

1 HB111
2 214857-1
3 By Representative Ingram
4 RFD: County and Municipal Government
5 First Read: 11-JAN-22

8 SYNOPSIS: This bill would create the Police Funding
9 Protection Act.

10 This bill would also create a system in
11 which a county or municipality may not reduce the
12 operating budget of its respective law enforcement
13 agency by more than 20 percent in a 10-year period.

14 This bill would allow a budget to be reduced
15 if a county or municipality could prove that the
16 reduction was fiscally appropriate.

17 This bill would charge the Attorney General
18 with determining whether a county or municipality
19 has reduced the operating budget by more than 20
20 percent.

21 This bill would also exclude a county or
22 municipality from various funding for violations.

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

1 Relating to counties and municipalities; to create
2 the Police Funding Protection Act; to provide prohibitions
3 against reducing the operating budget of local law enforcement
4 agencies; to create a rebuttable presumption and a method of
5 determination; and to provide penalties for violations.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. This act shall be known and cited as the
8 Police Funding Protection Act.

9 Section 2. (a) For the purposes of this section, the
10 term "operating budget" means those funds appropriated to a
11 law enforcement agency including, the funds to cover personnel
12 costs, to operate and maintain equipment, and other expected
13 or estimated costs considering the quarterly or annual
14 performance.

15 (b) No governing body of any county or municipality
16 shall reduce the operating budget of its respective law
17 enforcement agency by more than 20 percent in a 10-year period
18 unless the governing body can demonstrate by clear and
19 convincing evidence that the operating budget reduction was a
20 fiscally appropriate decision as a result of a decrease in
21 revenues.

22 (c) Upon certification by the Attorney General that
23 a county or municipality has reduced the amount of its
24 respective local law enforcement agency's operating budget in
25 violation of subsection (b), the state Comptroller shall
26 withhold the distribution of the revenue described under
27 subsection (d), to which the county or municipality would

1 otherwise be entitled, and place it into a special fund within
2 the State Treasury, until the Attorney General certifies that
3 the county or municipality has restored funding to its
4 respective law enforcement agency.

5 (d) (1) Upon a determination that a county or
6 municipality has reduced the operating budget of their
7 respective law enforcement agency as described in subsection
8 (b), and has not made a showing of the information required in
9 subsection (b), that county or municipality may not be
10 eligible for, nor receive any allocation of, state revenues
11 directly shared with local governing bodies not otherwise
12 guaranteed by the Constitution of Alabama of 1901.

13 (2) The ineligibility for receipt of state revenues
14 as provided under subdivision (1) may not be used for a
15 further reduction of law enforcement resources by the county
16 or municipality.

17 Section 3. This act shall become effective on the
18 first day of the third month following its passage and
19 approval by the Governor, or its otherwise becoming law.