

1 HB11  
2 125484-1  
3 By Representative Scott  
4 RFD: County and Municipal Government  
5 First Read: 01-MAR-11  
6 PFD: 02/22/2011

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8 SYNOPSIS: Under existing law, a municipality may annex  
9 property by statutory procedures or by local law.  
10 Additionally, Section 11-44B-24 of the Code of  
11 Alabama 1975, authorizes any Class 4 municipality  
12 organized in accordance with Chapter 44B of Title  
13 11 of the Code of Alabama 1975, to annex  
14 unincorporated territory which has been enclosed  
15 within the corporate limits of the municipality for  
16 a period of one year or more.

17 This bill would provide that any  
18 municipality in Alabama may use these same  
19 procedures available to these Class 4  
20 municipalities to annex unincorporated property  
21 enclosed within the corporate limits of the  
22 municipality.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
27

1           Relating to municipalities; to provide an additional  
2 annexation method to allow municipalities to annex  
3 unincorporated territory which has been enclosed within the  
4 corporate limits of the municipality for a period of one year  
5 or more.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7           Section 1. Any unincorporated municipality in this  
8 state shall have the following additional power and authority:

9           (1) To annex all or any portion of any  
10 unincorporated territory or territories which are enclosed  
11 within the corporate limits of the municipality and have been  
12 enclosed for a period of one year or more on the effective  
13 date of this section. The municipality shall adopt an  
14 ordinance finding and declaring that the unincorporated  
15 territory or territories set forth and described therein have  
16 been enclosed for a period of one year or more on the  
17 effective date of this section and that the annexation of the  
18 unincorporated territory or territories is in the best  
19 interest of the public good and welfare of the municipality.  
20 Annexation of the unincorporated territory or territories  
21 described in the ordinance shall be effective following the  
22 adoption and the publication thereof as required by law, and  
23 the filing of a copy of the ordinance, together with a map of  
24 the territory or territories annexed in the office of the  
25 judge of probate of the county or counties where the annexed  
26 territory is located. Any annexation made pursuant to this

1 subdivision shall be made within one year of the effective  
2 date of this section.

3 (2) To annex all or any portion of any  
4 unincorporated territory or territories which are enclosed  
5 within the corporate limits of the municipality, which have  
6 been enclosed for a period of one year or more and which are  
7 15 acres in size or less. The municipality shall adopt an  
8 ordinance finding and declaring that the unincorporated  
9 territory or territories set forth and described therein are  
10 enclosed within the corporate limits of the municipality and  
11 have been enclosed for a period of one year or more on the  
12 date of the adoption of the ordinance and that the annexation  
13 of the unincorporated territory or territories is in the best  
14 interest of the public good and welfare of the municipality.  
15 Annexation of the unincorporated territory or territories  
16 described in the ordinance shall be effective following the  
17 adoption and the publication thereof as required by law, and  
18 the filing of a copy of the ordinance, together with a map of  
19 the territory or territories annexed in the office of the  
20 judge of probate of the county or counties where the annexed  
21 territory is located.

22 Section 2. This act shall become effective on the  
23 first day of the third month following its passage and  
24 approval by the Governor, or its otherwise becoming law.