

1 HB404  
2 134444-1  
3 By Representative Johnson (K) (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 23-FEB-12

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8 SYNOPSIS: Existing law allows a municipality to impose  
9 taxes or regulatory authority within its corporate  
10 limits or police jurisdiction.

11 This bill would propose a local  
12 constitutional amendment to the Constitution of  
13 Alabama of 1901, relating to Lawrence County, to  
14 prohibit any municipality located entirely outside  
15 of Lawrence County from imposing any municipal  
16 ordinance or regulation, including, but not limited  
17 to, any tax, zoning, planning, or sanitation  
18 regulations, and any inspection service in its  
19 police jurisdiction located in Lawrence County and  
20 to provide that a municipality prohibited from  
21 imposing any tax or regulation under this amendment  
22 shall not provide any regulatory function or police  
23 or fire protection services in its police  
24 jurisdiction located in Lawrence County, other than  
25 public safety mutual aid.

26  
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3  
4 Proposing a local constitutional amendment to the  
5 Constitution of Alabama of 1901, relating to Lawrence County,  
6 to prohibit any municipality located entirely outside of  
7 Lawrence County from imposing any municipal ordinance or  
8 regulation, including, but not limited to, any tax, zoning,  
9 planning, or sanitation regulations, and any inspection  
10 service in its police jurisdiction located in Lawrence County;  
11 and to provide that a municipality prohibited from imposing  
12 any tax or regulation under this amendment shall not provide  
13 any regulatory function or police or fire protection services  
14 in its police jurisdiction located in Lawrence County, other  
15 than public safety mutual aid.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. The following amendment to the  
18 Constitution of Alabama of 1901, is proposed and shall become  
19 valid as a part of the Constitution when all requirements of  
20 this act are fulfilled:

21 PROPOSED AMENDMENT

22 A municipality located entirely outside of Lawrence  
23 County is prohibited from imposing any municipal ordinance or  
24 regulation, including, but not limited to, any tax, zoning,  
25 planning, or sanitation regulations, and any inspection  
26 service in its police jurisdiction located in Lawrence County.  
27 A municipality prohibited from imposing any tax or regulation

1 under this amendment shall not provide any regulatory function  
2 or police or fire protection services in its police  
3 jurisdiction located in Lawrence County, other than public  
4 safety mutual aid.

5 Section 2. An election upon the proposed amendment  
6 shall be held in accordance with Amendment 555 to the  
7 Constitution of Alabama of 1901, now appearing as Section  
8 284.01 of the Official Recompilation of the Constitution of  
9 Alabama of 1901, as amended, and the election laws of this  
10 state.

11 Section 3. The appropriate election official shall  
12 assign a ballot number for the proposed constitutional  
13 amendment on the election ballot and shall set forth the  
14 following description of the substance or subject matter of  
15 the proposed constitutional amendment:

16 "Relating to Lawrence County, proposing an amendment  
17 to the Constitution of Alabama of 1901, to prohibit any  
18 municipality located entirely outside of Lawrence County from  
19 imposing any municipal ordinance or regulation, including, but  
20 not limited to, any tax, zoning, planning, or sanitation  
21 regulations, and any inspection service in its police  
22 jurisdiction located in Lawrence County and to provide that a  
23 municipality prohibited from imposing any tax or regulation  
24 under this amendment shall not provide any regulatory function  
25 or police or fire protection services in its police  
26 jurisdiction located in Lawrence County, other than public  
27 safety mutual aid.

1 "Proposed by Act \_\_\_\_\_."

2 This description shall be followed by the following

3 language:

4 "Yes ( ) No ( )."