Trust Fund to the State General Fund.

Acts 2015, 2nd Ex. Sess., No. 551, p. 2068

Clarified that the automobile sales tax paid by out-of-state residents who purchase a vehicle in Alabama, pursuant to the provisions of Act 2015-503, shall not be levied at a rate higher than the automobile sales tax of the resident state.

Acts 2017, No. 120, p. 161

The annual sales tax holiday on school items from the first full weekend of August to the third full weekend in July.

Acts 2017, No. 397, p. 1288

Provides a sales and use tax exemption on the gross proceeds from services provided by photographers even when provided as a part of a transaction ultimately involving the sale of photograph(s), as long as such services are separately stated to the customer on a bill of sale, invoice, or like memorialization of the transaction; and provides that any sales on such transactions prior to October 1, 2017, is not subject to sales or use tax and any parties that paid sales or use tax shall not be eligible for a refund.

Acts 2018, No. 164

Exempted the gross proceeds of sales of bullion or money for five years, unless extended by an act of the Legislature.

Acts 2019, No. 444

Exempted adaptive equipment used on motor vehicles for persons without normal mobility.

Acts 2019, No. 253

Provided that tax filings for sales, use, and lodgings taxes may be made quarterly, semi-annually, or annually dependent upon total sales, use, or transient occupancy tax liability. Additionally, provided amount limits for the filing of sales, use, and lodging tax reports.

Acts 2021, No. 130

Provides that beginning January 1, 2021, the Alabama School of Fine Arts Foundation, Inc.; the Alabama High School of Mathematics and Science Foundation; and the Alabama School of Cyber Technology and Engineering Foundation are exempt from the payment of state and local sales and use taxes.

Acts 2021, No. 170

Exempts The World Games (TWG) 2021 Birmingham Foundation, with respect to the operation of the World Games 2022, from all state, county, and municipal sales and use taxes, including admissions.

Acts 2021, No. 298

Provides that beginning January 1, 2020, all airport authorities established by general or local law, and contracts entered into by those airport authorities on or after January 1, 2020, are exempt from state, county, and municipal sales and use taxes.

Acts 2021, No. 372

Requires the Department of Revenue to issue sales and use tax certificates of exemption to contractors for the purchase of materials for highway, road, and bridge contracts.

Acts 2021, No. 374

Exempts the Birmingham Regional Paratransit Consortium, Inc., from payment of all state, county, and municipal sales and use taxes. Additionally, also exempts the following entities from the payment of state, county, and municipal sales and use taxes: the Birmingham Holocaust Education Center, the Community Foundation of South Alabama, the Community Foundation of West Alabama, the Black Belt Community Foundation, the Community Foundation of Northeast Alabama, the Community Foundation of Greater Birmingham, the Community Foundation of Greater Huntsville, the Community Foundation of Greater Decatur, the Limestone Area Community Foundation, the Central Alabama Community Foundation, the Community Foundation of East Alabama, and the Walker Area Community Foundation.

Acts 2021, No. 445

Increases the annual transfer of sales tax discount receipts to the Department of Conservation and Natural Resources (DCNR) for capital outlay, repairs, and maintenance of the state parks system from \$5,000,000, currently, to \$7,000,000; and requires the State Treasurer, beginning with fiscal year 2023, to annually adjust the \$7,000,000 credited to DCNR to reflect the change in the Consumer Price Index for all Urban Consumers.

Acts 2021, No. 496

Exempts the Victims of Crime and Leniency, Incorporated (VOCAL), from state, county, and municipal sales and use taxes.

Acts 2022, No. 53

Increases the threshold for submitting estimated monthly sales tax payments from \$2,500 to \$5,000.

Acts 2022, No. 293

Extend the sales tax exemption on certain aircraft parts, components, and systems from May 30, 2022 to May 30, 2032.

Acts 2022, No. 346

Removes the exclusion for travel trailers or housecars that will be titled/registered in a reciprocal state are exempted from the 2% sales tax.

Note Regarding Local Levies:

Municipalities may levy, by ordinance, a sales tax, per Sections 11-51-200 through 11-51-211 of the *Code of Alabama 1975*. One-half the amount levied in the municipality may be levied in the police jurisdiction.

Counties may, per Section 40-12-4 of the *Code of Alabama 1975*, levy a sales or use tax (referendum is optional) to be used exclusively for public school purposes. A local act may be established by the legislature authorizing counties to levy a sales tax for other purposes. A county's sales and use tax rate may vary depending upon whether the sale occurs within or outside of a municipality's corporate limits. All local sales and use taxes are subject to the same exemptions as the state sales and use tax and must generally conform to the corresponding state levies except for the rate of the tax. Municipalities and counties may collect their own sales and use tax. Section 40-23-2.1 provides that only one county and only one municipal tax may be collected on the same sale. A county or municipality may have more than one sales or use tax rate depending on the type of tangible personal property purchased. For example, an automobile rate may differ from the vending machine rate and the general rate.

Scrap Tire Environmental Fees

Acts 2003, No. 332, p. 823

Established the Alabama Scrap Tire Environmental Quality Act. Levied a \$1 scrap tire environmental fee on each replacement tire sold in the state and provided for the distribution of revenues; authorized the Department of Environmental Management to administer and enforce the program and establish permit fees for processors; reestablished the Scrap Tire Commission; and repealed the scrap tire license statute effective October 1, 2004.

Acts 2006, No. 559, p. 1285

Made technical changes regarding the permitting requirements for processors and transporters of scrap tires; and authorized the Department of Revenue to share information related to the collection and administration of the fee with the Department of Environmental Management.

Acts 2009, No. 779, p. 2433

Clarified that scrap tire dealers that collect and remit the scrap tire disposal fee are not also subject to the solid waste disposal fee established under the Solid Waste and Recyclable Materials Act; increased the amount of tire disposal fees retained by tire dealers from 5% to 7%; and transferred responsibilities associated with the development and management of an end use market development program for alternatives to landfill disposal of scrap tires from the Department of Economic and Community Affairs to the Department of Environmental Management.

Simplified Sellers Use Tax

Acts 2015, No. 448, p. 1443

Created "The Simplified Seller Use Tax Remittance Act" to allow eligible sellers to voluntarily collect, report, and remit Simplified Sellers Use Tax in fiscal year 2016 at an 8% tax rate; provided for a 2% timely filing discount; and provided for distribution of collections.

Acts 2016, No. 110, p. 172

Allowed eligible sellers to remain in the voluntary Simplified Seller Use Tax Remittance Program unless (1) a presence through a physical business address for making in state retail sales is established or (2) collection is required through an affiliate.

Acts 2017, No. 82, p. 110

Changes the simplified sellers use tax distribution to counties and municipalities to monthly rather than quarterly; requires reporting from sellers not currently collecting sales, use, or simplified sellers use taxes; removes the six month wait provision for establishing a distribution center; removes the requirement to include account number on a statement or invoice; and allows the Department to disclose certain information regarding eligible sellers in the Simplified Sellers Use Tax Remittance Program.

Acts 2018, No. 539

Includes marketplace facilitators as eligible sellers for any sales made by or on behalf of a marketplace seller; provides that the amount allowed for the 2% discount to not apply to any taxes collected and remitted in excess of \$400,000 beginning January 1, 2019; changes the municipality and county distribution of SSUT from equal portions of one-half of the total receipts to 40% and 60%, respectively, of one-half of the total receipts, beginning on or after January 1, 2019; and requires marketplace facilitators with at least \$250,000 in retail sales in Alabama for the preceding 12 months to either be eligible sellers in the SSUT remittance program for marketplace sellers or report retail sales and provide customer notifications by January 1, 2019.

Acts 2019, No. 382

Extended the amnesty period of uncollected remote use taxes for eligible sellers participating in the simplified sellers use program to October 1, 2019. Disallowed class action lawsuits against an eligible seller on behalf of customers for an overpayment of simplified sellers use tax collected and remitted.

***South Dakota v. Wayfair, Inc.*, 138 S. Ct. 2080 (2018)**

On June 21, 2018, the United States Supreme Court issued a decision in *South Dakota v. Wayfair* that struck down the requirement that a vendor must have “physical presence” in a state to be subject to state tax registration and collection requirements.

The Department of Revenues “economic nexus” rule 810-6-2-.90.03, was applied prospectively to sales made on or after October 1, 2018. Remote sellers with annual Alabama sales in excess of the rule’s in excess of \$250,000 are required to register with the Department and collect and pay tax. Sellers may satisfy the reporting requirement in one of the following methods; collecting, reporting, and remitting sales and use tax, collecting, reporting, and remitting simplified sellers use tax, or having simplified sellers use tax collected by a marketplace facilitator.

Solid Waste Disposal Fees**Acts 2008, No. 151, p. 244**

Established the Solid Wastes and Recyclable Materials Management Act. Levied statewide solid waste disposal fees on generators of solid waste who dispose of solid waste at a solid waste management facility at the current rates and provided for the distribution of revenues.

Acts 2022, No. 35

Allows the Alabama Water Pollution Control Authority to extend the payback period for a loan by the authority to a local governing body to finance construction expenses of a wastewater treatment facility, provided the period does not exceed the project's design life.

Acts 2022, No. 338

Specifies that a local governing body has authority to approve or disapprove a new solid waste management site or a modified existing solid waste management site, and that the Alabama Department of Environmental Management has authority to approve or disapprove a permit application for modification of services or activities to be conducted at each approved solid waste management site.

State Securities Commission Fees**Acts 1959, No. 542, p. 1318**

Established the Office of Securities Commission and required the registration of dealers, salesmen, and securities.

Acts 1969, No. 740, p. 1315

Abolished the Office of the Securities Commission and established the Alabama Securities Commission.

Acts 1979, No. 462, p. 827

Increased the filing fee from \$40 to \$150 on applications for exemption from registration in certain non-public security offerings.

Acts 1988, 1st Ex. Sess., No. 722, p. 112

Increased the registration fees for dealers from \$100 to \$200 and agents from \$20 to \$50.

Acts 1990, No. 527, p. 772

Substantial revision of the Securities Act, including: provision for registration and regulation of investment advisers and investment adviser representatives; elimination of the \$10 filing fee formerly required with the quarterly report of issuers who registered securities; Securities Commission retention of filing and registration fees when a security's registration statement is withdrawn before the effective date or a pre-effective order is entered (formerly the Commission retained the filing fee and one-half of the registration fee); modification of the registration fee requirements applicable to investment company distributions, so that they may register an indefinite amount of securities for a \$40 filing fee and a \$1,000 registration fee at the time of filing and thereafter report the amount of securities sold and remit the same \$1,000 registration fee for any additional year during which the registration statement remains in effect; exemption from registration of securities sold by certain open-end management investment companies and unit investment trusts with a requirement that those companies file a notice of intent to sell securities and pay specified filing fees; requirement that a \$150 fee accompany an application for an interpretative opinion or no-action letter from the Commission; and eliminated \$10 examination fee charged agents and dealers (fee had not been collected by Commission in several years because it does not give examinations).

Acts 1991, No. 320, p. 584

Changed distribution of the filing fees for the exemption of open-end management investment companies from the State General Fund to the Alabama Securities Commission Fund; and increased filing fee for an exemption from full registration from \$150 to \$250.

Acts 2009, No. 774, p. 2401

Increased initial and renewal registration fees for dealers and investment advisors, filing fees for open-ended management companies, face amount certificate companies, and unit investment trust companies; and the filing fees for an exemption from full registration to the current amounts.

Acts 2014, No. 376, p. 1401

Eliminated an exemption for certain investments with an aggregate amount of not more than \$500,000 from various regulations; created a new intrastate crowd funding exemption that will allow Alabama entrepreneurs to raise up to \$1,000,000 from Alabama investors; and required a \$150 nonrefundable filing fee for every notice of exemption filed with the Commission.

Acts 2018, No. 275

Increased the annual registration or renewal fee for agents and investment adviser representatives from \$60 to \$70; and expanded the filing fee tier structure by adding a new bracket for and requiring a nonrefundable filing fee of \$2,000 for open-end management companies with total net assets equal to or greater than \$250 million.

Store Licenses Tax**Acts 1935, No. 194, p. 256**

Established the Stores License Tax at the present rates.

Telecommunications Services Tax, Mobile**Acts 1990, No. 97, p. 104**

Exempted cellular radio telecommunications companies from the Utility Gross Receipts Tax, the Telephone Privilege Tax, the Public Utilities Tax, and from payment of ad valorem taxes at the Class I assessment rate (30%); levied a tax on cellular customers, based on gross receipts derived by providers from recurring access and local airtime charges for cellular radio telecommunications services, at the rate of 4% or, if less, the rate imposed by Section 40-21-82 (Utility Gross Receipts Tax). The effect was a tax at the rate of 4% on first \$40,000, 3% on next \$20,000 and 2% on any additional (over \$60,000) monthly charges. Provided that receipts be deposited into the State Treasury.

Acts 1992, No. 623, p. 1466

Provided for a separate (from electricity, water, and gas utilities) telephone gross receipts tax at an increased rate and amended Section 40-21-121 to provide that the cellular telephone tax rate is tied to the telephone gross receipts tax rate (if that rate is lower than 4%) rather than to the gross receipts tax rate of other utilities. The effect of this provision was to maintain at 4% the tax rate on the first \$40,000 of monthly charges, increase from 3% to 4% the tax rate on the next \$20,000 of monthly charges, and increase from 2% to 3.7% the tax rate on any additional (over \$60,000) monthly charges.

Acts 1997, 1st Ex. Sess., No. 867, p. 208

Made the sale of prepaid telephone calling cards subject to the sales and use tax and exempted the usage of those cards from the utility gross receipts tax and the cellular telecommunications services tax.

Acts 1998, No. 195, p. 338

Provided for the incorporation of the Alabama Revolving Loan Fund Authority to issue up to \$12 million in bonds for the purpose of making grants to the 12 regional planning commissions. This act pledged for the repayment of the bonds as much as necessary of the cellular radio telecommunication services tax, subject to ratification of the constitutional amendment proposed in Act 1997-356. The proposed amendment was ratified and became Amendment No. 616 to the *Constitution of Alabama of 1901*, now appearing as Section 213.37 of the Official Recompilation of the *Constitution of Alabama of 1901*.

Acts 1999, No. 399, p. 663

Provided that broadband personal communications services would be taxed under the cellular telecommunications tax, rather than the utility gross receipts tax, and included commercial mobile radio services in the definition of cellular services to which the cellular telecommunications tax applies; and provided that any cellular telecommunication services provider who accepts, in good faith from a purchaser, a cellular telecommunication services tax exemption form provided or approved for use by the Department of Revenue would not subsequently be liable to the Department of Revenue or others for the tax on sales to that purchaser.

Acts 2001, 4th Ex. Sess., No. 1090, p. 1120

Brought Alabama's Cellular Telecommunications (Mobile Telecommunications) Tax provisions into alignment with the federal Mobile Telecommunications Sourcing Act. The provisions of the act which relate to alignment with that federal act were effective for customer bills issued on or after August 2, 2002 (pursuant to federal law); amended the definition of "monthly charges" upon which the tax is based to expand the tax base to include all airtime charges, including toll and roaming charges (formerly local airtime charges only), effective for all customer bills dated on or after February 1, 2002, regardless of when the services being billed were provided; increased the tax rate from 4% on monthly charges less than \$60,000 and \$4,020 plus 3.7% of excess over \$60,000 on monthly charges over \$60,000 to 6% beginning with bills dated February 1, 2002; authorized home service providers furnishing mobile telecommunications services to deduct and retain .9% from the tax billed on or after February 1, 2002 and until October 1, 2002, at which time the amount retained and deducted decreased to .25% of the tax billed; changed the distribution of the remaining tax receipts,

after payment of principal and interest on Alabama Revolving Loan Fund Authority bonds, from the State General Fund to current distribution; and levied a tax on mobile radio communication services at the same rate as the Mobile Telecommunications Tax, effective February 1, 2002.

Acts 2007, No. 279, p.378

Increased the aggregate amount of bonds that may be issued by the Alabama Revolving Loan Authority for the purpose of making grants to the 12-regional planning and development commissions from \$12 million to \$24 million.

Tennessee Valley Authority In-Lieu-of-Taxes Payments

Public Law 48, Statute 68, Section 13

Initial federal legislation which established the Tennessee Valley Authority in 1933 and authorized payments to the states served by TVA.

Acts 1978, 2nd Ex. Sess., No. 92, p. 1786

Provided for the sharing of the TVA payments between the State of Alabama and certain counties, including dry non-TVA counties; and amended Section 28-3-74, *Code of Alabama 1975*, to eliminate the distribution of alcoholic beverage revenues to dry counties.

Acts 1979, No. 306, p. 458

Amended Act 1978-92, to tie distribution of 5% of total state TVA money going to each dry non-TVA county and to municipalities within those counties to their respective shares of total ABC distribution to dry non-TVA counties and municipalities within those counties in FY 1979, rather than to a proportionate share of ABC total distribution to all dry counties that same fiscal year; and provided that dry counties would not receive less revenue from TVA receipts than they would have received from ABC distributions in the previous fiscal year.

Acts 1979, No. 786, p. 1425

Added definitions of terms and clarified the manner and procedures for distributing portions of the TVA payments and the procedures by which portions of the payments received by dry counties not served by the TVA would be shared with the cities within such counties.

Acts 1987, No. 586, p. 957

Provided that all of the TVA in-lieu-of-taxes revenue retained by the State of Alabama (following the distribution of the counties' portion of TVA payments) be deposited to the credit of the Tennessee Valley Exhibit Commission Trust Fund, until the balance in the Fund equals the amount of debt service on any bonds issued by the Tennessee Valley Exhibit Commission for the next succeeding fiscal year. All other TVA in-lieu-of-taxes revenue retained by the state would be credited to the State General Fund.

Acts 1990, No. 531, p. 823

Amended Sections 41-9-782 and 41-9-783, *Code of Alabama 1975*, relating to the Tennessee Valley Exhibit Commission to authorize the Commission to issue and sell revenue bonds in a principal amount not to exceed \$1.5 million in order to pay certain costs of completing an information and exhibit center; and appropriated and pledged such amounts as may be necessary to pay principal and interest on the bond issue from monies retained by the state from in-lieu-of-tax payments made by the Tennessee Valley Authority. Required the Commission to, at the end of each fiscal year, transfer any surplus funds in its account to the Tennessee Valley Exhibit Commission Trust Fund for reimbursement of monies previously withdrawn with interest. After repayment to the trust fund, any surplus monies remaining are to be transferred to the State General Fund.

Acts 1995, No. 372, p. 746 and No. 373, p. 747

Pledged and appropriated the portion of the TVA payments remaining after distribution of the county shares and the payment of the debt service on bonds issued by the Tennessee Valley Exhibit Commission to pay the debt service on bonds issued by the Incentives Financing Authority. Act 1995-373 created the Alabama Incentives Financing Authority and authorized it to issue bonds to finance industrial projects in the state.

Acts 2006, No. 655, p. 1792

Increased the annual amount of TVA payments distributed to served counties from 75% to 78% beginning in FY 2006. Required additional amounts received by the counties from the 3% to be allocated by local legislation. The additional 3% comes from amounts previously retained by the state.

Acts 2007, No. 417, p. 869

Provided that any county in which a community development district is located would participate in the distribution of the state beer tax. A dry county that receives alcoholic beverage taxes or fees because of this act would have its share of TVA payments reduced by the amount equal to the alcoholic beverage taxes or fees received by such county.

Acts 2010, No. 135, p. 190

Limited the amount of revenue distributed from the state liquor taxes to the State General Fund, the Public Welfare Trust Fund, and the Special Mental Health Fund at the amount received for fiscal year 2009 until the annual growth in liquor tax receipts above the fiscal year 2009 amount equals the amount of Tennessee Valley Authority (TVA) in-lieu-of-taxes payments distributed in FY 2009 to the dry counties not served by the TVA. Beginning with the fiscal year ending September 30, 2010, distributed to the dry counties not served by the TVA from the growth in state liquor taxes up to the amount of TVA payments distributed to dry counties for fiscal year 2009 plus an amount equal to the percentage growth in TVA payments received by the state; and reduced the amount of TVA payments distributed to the dry counties not served by TVA by an amount equal to the amounts allocated to those counties from the state liquor taxes and distributed to the counties served by the TVA.

Tobacco Tax (Excluding Cigarettes)

Acts 1935, No. 194, p. 256

Established the tobacco stamp sales tax; outlined ten categories of tobacco products other than cigarettes; and set rates for little cigars according to weight, while the rates on the remaining tobacco product categories were based on retail price. See act for tobacco tax rate schedule.

Acts 1939, No. 409, p. 538

Established the tobacco use tax; set rates and definitions same as tobacco stamp sales tax.

Acts 1945, No. 326, p. 528

Changed the rate schedule for most tobacco product categories to a schedule based on retail price. See act for tobacco tax rate schedule.

Acts 1947, No. 288, p. 143

Changed the rate schedule for several tobacco product categories and effectively increased the tobacco tax rate on smoking tobacco by the adoption of rates based on weight per package, rather than on retail price. See act for tobacco tax rate schedule.

Acts 1959, 2nd Ex. Sess., No. 101, p. 318

Reduced the tobacco tax rates on most categories of cigars and smoking tobacco. See act for tobacco tax rate schedule.

Acts 1959, No. 637, p. 1550

Increased tobacco tax rates on several categories of tobacco products. See act for tobacco rate schedule.

Acts 1999, 2nd Ex. Sess., No. 650, p. 96

Effective January 1, 2001, changed distribution of remaining proceeds, after deduction of the cost of collection, from the Education Trust Fund to the State General Fund.

Acts 2004, No. 545, p. 1157

Increased the state cigarette and other tobacco product taxes; provided for the distribution of proceeds; and provided that no additional local taxes may be levied after the date of passage.

Acts 2012, No. 425, p. 1146

Established the cigar wrapper tax and provided for the distribution of proceeds.

Acts 2014, No. 262, p. 827

Separated little cigars from certain filtered cigars and eliminated the retail selling price requirement to determine the tax rate on cigars; and required all wholesalers, jobbers, semi-jobbers or any other person selling, receiving or distributing tobacco products in Alabama for resale to file a report of its activity with the Department.

Acts 2015, 2nd Ex. Sess., No. 535, p. 1901

Effective October 1, 2015, reduced the discount allowed to wholesalers and jobbers of tobacco products to 4.75%; provided that all sales of tobacco products to a reservation tobacco vendor are taxable; and allowed a reservation tobacco vendor to get a refund of tobacco taxes paid on products sold to tribal members.

Transportation Company Inspection and Supervision Fee

Acts 1920, No. 37, p. 38

Established the following annual inspection and supervision fees for public utilities (as defined in the act):

Gross Receipts	Rate per \$1,000
First \$10,000 or less	\$2.50
Up to and including \$100,000	\$2.00
Up to and including \$350,000	\$1.50
Up to and including \$700,000	\$1.25
Up to and including \$1,000,000	\$1.00
Up to and including \$2,000,000	\$.75
Up to and including \$3,000,000	\$.25
In excess of \$3,000,000	\$.10
Minimum rate - \$25	
Maximum rate - \$3,000	

Provided for fees to be paid annually.

Acts 1920, No. 42, p. 92

Provided that the fees established in Act 1920-37 also apply to transportation companies (as defined in this act).

Acts 1981, No. 718, p. 1210

Amended inspection and supervision fees paid by transportation companies to the following rates (based on gross intrastate receipts) and provided for quarterly payment:

Gross Receipts	Rate per \$1,000
First \$100,000 or less	\$2.50
\$100,001 to \$1,000,000	\$2.00
In excess of \$1,000,000	\$1.50

Minimum rate - \$25; Maximum rate for railroad companies - \$5,000/yr.

Acts 1985, No. 756, p. 1256

Provided that transportation companies with gross intrastate receipts in excess of \$60 million per calendar quarter be required to pay inspection and supervision fees based on the quarter rather than the preceding fiscal year.

Acts 1989, No. 943, p. 1852

Provided fee payment option of \$10 per instrument annually in lieu of existing fees for providers of pay telephone service; and authorized the Commission to deposit transportation company inspection and supervision fees into the Commission's operating fund to be used for any expenses incurred by the Commission under Title 37.

Acts 1991, No. 586, p. 1075

Established the current rate schedule.

Underground and Aboveground Storage Tank Regulatory Fees

Acts 1988, No. 378, p. 557

Created the Alabama Underground Storage Tank Trust Fund; provided for the tank fee to be credited to the Underground Storage Tank Trust Fund; and provided for third party claims and disbursements to be paid from the Fund.

Acts 1988, No. 537, p. 823

Provided for the regulatory program for underground storage tanks and a tank regulation fee to be used by the Department of Environmental Management.

Acts 1993, No. 628, p. 1062

Made the tank fee applicable to underground and aboveground storage tanks; authorized the assessment of an Underground and Aboveground Storage Tank Trust Fund charge and renamed the existing Trust Fund accordingly; provided that this charge would be the primary funding mechanism for the Alabama Underground and Aboveground Storage Tank Trust Fund; and included certain aboveground motor fuels storage tanks in the provisions of the statute.

Acts 1993, 1st Ex. Sess., No. 891, p. 165

Established the Underground and Aboveground Tank Trust Fund charge as a flat fee based on invoiced gallons ranging from \$1.50 to \$27. A portion of the Underground and Aboveground Storage Tank Trust Fund was appropriated retroactively for the fiscal year ending September 30, 1994 and each subsequent fiscal year to the Department of Environmental Management for administrative costs related to the provisions of this act.

Acts 2003, 2nd Ex. Sess., No. 483, p. 1486

Created the new nine member Underground and Aboveground Storage Tank Trust Fund Management Board to, among other things, annually recommend to the Environmental Management Commission a fuel fee based on invoiced gallons of not less than \$.003 per gallon nor more than \$.01 to replace the flat fee schedule; established the initial fuel fee of \$.005 per gallon beginning January 1, 2004; authorized the Legislature to make additional appropriations above statutory limits from the Fund to the Department of Environmental Management for administrative expenses not to exceed 5% of the total fees collected; and removed the previous \$10 million cap on tank fee charges, which allows the fees to be collected continuously.

Acts 2009, No. 589, p. 1734

Clarified that motor fuel blends (biodiesel and ethanol) are subject to the fuel fee and receive the same financial protection from the Fund as other motor fuels; increased the maximum fuel fee that may be charged from \$.01 per gallon to \$.02 per gallon, based on the annual recommendation from the Trust Fund Management Board, beginning October 1, 2009.

Acts 2022, No. 40

Amends the definitions of "gas" to include carbon oxides, ammonia, hydrogen, nitrogen, and noble gases within the list of gases regulated by the State Oil and Gas Board. Additionally, it (1) provides that the board has the authority to regulate the operation and abandonment of underground storage facilities; and (2) authorizes the board to adopt rules to provide fees to defray its expenses related to the regulation of underground storage facilities.

Unemployment Compensation Tax

Acts 1935, No. 447, p. 950

Established system of unemployment compensation. Set employer rate at 2.7% of wages beginning during the calendar year 1938 (employee rate was set at 1% of wages). Set maximum weekly benefit of \$15.

Acts 1939, No. 497, p. 721

After December 31, 1939, limited the employee rate of 1% to the first \$3,000 in wages earned; and established a committee to explore an experience rating system for employer contributions.

Acts 1943, No. 310, p. 281

Limited the amount of wages which could be taxed to the first \$3,000 earned each calendar year and established experience rating system whereby employer rates ranged from .5% to 2.7%. Employee rates ranged from .1% to 1.0%.

Acts 1957, No. 299, p. 382

Limited employee contribution rate to .1% at all levels of earnings.

Acts 1961, No. 274, p. 2298

Increased employer contribution rate to a maximum of 3.6% of wages; increased employee contribution to .25% at all levels of earnings (.5% if no experience rating); and increased maximum weekly benefit to \$32.

Acts 1969, No. 234, p. 559

Set weekly benefit amount at 1/26th of the total wages for insured work paid to an employee during that quarter of his or her base period in which such total wages were the highest; increased maximum weekly benefit to \$50; and eliminated contribution rate for employee unless fund is less than certain minimum amount (in which case, employee rate is .5%).

Acts 1971, No. 166, p. 440

Increased wage base upon which contribution rates are levied from \$3,000 to \$4,000; and lowered employer rate for those upon which no experience rating had been developed from 2.7% to 1.5%.

Acts 1975, No. 801, p. 1604

Increased wage base upon which contribution rates are levied from \$4,000 to \$4,800; increased maximum employer rate to 4%; and increased employer rate for those upon which no experience rating has been developed to 2.7%.

Acts 1978, No. 1, p. 5

Increased wage base upon which contribution rates are levied from \$4,800 to \$6,600; and extended coverage to state employees and political subdivisions.

Acts 1983, No. 155, p. 264

Increased taxable wage base from \$6,600 to \$8,000. Increased maximum employer rate to 5.0% for 1984 and 5.4% for 1985 and thereafter. Provided for emergency surcharge of 25% on employers' computed tax rate, with a cap of .7% on any increase pursuant to the surcharge, until January 1 following the end of any fiscal year where the balance of the unemployment trust fund is equal to or in excess of 75% of the minimum normal amount. Increased employee rate from .5% to 1% when minimum amounts are not in fund. Increased maximum weekly benefit to \$120 and increased the minimum weekly benefit amount increased to \$22.

Acts 1985, No. 804, p. 50

Provided further for suspension and reinstatement of the emergency employer surcharge; and provided for the termination of the employee contribution.

Acts 1988, No. 783, p. 195

Provided for a special assessment of .06% against wages paid by certain employers to be deposited in the "Employment Security Administration Enhancement Fund" for calendar years 1989 through 1991; and provided for a corresponding rate reduction of .06% for certain employers for rates paid for calendar years 1989 through 1991.

Acts 1989, No. 405, p. 822

Changed experience rating system to the "benefit ratio" (based upon ratio of actual benefits to total payroll); and provided for 4 rate schedules, one of which is to be used dependent upon the condition of the fund and the desired level of the fund. Increased maximum rate to 6.8% (Schedule D). Reduced minimum rate to .2% (Schedule A). Increased maximum weekly benefit to \$150.

Acts 1992, No. 174, p. 285

Extended until March 1997 the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund; and extended the corresponding rate reduction for certain employers.

Acts 1995, No. 764, p. 1792

Extended until March 31, 2002, the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund and the corresponding employer tax rate reduction for certain employers.

Acts 2000, No. 456, p. 842

Extended until March 31, 2004, the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund and the employer tax rate reduction for certain employers.

Acts 2001, No. 694, p. 1453

Exempted income received for National Guard and Armed Forces Reservists drill duty from being offset against unemployment compensation benefits; eliminated the deduction of dismissal or severance pay; and repealed the employer penalty tax provision.

Acts 2004, No. 110, p. 164

Extended until March 31, 2006, the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund and the employer tax rate reduction for certain employer.

Acts 2006, No. 519, p. 1194

Extended until March 31, 2008, the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund and the employer tax rate reduction for certain employers.

Acts 2006, No. 521, p. 1208

Reduced the fraction used to calculate the maximum weekly benefit amount (that had been increased to 1/24th of the average wages from 1/26th of the total wages paid to an employee during the two quarters of his or her base period in which such total wages were the higher).

Acts 2008, No. 501, p. 1091

Extended until September 30, 2010, the special assessment of .06% of wages to be deposited in the Employment Security Administration Enhancement Fund and the employer tax rate reduction for certain employers and provided for a one-week period after the 13th week and prior to the beginning of the 14th week in which no benefits will be payable.

Acts 2010, No. 505, p. 811

Extended until September 30, 2011, the special assessment of .06% of wages to be deposited into the Employment Security Administration Enhancement Fund and extended the employer tax rate reduction for certain employers.

Acts 2011, No. 558, p. 1047

Extended until September 30, 2013, the special assessment of .06% of wages to be deposited into the Employment Security Administration Enhancement Fund; and extended the employer tax rate reduction for certain employers.

Acts 2013, No. 208, p. 446

Permanently extended the special assessment of .06% of wages to be deposited into the Employment Security Administration Fund and permanently extended the employer tax rate reduction for certain employers.

Acts 2015, No. 157, p. 415

Provided that each eligible individual who is totally unemployed or partially unemployed in any week beginning on or after July 3, 1983 shall be paid in an amount equal to his or her weekly benefit amount less that part of the wages, if any, payable to him or her which is in excess of one-third of the weekly benefit amount (previously in excess of \$15), to be computed to the nearest multiple of \$1.

Acts 2019, No. 204

Amended the formulation of Unemployment Benefits to: (1) revise the maximum amount of unemployment benefits payable to an individual in a benefit year contingent on the state's average unemployment rate; (2) limit the maximum amount of unemployment benefits payable to the lesser of 20 times the individual's weekly benefit amount or one-fourth of the wages paid during his or her base period; (3) revise the maximum weekly unemployment benefit amount to an amount that is an equal division of the current weeks compensated of the average of the wages for insured work paid to the individual during the two quarters of his or her base period in which the total wages were the highest; and (4) revise the reductions in unemployment benefit amounts due to disqualification in certain circumstances.

Acts 2022, No. 301

Amended the benefit eligibility conditions to provide that, as a condition for receipt of unemployment benefits, an individual is required to have made a reasonable and active effort to secure work for which the individual is qualified by engaging with at least three prospective employers for each week of unemployment claimed.

Uniform Commercial Code Filing Fees

Acts 1965, No. 549, p. 811

Established filing requirements and the following fees: financing and continuation statements, \$2 each; termination, assignment, and release statements, \$1 each; information request, \$1 plus \$.50 for each financing statement and statement of assignment reported therein; and copies of statements, \$.50 per page.

Acts 1973, No. 865, p. 1365

Increased fees as follows: original financing, continuation, termination, separate assignment, and release statements and amendments, to \$4; information request, to \$3 plus \$.50 for each financing and assignment statement reported therein; and copies of statements, to \$1 per page.

Acts 1981, No. 312, p. 399

Increased fees as follows: original financing, continuation, termination, separate assignment, and release statements and amendments, to \$4 for first page, \$.50 for each page thereafter, and added a penalty of \$2 if not in prescribed form; and added a fee of \$1 each for indexing of names or trade names in addition to the one required.

Acts 1984, No. 307, p. 680

Exempted mobile homes from being subject to the requirement of filing a continuation statement five years after filing a financing statement on a perfected security interest.

Acts 1984, No. 446, p. 1040

Increased fees as follows: original financing, continuation, termination, separate assignment, and release statements, to \$5 for the first page, \$1 for each page thereafter; continued \$2 penalty if statements not in prescribed form; information requests, to \$4 plus \$1 for each financing and assignment statement reported therein; and copies of statements, to \$1 per page plus \$2 if request not made on standard form.

Acts 1986, No. 507, p. 989

Intended to bring Alabama in compliance with Section 1324 of the Federal Food Security Act of 1985 by providing for filing of liens relating to farm products, and fees related thereto, with the Secretary of State; provided for information request charge of \$4 plus \$1 for each financing and statement of assignment reported and charge of \$1 per page plus \$2 if request not made on standard form for copies of statements; and directed the Alabama Secretary of State to implement a central filing system pertaining to said liens.

Acts 1987, No. 410, p. 595

Provided for original financing and continuation statement and amendment filing fees for farm products liens and increased UCC filing and information fees; created Uniform Commercial Code and Farm Products Central Index System Fund into which a designated percentage of collections of UCC and farm products liens filings fees are to be deposited (said percentage decreased each year from a high of 43% in FY 1988 to 19% in FY 1992 and each fiscal year thereafter), with the remainder to be deposited to the State General Fund; discontinued filing fees for certain termination statements; authorized Secretary of State to distribute micro-imaged portions of the UCC files for \$50 and printed copies of entire master lists (and any supplements to it) of farm products liens for an annual charge of \$25, or \$15 annually for a portion of the master list on microfiche; and provided for fees for confirmation of oral searches.

Acts 1990, No. 480, p. 706

Clarified that the fee for obtaining printed copies of the master list of farm products liens, or any portion of that list, shall be up to \$25 annually per collateral code requested, and that the fee for a portion of the master list on microfiche is \$15 annually per collateral code requested and that oral confirmation of financing statements and the subsequent written confirmation (and fee therefore) apply to UCC as well as farm products financing statements.

Acts 2000, No. 724, p. 1550

Provided for a charge of \$100, in addition to required fees, for optional requests of immediate expedition by the Secretary of State.

Acts 2001, No. 481, p. 647

Replaced Article 9 of the UCC, regarding secured transactions with revised provisions to allow Alabama to participate in a nationwide, centralized (at the state level), electronic secured transaction filing and information system; and revised the fee schedule to current rates. The effective date of this act was January 1, 2002, except the revised fee provisions, which became effective July 1, 2001. The act retained the prior distribution of fees for filings, but provided funding of the Secretary of State's implementation costs by allocating the amount deposited into the State General Fund from July 1, 2001 through December 31, 2001 to the Office of the Secretary of State.

Acts 2002, No. 518, p. 1337

Provided a federal Food Security Act – compliant central filing system to permit lenders with security interests in farm products to protect their interests; established current filing and indexing fees; and authorized the Secretary of State to establish certain other fees to be deposited into the Alabama Farmers Credit Protection Fund created by the act and expended for the administrative costs associated with the act.

Use Tax

Acts 1939, No. 67, p. 96

Established a use tax rate of 2% on tangible personal property and .5% on automobile vehicles to be used for teachers' salaries.

Acts 1939, No. 376, p. 502

Changed distribution of revenues by removing the restriction for the payment of teachers' salaries.

Acts 1951, No. 209, p. 472

Changed rate to 3% on tangible personal property and 1% on automotive vehicles.

Acts 1959, 2nd Ex. Sess., No. 99, p. 295

Imposed the tax on machines used in mining, quarrying, etc. at the rate of 1.5%; and increased the rate on automotive vehicles to 1.5%.

Acts 1963, 2nd Ex. Sess., No. 105, p. 284

Changed rate to 4% on tangible personal property.

Acts 1987, No. 647, p. 1151

Provided that any over collection of use tax by a retailer from the customer is to be paid to the state and not retained by the retailer to increase the net profits of the business.

Acts 1988, 1st Ex. Sess., No. 867, p. 372

Increased the use tax rate on automotive vehicles, truck trailers, semitrailers, and house trailers from 1.5% to 2% effective October 1, 1988; and provided that the additional \$.005 collected is to be deposited to the credit of the State General Fund.

Acts 1989, No. 920, p. 1823

Levied a 2% use tax on mobile home set-up materials and supplies.

Acts 1991, No. 576, p. 1060

Broadened the array of activities that would require an out-of-state seller to collect and remit use taxes.

Acts 1993, No. 711, p. 1384

Provided for the collection of state and local sales and use tax from the purchaser of a boat prior to registration.

Acts 1994, No. 622, p. 1162

Consolidated the motorboat sales and use tax with the provisions of motor vehicle sales and use tax.

Acts 1997, 1st Ex. Sess., No. 867, p. 208

Provided that the sale of prepaid telephone calling cards and prepaid authorization numbers be treated as the sale of tangible personal property.

Acts 1998, No. 192, p. 310

Provided that county and municipal sales and use taxes must generally conform to the corresponding state levies, except for the rate of tax.

Acts 1999, No. 570, p. 1122

Clarified that refinery, residue, or fuel gas generated by a petroleum-refining process and then utilized in the distillation or refining of petroleum products is exempt from sales and use tax.

Acts 1999, 2nd Ex. Sess., No. 650, p. 96

Changed the distribution of revenue generated from the 2% sales and use tax on automobiles and related items from 25% to the State General Fund and 75% to the Education Trust Fund to 42% to the State General Fund and 58% to the Education Trust Fund, effective January 1, 2001.

Acts 2001, No. 669, p. 1402

Authorized the Governor, by executive order, to establish a maximum discount at less than 3% for each seller or vendor collecting state use tax, effective June 1, 2001; and provided for the distribution of additional revenues.

Acts 2001, 3rd Ex. Sess., No. 975, p. 908

Provided for exemption from sales, use, and lodging taxes for film production companies approved by the Alabama Film Office until September 30, 2005.

Acts 2001, 4th Ex. Sess., No. 1122, p. 1190

Provided that beginning with the first full fiscal year after Congress enacts legislation allowing states to collect sales and use taxes on remote sellers that the increase in sales and use taxes attributable to such sales shall be deposited by formula first to the Education Trust Fund Rainy Day Account, then to the State General Fund Rainy Day Account, and finally to the Education Trust Fund.

Acts 2002, No. 525, p. 1371

Provided for exemption from use tax for sellers who contract with a call center in service prior to October 1, 2003.

Acts 2005, 1st Ex. Sess., No. 305, p. 643

Extended the sunset date for the sales and use tax exemption allowed for film companies approved by the Alabama Film Commission until September 30, 2006.

Acts 2006, No. 574, p. 1507

Established an annual sales and use tax holiday for the first full weekend in August of each year.

Acts 2006, No. 583, p. 1537

Exempted withdrawals from inventory by retailers from sales and use taxes if made for the purpose of making a gift to an entity that qualifies under federal law to receive tax exempt donations.

Acts 2009, No. 144, p. 268

Established the Entertainment Industry Incentive Act of 2009. Exempted qualified production companies from the state's portion of sales and use taxes and from all state and local lodgings taxes if a production company spends in the aggregate at least \$150,000 in the state within a 12-consecutive month period.

Acts 2010, No. 514, p. 848

Exempted certain items related to commercial fishing vessels from sales and use taxes, including personal floatation devices and lifeboats.

Acts 2011, No. 642, p. 1633

Redistributed \$1 million in revenues that would otherwise be distributed to the Department of Conservation and Natural Resources for the Coastal Program to the State General Fund for fiscal years 2012 and 2013.

Acts 2012, No. 395, p. 1056

Provided for exemption from use tax for the storage or use of metal, other than gold or silver, when it is held by an investment trust.

Acts 2012, 1st Ex. Sess., No. 599, p. 1924

Defined "remote use tax" as the tax imposed on: (1) an out-of-state seller with no nexus in Alabama; and (2) the consumer in Alabama of out-of-state purchases. If Congress takes action to allow states to impose taxes on remote sellers, one-half of the remote use tax revenues collected in Alabama will be distributed to the state and the distributed, 75% to the State General Fund (SGF) and 25% to the Education Trust Fund (ETF). Under the previous law, the entire one-half of the remote use tax revenues would have been distributed to the ETF. Redistributed the state use tax proceeds collected on items other than automobiles as follows: 25% to the SGF and 75% to the ETF. Under the previous law, state use tax revenues collected on items other than automobiles were distributed to the ETF.

Acts 2013, No. 196, p. 376

Clarified that the sales tax exemption granted by Act 2012-185 for parts, components, and systems which become part of a fixed or rotary wing military aircraft or certified transport category aircraft also applied to the use tax.

Acts 2013, No. 443, p. 1761

Exempted any item used for the treatment of illness or injury or to replace all or part of a limb or internal body part.

Acts 2014, No. 325, p. 1189

Codified a regulation of the Alabama Department of Revenue exempting private educational institutions operating in the state from state and local sales and use taxes on tangible personal property and lunches provided to K-12 students that are not sold for a profit.

Acts 2014, No. 453, p. 1685

Repealed Act 2013-443 and established an exemption for a durable medical equipment, prosthetics, or orthotic devices and medical supplies paid for by Medicare, Medicaid, or a health benefit plan from all state and local sales and use and rental taxes.

Acts 2015, 2nd Ex. Sess., No. 539, p. 1929

Effective October 1, 2015, changed the distribution of the state use tax proceeds collected on items other than automobiles from 25% to the State General Fund and 75% to the Education Trust Fund to 53% to the State General Fund and 47% to the Education Trust Fund.

Acts 2017, No. 397, p. 1288

Provides a sales and use tax exemption on the gross proceeds from services provided by photographers even when provided as a part of a transaction ultimately involving the sale of photograph(s), as long as such services are separately stated to the customer on a bill of sale, invoice, or like memorialization of the transaction; and provides that any sales on such transactions prior to October 1, 2017, is not subject to sales or use tax and any parties that paid sales or use tax shall not be eligible for a refund.

Acts 2018, No. 164

Exempted the gross proceeds of sales of bullion or money for five years, unless extended by an act of the legislature.

Acts 2018, No. 562

Exempted the sale of fruit or agricultural products by the person or company that planted or cultivated, and harvested the fruit or agricultural product, when the land is owned or leased by the seller. Incorporated the sales tax exemption schedule into the use tax exemption statute.

Acts 2019, No. 444

Exempted adaptive equipment used on motor vehicles for persons without normal mobility.

Acts 2019, No. 253

Provided that tax filings for sales, use, and lodgings taxes may be made quarterly, semi-annually, or annually dependent upon total sales, use, or transient occupancy tax liability. Additionally, provided amount limits for the filing of sales, use, and lodging tax reports.

Acts 2021, No. 130

Provides that beginning January 1, 2021, the Alabama School of Fine Arts Foundation, Inc.; the Alabama High School of Mathematics and Science Foundation; and the Alabama School of Cyber Technology and Engineering Foundation are exempt from the payment of state and local sales and use taxes.

Acts 2021, No. 170

Exempts The World Games (TWG) 2021 Birmingham Foundation, with respect to the operation of the World Games 2022, from all state, county, and municipal sales and use taxes, including admissions.

Acts 2021, No. 298

Provides that beginning January 1, 2020, all airport authorities established by general or local law, and contracts entered into by those airport authorities on or after January 1, 2020, are exempt from state, county, and municipal sales and use taxes.

Acts 2021, No. 372

Requires the Department of Revenue to issue sales and use tax certificates of exemption to contractors for the purchase of materials for highway, road, and bridge contracts.

Acts 2021, No. 374

Exempts the Birmingham Regional Paratransit Consortium, Inc., from payment of all state, county, and municipal sales and use taxes. Additionally, exempts the following entities from the payment of state, county, and municipal sales and use taxes: the Birmingham Holocaust Education Center, the Community Foundation of South Alabama, the Community Foundation of West Alabama, the Black Belt Community Foundation, the Community Foundation of Northeast Alabama, the Community Foundation of Greater Birmingham, the Community Foundation of Greater Huntsville, the Community Foundation of Greater Decatur, the Limestone Area Community Foundation, the Central Alabama Community Foundation, the Community Foundation of East Alabama, and the Walker Area Community Foundation.

Acts 2021, No. 496

Exempts the Victims of Crime and Leniency, Incorporated (VOCAL), from state, county, and municipal sales and use taxes.

Utility Company Inspection and Supervision Fee

Acts 1920, No. 37, p. 38

Established the following annual inspection and supervision fees for public utilities (as defined in the act):

Gross Receipts	Rate per \$1,000
First \$10,000 or less	\$2.50
Up to and including \$100,000	\$2.00
Up to and including \$350,000	\$1.50
Up to and including \$700,000	\$1.25
Up to and including \$1,000,000	\$1.00
Up to and including \$2,000,000	\$.75
Up to and including \$3,000,000	\$.25
In excess of \$3,000,000	\$.10
Minimum fee - \$25	

Acts 1932, Ex. Sess., No. 232, p. 233

Changed the inspection and supervision fees to the following rates (based on gross intrastate receipts):

Gross Receipts	Rate per \$1,000
First \$100,000 or less	\$2.50
\$100,001 to \$1,000,000	\$2.00
In excess of \$1,000,000	\$1.50

Acts 1981, No. 718, p. 1210

Provided that fees are to be paid to the Commission quarterly.

Acts 1985, No. 756, p. 1256

Provided that utilities with gross intrastate receipts in excess of \$60 million per calendar quarter be required to pay inspection and supervision fees based on the quarter rather than the preceding fiscal year.

Acts 1989, No. 943, p. 1852

Authorized the Commission to deposit utility company inspection and supervision fees into the Commission's operating fund to be used for any expenses incurred by the Commission under Title 37.

Acts 1991, No. 586, p. 1075

Established the current rate schedule.

Utility Gross Receipts Tax and Utility Service Use Tax

Acts 1969, Ex. Sess., No. 21, p. 46

Established the Utility Gross Receipts Tax for all utilities at the following rates:

<u>Gross Monthly Sales</u>	<u>Tax Rate</u>
Less than \$8,500	4%
\$8,500-\$20,000	\$340 plus 3% over \$8,500
\$20,001-\$40,000	\$685 plus 2% over \$20,000
Greater than \$40,000	\$1,085 plus 1% over \$40,000

Acts 1969, Ex. Sess., No. 37, p. 88

Established the Utility Service Use Tax at same rates as Act 1969-21 (above).

Acts 1969, No. 993, p. 1757

Deleted utility services stored, used, or consumed by municipal utilities from the definition of "utility services" for purposes of the Utility Gross Receipts Tax; and exempted from the Utility Gross Receipts Tax consumption of certain utility services for specified purposes by municipalities or an entity thereof.

Acts 1971, 1st Ex. Sess., No. 98, p. 172

Established Utility Gross Receipts Tax for all utilities at present rate of tax on electricity, water, and gas.

Acts 1971, 1st Ex. Sess., No. 99, p. 173

Established Utility Service Use Tax for all utilities at present rate of tax on electricity, water, and gas.

Acts 1983, No. 739, p. 1207

Revised the payment schedule of Utility Gross Receipts Tax so that payers of large tax liabilities will pay on an estimated basis during and for the period in which the tax liability accrues (one-time windfall for ETF).

Acts 1992, No. 623, p. 1466

Further defined telephone services which are (and are not) subject to the Utilities Gross Receipts Tax and the Utility Service Use Tax. Repealed the 2.5% Telephone Gross Receipts Tax and the 2.5% Telegraph Gross Receipts Tax; increased the Utility Gross Receipts Tax and the Utility Service Use Tax from 4% to 6.7% on sales to a person up to \$40,000 per month, from 3% to 3.7% on the next \$20,000 of sales per month, and from 2% to 3.7% on sales over \$60,000 per month; and changed distribution of Utility Gross Receipts Tax from Education Trust Fund to current distribution.

Acts 1996, No. 206, p. 236

Authorized the Alabama Department of Economic and Community Affairs to enter into contracts until June 30, 1996 with eligible enterprise zone businesses to provide exemptions from the Utility Gross Receipts Tax and the Utility Service Use Tax for a period of up to 20 years. To qualify, a business must employ at least 1,200 people and make capital investments and capital improvements of at least \$75 million within the enterprise zone.

Acts 1997, No. 867, p. 208

Excluded prepaid telephone calling cards from the Utility Gross Receipts Tax, the Utility Service Use Tax, and the Cellular Radio Telecommunication Services Tax (and included them in the Sales and Use Taxes).

Acts 1998, No. 654, p. 1431

Exempted from the definition of "Telephone Services," for purposes of the Utility Gross Receipts Tax, access to the Internet; and exempted from the definition of "Telephone Services," for purposes of the Utility Service Use Tax, the Internet and access thereto.

Acts 2001, 4th Ex. Sess., No. 1090, p. 1120

Amended the Utility Gross Receipts Tax and the Utility Service Use Tax, as applied to telephone services, to include interstate telephone service beginning with bills dated on or after February 1, 2002, regardless of when the services being billed were provided; changed the tax rate, beginning April 1, 2002, (1) from 6.7% to 6% if gross sales or receipts (privilege tax) or sales price (use tax) respecting a person are not over \$60,000; and (2) from \$4,020 plus 3.7% of excess over \$60,000 to 6% if the gross sales or receipts or sales price is over \$60,000; and provided that utilities furnishing telegraph or telephone services may deduct and retain from the gross amount of tax billed by the utility .9% of the tax billed on or after February 1, 2002 and .25% beginning October 1, 2002.

Acts 2004, No. 397, p. 668

Amended the Utility Gross Receipts Tax and the Utility Service Use Tax to provide that if charges for nontaxable services are “bundled” with charges for taxable items, then the nontaxable charges are subject to the tax. If the utility can reasonably identify nontaxable charges from records kept in the normal course of business, then the charge is not subject to taxation. Stated that a customer does not have a right to require the utility or the Department of Revenue to separate bundled charges in order to minimize the amount of tax charged to the customer.

Acts 2006, No. 292, p. 584

Amended the Utility Gross Receipts Tax and the Utility Service Use Tax to provide definitions and rules for the sourcing of telecommunication services for taxation purposes found in the Streamlined Sales and Use Tax Agreement.

Acts 2007, No. 199, p. 234

Established the Alabama Economic Incentive Enhancement Act of 2007. Granted certain tax exemptions to qualifying entities (defined in the act so as to target ThyssenKrupp), including a Utility Gross Receipts Tax exemption for up to 10 years.

Acts 2015, No. 27, p. 103

Enacted the Alabama Jobs Act. Provides incentives to certain businesses for projects that create any number of new employees for a qualifying project whose predominant activity involves chemical manufacturing, data centers, engineering, design or research; or at least 50 new employees, for all other projects. Allowed an incentivized company to claim an investment credit against income taxes, financial institution excise taxes, insurance premium taxes, utility taxes, or some combination of these taxes in an annual amount of 1.5% of the capital investment for 10 years, based on the terms and conditions of the project agreement entered into between an approved company and the Governor. Authorized the Governor to decrease the amounts and duration of the incentives to ensure the anticipated revenues to the state will exceed the amount of incentives sought. Provided that the incentive period does not begin for either credit until after the project is placed into service.

Acts 2015, No. 41, p. 146

Enacted the Alabama Veterans and Targeted Counties Act. Provided enhanced incentives under the provisions of the Alabama Jobs Act (Act 2015-27) to companies located in a targeted county and to companies that employ veterans. Further provided that a qualifying project in a targeted county is required to employ at least 25 new employees, rather than the minimum of 50 new employees for projects in other counties under the provisions of the Alabama Jobs Act. Authorizes the investment credit incentive period to be 15 years for a qualifying project in a targeted county if the project sells the majority of its output to businesses located nearby, as opposed to a 10-year incentive period for projects in other counties under the provisions of the Alabama Jobs Act; and allowed the credit against income taxes, financial institution excise taxes, insurance minimum taxes, utility taxes, or some combinations of these. Also, allowed an additional 0.5% jobs credit is authorized for companies with a workforce of at least 12% of its eligible employees as veterans; however, provided that companies may not claim both the additional credit for the employment of veterans and a Heroes for Hire tax credit.

Acts 2019, No. 392

Amended Alabama Jobs Act (2015-27) to include a provision for jumpstart counties, therein defined, as not qualifying as a targeted county; experienced negative population growth over the previous five years; and containing no more than two opportunity zones. This act further amends the Alabama Jobs Act to: (1) remove the requirement that both the incentivized company and the transferee are subject to income tax, financial institutions excise tax, or insurance premium tax; (2) increase the population definition of a targeted county from 25,000 to 50,000; (3) decrease, from 25 to 10, the number of new employees, plus at least \$2 million of capital, for a qualifying project; (4) clarify and expand the definition related to a technology company to be a qualified project and allows a jobs credit against utility tax up to an additional 2% above what is currently allowed; and (5) grant the Governor the authority to decrease the amounts and durations of the incentives authorized by the Jobs Act.

Vital Statistics Fees

Acts 1919, No. 658, p. 909

Further defined the duties and responsibilities of the state and local health departments; created the State Registrar and Bureau of Vital Statistics and provided for the collection of fees by both state and local authorities; and provided that state fees be deposited in the State Treasury. Provided exemptions for parents and guardians requesting certificates for their children entering school or for securing employment and for the U.S. Census Bureau requesting data from the state.

Acts 1943, No. 492, p. 454

Earmarked fees deposited into the State Treasury for the use of the State Health Department to implement the provisions of the Vital Statistics Act; provided that a county maintaining a full-time county registrar may issue certificates and may charge a fee of \$.50 for each copy to be deposited into the county treasury and used for county health services; and provided an additional statewide exemption for a parent or guardian requesting a certificate when necessary for their child's employment or for securing employment.

Acts 1959, No. 636, p. 1549

Expanded the fee schedule to include:

Records search and certified copy	\$1
Each authenticated copy (including the Secretary of State's fee)	\$3
Each birth or death verification	\$.50
Special searches fee (per hour charge)	\$2

Eliminated the specified exemptions.

Acts 1969, No. 1118, p. 2072

Changed the fee schedule as follows:

Records search and certified copy	\$2
Each additional certified copy at the same time	\$1
Each authenticated copy (including the Secretary of State's fee)	\$5
Special searches fee (per hour charge)	\$3

Required collections to be deposited into the newly created Vital Statistics Fund to be used for the implementation of the vital statistics program; and raised the county fee charged to \$1 per certificate.

Acts 1975, 4th Ex. Sess., No. 111, p. 2800

Increased the fee schedule as follows:

Records search and certified copy	\$3
Each additional copy of the same	\$1
Preparation and issuance of authenticated copy	\$5
Completion of a presumptive or special search fees (per hour charge)	\$3
Preparation of an authenticated copy of an amendment to the original record of birth after legal adoption	\$5

Raised the county fee for a search and certified copy of a record to \$3 plus a \$1 fee for each additional copy of the same record.

Acts 1980, No. 604, p. 1022

Increased the fee schedule as follows:

Records search and/or making certified copy	\$5
Each additional copy of the same	\$2
Each authenticated copy (including the Secretary of State's fee)	\$8
Special searches fee (per hour or any fraction of an hour charge)	\$5
Preparation and issuance of authenticated copy of an amended report	\$8
Preparation of a delayed certificate	\$8
Preparation of a new certificate after legal adoption	\$8

Raised the county fee for a search and certified copy of a record to \$5 plus a \$2 fee for each additional copy of the same record.

Acts 1992, No. 607, p. 1255

Repealed the entire vital statistics section of the *Code of Alabama 1975*; revised and supplemented the existing statewide system for registering certain vital records and statistical data; and increased fees for obtaining vital statistics data as follows:

Search, reporting, and copying of one record	\$12
Each additional copy of the same record	\$4
Issuance of an authenticated or exemplified copy ¹	\$20
Preparation and copy of an amended record and issue a certified copy	\$15
Preparation of a new birth certificate after legitimization or adoption and issue a certified copy	\$20
Preparation of a delayed certificate and issue a certified copy	\$20
Forwarding of legal documents for an adoption granted in this state for person born in another state	\$10
Additional fee for non-routine, same day expedited service, and all special delivery mail	\$10
Special birth certificate suitable for framing ²	\$40
Non-routine special or research project ³	See below

¹ Includes the certification fee of the Secretary of State.

² \$15 of this amount forwarded to the Children's Trust Fund.

³ To be determined by the State Registrar.

Acts 2009, No. 569, p. 1671

Increased fees for obtaining vital statistics data to the present rates. (See Tax Rate).

Acts 2011, No. 706, p. 2187

Added Certificate of Birth resulting in Stillbirth to list of documents available; and provided that the fee for this issuance of the Certificate of Birth resulting in Stillbirth is the same as that of a certified copy of any other vital record.