

1 HB571  
2 159266-2  
3 By Representative Burdine (N & P)  
4 RFD: Local Legislation  
5 First Read: 04-MAR-14

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9 A BILL  
10 TO BE ENTITLED  
11 AN ACT  
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13 Relating to Lauderdale County; to authorize and  
14 provide for the organization as a public corporation of a  
15 tourism board in and for Lauderdale County; to provide for the  
16 government of such tourism board by a board of directors, and  
17 for the election and terms of office of the members of such  
18 board of directors; to provide for the termination or  
19 dissolution of any then existing public body formed to promote  
20 or develop tourism in either Lauderdale County or the City of  
21 Florence, and for the disposition or transfer to such tourism  
22 board of the assets and liabilities of such public body; to  
23 provide for the officers of such tourism board; to specify the  
24 general powers of such tourism board and its board of  
25 directors; to deny to such tourism board any power of taxation  
26 or eminent domain; to provide that agreements and obligations  
27 undertaken by such tourism board shall not create any

1 obligation or debt of the State of Alabama, Lauderdale County,  
2 or any of certain municipalities in the county; to apply to  
3 such tourism board certain provisions of the Code of Alabama  
4 1975, as amended, pertaining to tort claims and judgments  
5 against local governmental entities; to authorize Lauderdale  
6 County, certain municipalities in the county, and certain  
7 public agencies, authorities, or bodies to convey to such  
8 tourism board, with or without consideration, certain  
9 properties and funds owned by any of them; to provide for the  
10 continuing distribution to such tourism board, Lauderdale  
11 County, and certain municipalities in the county, of certain  
12 specified portions of the proceeds of that certain county  
13 lodging tax now being levied and collected in Lauderdale  
14 County pursuant to Act No. 86-411, as amended, and to provide  
15 for the use of the tax proceeds by the recipients thereof; to  
16 provide further for the distribution and use of the proceeds  
17 of the tax prior to the formation of the tourism board; to  
18 exempt such tourism board and the property, income,  
19 securities, and certain conveyances and documents thereof from  
20 all taxation by the state or any political subdivision  
21 thereof; to exempt the gross proceeds of sales of property  
22 used by such tourism board from all sales and similar excise  
23 taxes in the state, and to exempt such property from all use  
24 and similar excise taxes in the state; to exempt such tourism  
25 board from all laws of the state governing usury or  
26 prescribing or limiting interest rates; to provide for the  
27 disposition of the earnings of such tourism board, its

1 dissolution and the disposition thereupon of its assets and  
2 properties; and to provide an effective date.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Definitions. (a) The following words and  
5 phrases used in this act, and others evidently intended as the  
6 equivalent thereof, in the absence of clear implication herein  
7 otherwise, shall be given the following respective  
8 interpretations herein:

9 (1) Authorizing Resolution. The resolution adopted  
10 by the governing body of the City of Florence or the county,  
11 in accordance with the provisions of this act, that authorizes  
12 the organization of the tourism board.

13 (2) Board. The board of directors of the tourism  
14 board.

15 (3) Code. The Code of Alabama 1975 and all  
16 amendments thereto and, with respect to any particular title,  
17 chapter, article, division, section, or other portion thereof,  
18 any act of the Legislature or other code preceding such  
19 portion of the Code or subsequently replacing the same.

20 (4) County. Lauderdale County, Alabama.

21 (5) County Lodging Tax. That certain tax levied by  
22 Act No. 86-441 enacted at the 1986 Regular Session of the  
23 Legislature, as heretofore amended.

24 (6) Director. A member of the Board.

25 (7) Florence. The City of Florence, Alabama.

26 (8) Governing Body. With respect to the county, its  
27 county commission, and, with respect to a municipality, its

1 city or town council, board of commissioners, or other like  
2 governing body.

3 (9) Legislature. The Legislature of the state.

4 (10) Municipality. Any incorporated municipality  
5 located wholly within the county.

6 (11) Planning Jurisdiction. A municipality's  
7 planning jurisdiction but excludes any portion of such  
8 planning jurisdiction located outside of the county.

9 (12) State. The State of Alabama.

10 (13) Tourism Board. The public corporation organized  
11 pursuant to the provisions of this act.

12 (b) The terms "herein," "hereby," "hereunder,"  
13 "hereof," and other equivalent words refer to this act as an  
14 entirety and not solely to the particular section or portion  
15 hereof in which any such word is used. The definitions set  
16 forth herein shall be deemed applicable whether the words  
17 defined are used in the singular or plural. Whenever used  
18 herein any pronoun or pronouns shall be deemed to include both  
19 singular and plural and to cover all genders.

20 Section 2. Organization of Tourism Board. (a) The  
21 governing bodies of Florence and the county may form a tourism  
22 board as a public corporation pursuant to this act by each  
23 adopting a resolution that does both of the following:

24 (1) Recites that the county and the City of Florence  
25 propose to form the tourism board pursuant to the provisions  
26 of this act.

1                   (2) States the name of the tourism board, which may  
2 be a name indicating in a general way the function of the  
3 tourism board and the geographical area proposed to be served  
4 by it, and shall include the word "authority," "bureau," or  
5 "board," unless the Secretary of State shall determine that  
6 such name is identical to the name of another corporation  
7 organized under the laws of the state or so nearly similar  
8 thereto as to lead to confusion and uncertainty, in which case  
9 there may be inserted additional identifying words so as to  
10 eliminate said duplication or similarity or to adopt some  
11 other similar name that is available.

12                   While it shall not be necessary that any such  
13 resolution be published in any newspaper or posted, the  
14 governing body of the county or the City of Florence, as the  
15 case may be, shall cause such resolution to be spread upon or  
16 made a part of the minutes of the meeting thereof at which  
17 final action thereon is taken.

18                   (b) Upon the adoption of both authorizing  
19 resolutions, the tourism board shall come into existence and  
20 shall constitute a public corporation under the name set forth  
21 in each such authorizing resolution. The authorizing  
22 resolutions shall both be filed, not more than 15 days after  
23 the date on which the latter thereof was adopted, for record  
24 in the office of the judge of probate of the county.

25                   (c) The governing bodies of the county and the City  
26 of Florence may from time to time adopt resolutions amending  
27 the authorizing resolutions theretofore adopted by them with

1 respect to the tourism board; and such amendatory resolutions  
2 shall be filed, not more than 15 days after the date on which  
3 the latter thereof was adopted, for record in the office of  
4 the judge of probate of the county.

5 (d) Notwithstanding any provision to the contrary in  
6 any law enacted by the Legislature, whether general, special,  
7 or local, or in any ordinance, resolution, or resolution and  
8 order previously adopted by the county and the City of  
9 Florence, the governing bodies of the county and the City of  
10 Florence, in the authorizing resolutions or any amendatory  
11 resolutions hereinabove authorized, may terminate or dissolve  
12 any public body that was theretofore formed for the purpose of  
13 promoting or developing tourism in either or both the City of  
14 Florence and the county. If such a public body is dissolved,  
15 the county and the City of Florence, whether in the  
16 authorizing resolutions or in any amendatory resolutions  
17 adopted by them, may establish the tourism board as the  
18 successor in interest to all of the assets and liabilities of  
19 the public body so dissolved.

20 Section 3. Board of Directors. (a) The tourism board  
21 shall have a board of directors composed of five directors,  
22 two of whom shall be elected by the governing body of the City  
23 of Florence, two of whom shall be elected by the governing  
24 body of the county, and one of whom shall be elected jointly  
25 by the governing body of the City of Florence and the  
26 governing body of the county. Each director must be 21 years  
27 of age or older and must be a resident and qualified elector

1 of the county. Both of the directors first so elected by the  
2 governing body of the City of Florence after the organization  
3 of the tourism board shall be elected for an initial term of  
4 six months. Both of the directors first so elected by the  
5 governing body of the county after the organization of the  
6 tourism board shall be elected for an initial term of 18  
7 months. The director first so elected jointly by the governing  
8 body of the City of Florence and the governing body of the  
9 county after the organization of the tourism board shall be  
10 elected for an initial term of 42 months. Thereafter the term  
11 of office of each director elected by the governing body of  
12 the City of Florence, the governing body of the county, or  
13 jointly by the governing body of the City of Florence and the  
14 governing body of the county shall be four years.

15 (b) If, at the expiration of any term of office of  
16 any director, a successor thereto shall not have been elected  
17 or appointed, the director whose term of office shall have  
18 expired shall continue to hold office until his or her  
19 successor shall be so elected or appointed. If at any time  
20 there should be a vacancy on the board, whether by death,  
21 resignation, incapacity, disqualification, or otherwise, a  
22 successor director to serve for the unexpired term applicable  
23 to such vacancy shall be elected or appointed by the governing  
24 body of the entity that appointed the director who vacated his  
25 or her position on the board. Any director shall be eligible  
26 for reelection or reappointment.



1           (c) Each director shall serve as such without  
2           compensation but shall be reimbursed for expenses actually  
3           incurred by him or her in and about the performance of his or  
4           her duties as a director.

5           (d) A majority of the directors shall constitute a  
6           quorum for the transaction of business. No vacancy in the  
7           membership of the board shall impair the right of a quorum to  
8           exercise all the powers and perform all the duties of the  
9           board. Whenever any notice is required by the by-laws of the  
10          tourism board to be given of any meeting of the board, a  
11          waiver thereof in writing, signed, whether before or after  
12          such meeting, by the person or persons entitled to such  
13          notice, shall be the equivalent to the giving of such notice.  
14          Any matter on which the board is authorized to act may be  
15          acted upon at any regular, special or called meeting. All  
16          resolutions adopted by the board shall constitute actions of  
17          the tourism board, and all proceedings of the board shall be  
18          reduced to writing and signed by the secretary of the tourism  
19          board and shall be recorded in a well-bound book. Copies of  
20          such proceedings, when certified by the secretary of the  
21          tourism board, under the seal of the tourism board, shall be  
22          received in all courts as prima facie evidence of the matters  
23          and things therein certified.

24          Section 4. Powers of Tourism Board. (a) The tourism  
25          board may conduct programs and events, including, but not  
26          limited to, programs of information and publicity, sporting  
27          events, and other public events to attract tourists and

1 visitors to the county. The tourism board may conduct programs  
2 or events in the state and elsewhere and expend its funds in  
3 the furtherance of such programs and events in the state and  
4 elsewhere.

5 (b) The tourism board may enter into contracts with  
6 any person, firm, corporation, or association to carry out the  
7 purposes set forth herein. No contract entered into by the  
8 tourism board shall bind either the state, the county, or any  
9 municipality.

10 (c) The tourism board shall have the following  
11 additional powers, together with all powers incidental thereto  
12 or necessary to the discharge thereof in corporate form:

13 (1) To sue and be sued in its own name in civil  
14 suits and actions, and to defend suits and actions against it,  
15 including suits and actions ex delicto and ex contractu,  
16 subject, however, to the same limitations that are imposed, by  
17 Section 11-93-2 of the Code of Alabama 1975, on the recovery  
18 of money damages under any judgment against a governmental  
19 entity, as the term "governmental entity" is defined and used  
20 in Section 11-93-1 of the Code of Alabama 1975, it being  
21 understood and hereby expressly provided that the provisions  
22 of Section 11-93-2, Code of Alabama 1975, shall apply, and  
23 shall be applied, fully to the tourism board, in all  
24 circumstances and instances whatsoever, and in every judicial  
25 action or proceeding, whether in state or Federal court, to  
26 which the tourism board is or may be a party, whether or not  
27 the tourism board itself is, or would be, or would be deemed

1 to be, a "governmental entity," as that term is defined and  
2 used as aforesaid.

3 (2) To own, lease, license, operate, purchase,  
4 acquire, hold, improve, develop, manage, sell, convey,  
5 transfer, exchange, release, and dispose of, either alone or  
6 in conjunction with others, real and personal property,  
7 tangible and intangible, of every kind, character, and  
8 description.

9 (3) To adopt a corporate seal and to alter such seal  
10 as necessary or appropriate.

11 (4) To employ agents, employees, consultants,  
12 attorneys, and accountants, to fix their compensation, to  
13 secure such services and assistance as the board deems  
14 necessary to enable the tourism board to conduct and engage in  
15 the activities and purposes for which it is created, and,  
16 subject to the provisions of Section 5, to appoint officers in  
17 addition to those specified in Section 5.

18 (5) To make bylaws for the management and regulation  
19 of the tourism board's affairs, including the appointment of  
20 committees, upon resolution of the board.

21 (6) To enter into contracts and execute all  
22 instruments necessary or convenient to lease, purchase, and  
23 own real or personal property used in furtherance of the  
24 purposes for the accomplishment of which the tourism board is  
25 created.

26 (7) To accept or receive gifts, bequests, devises,  
27 and all other types of funds, both public and private,

1 regardless of the source, subject to all applicable laws, and  
2 to expend all such funds to carry out the purposes of the  
3 tourism board.

4 (8) To provide funds directly or indirectly to third  
5 parties in connection with any public program, sporting or  
6 other event, or advertising campaign to carry out the purposes  
7 herein stated.

8 (9) To borrow money, execute notes, and other  
9 evidence of indebtedness which may be required by the lender,  
10 and pledge anticipated revenue or income to secure payment of  
11 loans.

12 (10) To mortgage, pledge or otherwise convey its  
13 property and its revenues from any source.

14 (11) To mortgage or pledge any or all of its assets  
15 or properties or any part or parts thereof, whether then owned  
16 or thereafter acquired, as security for the payment of the  
17 principal of and the interest and premium, if any, on any debt  
18 incurred by it.

19 (d) At the discretion of the board, the tourism  
20 board may operate on the basis of either a calendar year or a  
21 fiscal year that is identical to the fiscal year then being  
22 used by the county. The tourism board shall each year adopt an  
23 annual budget for the then next succeeding calendar or fiscal  
24 year, whichever is applicable, which budget may thereafter  
25 from time to time be altered, amended or modified, all as the  
26 Board may determine to be advisable. The board, not less than  
27 30 days prior to approval by it of any proposed annual budget,

1 shall cause a copy of such proposed budget to be provided to  
2 both of the following:

3 (1) The governing body and, if the mayor is not a  
4 member of such governing body, the mayor of each municipality  
5 in which the county lodging tax is then being collected from  
6 persons and businesses operating in the corporate limits or  
7 planning jurisdiction of such municipality.

8 (2) The governing body of the county, provided that  
9 the county lodging tax is then being collected from persons  
10 and businesses operating in the county, but not within the  
11 corporate limits or planning jurisdiction of any municipality.  
12 Any such governing body or mayor may a. submit to the board  
13 comments or requests with respect to such proposed annual  
14 budget, and b. request from the board such information as is  
15 reasonably related to such budget. Before adopting any such  
16 proposed annual budget, the board, in its discretion, may  
17 alter, amend, or modify such proposed budget on the basis of  
18 any such comments or requests submitted to it as provided  
19 herein, but the board shall not in any event be required or  
20 obligated to do so.

21 (e) The tourism board shall have neither the power  
22 to levy any tax nor the power of eminent domain, and nothing  
23 herein contained shall be construed as granting any such power  
24 to the tourism board.

25 Section 5. Powers of Board; Officers. (a) All powers  
26 of the tourism board shall be exercised, and the tourism board

1 shall be governed, by the board or pursuant to its  
2 authorization, in accordance with the provisions of this act.

3 (b) The board may, if and to the extent such action  
4 is consistent with succeeding provisions of this section,  
5 delegate to one or more of the directors, or to any one or  
6 more of the employees, agents, or officers of the tourism  
7 board, such duties as it deems proper.

8 (c) The officers of the tourism board shall consist  
9 of a chair, a vice chair, a secretary, a treasurer, and such  
10 other officers as the board shall deem necessary or desirable.  
11 The board shall elect the chair, the vice chair, the  
12 secretary, and the treasurer; and the vice chair shall serve  
13 as chair in the event of the absence of the chair. The chair  
14 and vice chair shall be directors, and the treasurer and  
15 secretary may, but need not be, directors. One person may  
16 serve as treasurer and secretary. Each officer of the tourism  
17 board shall serve as such without compensation but shall be  
18 reimbursed for expenses actually incurred by him or her in and  
19 about the performance of his or her duties as such officer.

20 (d) The board shall provide by resolution for the  
21 dates on which the chair, vice chair, secretary, treasurer, or  
22 any other officer shall be elected, which resolution shall  
23 also specify the term or period for which each such officer  
24 shall serve as such.

25 (e) The treasurer shall act as custodian of all  
26 funds, from whatever sources derived, that are received by the  
27 tourism board.

1 (f) The treasurer shall execute a fidelity bond with  
2 a company authorized to write bonds in the state being surety  
3 thereon, which bond shall be in an amount approved by the  
4 board.

5 (g) Contracts of the tourism board shall be executed  
6 in the name of the tourism board by the chair and attested by  
7 the secretary. The board, by resolution, may provide for a  
8 different form of the execution of contracts and for the  
9 execution by an officer or agent other than the chair and  
10 secretary. In no event may a contract, irrespective of its  
11 form and of the persons executing it, be binding unless the  
12 contract was authorized or ratified by the board.

13 Section 6. Obligations Not Debts of State, County,  
14 or Municipality. All agreements and obligations undertaken by  
15 the tourism board shall be solely and exclusively obligations  
16 of the tourism board and shall not create any obligation or  
17 debt of either the state, the county, or any municipality.

18 Section 7. Transfer of Funds and Assets to Tourism  
19 Board.

20 (a) The county, any municipality, and any other  
21 public agency, authority, bureau, or body that provides  
22 services of any kind or otherwise operates in the county, are  
23 authorized to transfer and convey to the tourism board, with  
24 or without consideration, both of the following:

25 (1) Any properties, real or personal, and any  
26 interest therein, and all funds and assets, tangible or  
27 intangible, relative to the ownership or operation of any such

1 that may be owned by the county, such municipality, or such  
2 other public agency, authority, bureau, or body, as the case  
3 may be, or that may be jointly owned by any two or more  
4 thereof.

5 (2) Any funds owned or controlled by the county,  
6 such municipality, or such other public agency, authority,  
7 bureau or body, as the case may be, or jointly by any two or  
8 more thereof, that may have been raised or allocated for any  
9 of the purposes for which the tourism board shall have been  
10 organized, whether or not such property is considered  
11 necessary for the conduct of the governmental or public  
12 functions of the county, the municipality, or other public  
13 agency, authority, bureau, or body.

14 (b) Each transfer or conveyance shall be authorized  
15 by an ordinance or resolution duly adopted by the governing  
16 body of the county or municipality, or by the board of  
17 directors or other governing body of the public agency,  
18 authority, or body, all as the case may be. It shall not be  
19 necessary, any provision of law to the contrary  
20 notwithstanding, to obtain any permit for any such transfer or  
21 conveyance.

22 Section 8. Distribution of County Lodging Tax. The  
23 state Department of Revenue shall distribute the net proceeds  
24 of the county lodging tax as provided in this section:

25 (1) Prior to the organization of the tourism board  
26 hereunder, the net proceeds of the county lodging tax  
27 collected from persons and businesses operating in the



1 corporate limits or planning jurisdiction of any municipality  
2 shall be distributed to that municipality; and the net  
3 proceeds of the county lodging tax collected from persons and  
4 businesses operating in the county, but not within the  
5 corporate limits or planning jurisdiction of any municipality,  
6 shall be distributed to the county. The provisions of this  
7 subdivision shall become operative on the first day of the  
8 second calendar month next succeeding the effective date of  
9 this act, as determined pursuant to Section 16, but subject,  
10 however, to the effectuation of the succeeding provisions of  
11 this section.

12 (2) Subsequent to the organization of the tourism  
13 board hereunder, there shall be distributed directly to the  
14 tourism board 75 percent of the net proceeds of the county  
15 lodging tax that are collected from persons and businesses  
16 operating in either of the following:

17 a. The corporate limits or planning jurisdiction of  
18 any municipality.

19 b. The county, but not within the corporate limits  
20 or planning jurisdiction of any municipality.

21 All such proceeds so distributed to the tourism  
22 board may be used by it for any purpose for which it is  
23 created.

24 (3) Subsequent to the organization of the tourism  
25 board, there shall be distributed directly to each  
26 municipality 25 percent of the net proceeds of the county  
27 lodging tax that are collected from persons and businesses

1 operating in the corporate limits or the planning jurisdiction  
2 of that municipality. All such proceeds so distributed to any  
3 municipality must be either a. used by it for the promotion of  
4 tourism, recreation, conventions, sporting events, and other  
5 activities that advertise either or both the county and that  
6 municipality or that attract people to visit the county or  
7 that municipality, or b. appropriated and paid over by it to  
8 the tourism board.

9 (4) Subsequent to the organization of the tourism  
10 board hereunder, there shall be distributed directly to the  
11 county 25 percent of the net proceeds of the county lodging  
12 tax that are collected from persons and businesses operating  
13 in the county, but not within the corporate limits or planning  
14 jurisdiction of any municipality. All proceeds so distributed  
15 to the county must be either a. used by it for the promotion  
16 of tourism, recreation, conventions, sporting events, and  
17 other activities that advertise either or both the county and  
18 any municipality or that attract people to visit the county or  
19 any municipality, or b. appropriated and paid over by it to  
20 the tourism board.

21 (5) Notwithstanding anything in subdivision (1) to  
22 the contrary, the provisions of subdivisions (2), (3), and (4)  
23 shall become operative on the first day of the calendar month  
24 next succeeding the date on which the tourism board comes into  
25 existence, as determined pursuant to subsection (b) of Section  
26 2.

1           Section 9. Earnings of Tourism Board. The tourism  
2 board shall be a public corporation and no part of its net  
3 earnings remaining after payment of its expenses shall inure  
4 to the benefit of any individual, firm, or corporation, except  
5 that in the event the board determines that sufficient  
6 provision has been made for the full payment of the expenses  
7 and other obligations of the tourism board, any portion, as  
8 determined by the board, of the net earnings of the tourism  
9 board thereafter accruing may be paid to the City of Florence.

10           Section 10. Exemption from Usury and Interest Laws.  
11 The tourism board shall be exempt from all laws of the state  
12 governing usury or prescribing or limiting interest rates,  
13 including, but not limited to, Chapter 8 of Title 8 of the  
14 Code of Alabama 1975.

15           Section 11. Exemption from Taxation. All property of  
16 the tourism board, whether real, personal or mixed, and the  
17 income therefrom, all notes or other evidences of indebtedness  
18 executed or issued by the tourism board and the income  
19 therefrom, and all instruments executed as security therefor,  
20 all leases made pursuant to the provisions of this act and all  
21 revenues derived from any such leases, and all deeds and other  
22 documents executed by or delivered to the tourism board, shall  
23 be exempt from any and all taxation by the state, or by the  
24 county, any municipality, or any other political subdivision  
25 of the state, including, but without limitation to, license  
26 and excise taxes imposed in respect of the privilege of  
27 engaging in any of the activities in which the tourism board

1 may engage. The tourism board shall not be obligated to pay or  
2 allow any fees, taxes or costs to the judge of probate of any  
3 county in respect of the recording of any document. Further,  
4 the gross proceeds of the sale of any property used in the  
5 construction and equipment of any properties for the tourism  
6 board, regardless of whether such sale is to the tourism board  
7 or to any contractor or agent thereof, shall be exempt from  
8 the sales tax imposed by Article 1 of Chapter 23 of Title 40  
9 of the Code of Alabama 1975, and from all other sales and  
10 similar excise taxes now or hereafter levied on or with  
11 respect to the gross proceeds of any such sale by the state or  
12 by the county, any municipality, or any other political  
13 subdivision or instrumentality of any thereof; and any  
14 property used in the construction and equipment of any  
15 property for the tourism board, regardless of whether such  
16 property has been purchased by the tourism board or by any  
17 contractor or agent thereof, shall be exempt from the use tax  
18 imposed by Article 2 of Chapter 23 of Title 40 of the Code of  
19 Alabama 1975, and all other use and similar excise taxes now  
20 or hereafter levied on or with respect to any such property by  
21 the state, the county, any municipality, or any other  
22 political subdivision or instrumentality of any thereof.

23 Section 12. Dissolution of Tourism Board. At any  
24 time when the tourism board does not have any debt  
25 outstanding, and when there shall be no other obligations  
26 assumed by the tourism board that are then outstanding, the  
27 board may adopt a resolution, which shall be duly entered upon

1 its minutes, declaring that the tourism board should be  
2 dissolved; provided, however, that no such resolution may be  
3 adopted except upon the affirmative vote of not less than four  
4 directors, with such vote having been taken by yeas and nays  
5 and entered upon the minutes of the board. After the adoption  
6 of such a resolution by the board, and only if the governing  
7 bodies of the county and the City of Florence each adopt a  
8 resolution, which shall be duly entered upon their respective  
9 minutes, approving the dissolution of the tourism board, then,  
10 upon the filing for record in the office of the judge of  
11 probate of the county of a certified copy of each such  
12 resolution, the tourism board shall thereupon stand dissolved;  
13 and in the event that it owned any assets or property at the  
14 time of its dissolution, the title to all its assets and  
15 property shall, subject to any constitutional provision or  
16 inhibition to the contrary, thereupon vest in the City of  
17 Florence. In no event may the tourism board be dissolved  
18 hereunder except upon the adoption of appropriate resolutions  
19 by the board and by the respective governing bodies of the  
20 county and the City of Florence.

21 Section 13. Formation of Only One Tourism Board.

22 Nothing in this act shall be construed to authorize the  
23 organization or formation hereunder of more than one tourism  
24 board.

25 Section 14. Repeal of Inconsistent Laws. All special  
26 or local laws, or parts thereof, which are inconsistent or in

1 conflict with this act are hereby repealed to the extent of  
2 such inconsistency or conflict.

3 Section 15. Severability. In the event that any  
4 provision of this act shall be held or declared invalid or  
5 unenforceable by any court of competent jurisdiction, such  
6 holding shall not invalidate or render unenforceable any other  
7 provision hereof.

8 Section 16. Effective Date. This act shall become  
9 effective immediately upon its passage and approval by the  
10 Governor, or upon its otherwise becoming a law.