

1 SB183  
2 204384-1  
3 By Senator Sessions  
4 RFD: Banking and Insurance  
5 First Read: 13-FEB-20

SYNOPSIS: Under existing law a county may issue refunding bonds to refund outstanding bonds not exceeding the principal amount of the bonds to be refunded.

This bill would authorize a county to issue bonds to refund certain bonds previously issued by the county; would ratify and confirm the validity of any refunding bonds originally issued prior to January 1, 2011; and would make certain exceptions relating to pending litigation.

A BILL  
TO BE ENTITLED  
AN ACT

To amend Section 11-81-93 of the Code of Alabama 1975, authorizing any county to issue bonds for the purpose of refunding outstanding bonds; to authorize a county to issue bonds to refund certain bonds previously issued by the county; to ratify and confirm certain refunding bonds previously

1 issued; and to provide for certain exceptions relating to  
2 pending litigation.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 11-81-93 of the Code of Alabama  
5 1975, is amended to read as follows:

6 "§11-81-93.

7 "The county commission of any county having bonds  
8 outstanding may, without an election, issue bonds of the  
9 county for the purpose of refunding such bonds to an amount  
10 not exceeding the principal amount of the bonds to be so  
11 refunded and may also, without an election, issue bonds of the  
12 county from time to time for the purpose of refunding  
13 installments of not less than ~~\$1,000.00~~ one thousand dollars  
14 (\$1000) becoming due on outstanding serial bonds heretofore or  
15 hereafter issued.

16 "(b) Notwithstanding the provisions of subsection  
17 (a), a county commission of any county, without an election,  
18 and no later than December 31, 2020, may issue bonds of the  
19 county, limited in amount as provided in subsection (a), for  
20 the purpose of refunding bonds which were originally issued  
21 prior to January 1, 2011, to refund other bonds. The prior  
22 refunding bonds are ratified and confirmed and given effect in  
23 all respects and any refunding bonds to be issued to refund  
24 those bonds are hereby authorized. This subsection shall not  
25 apply to any bonds which prior to the effective date of the  
26 act adding this language have been held invalid by the Supreme  
27 Court of Alabama or by final judgment of the circuit court in

1 the county which issued the bonds and from which judgment an  
2 appeal was not taken to the Supreme Court of Alabama within  
3 the time provided by law for the taking of appeals or to any  
4 bonds the validity of which is an issue in any pending civil  
5 action commenced prior to the effective date of the act adding  
6 this language."

7           Section 2. This act shall become effective  
8 immediately following its passage and approval by the  
9 Governor, or its otherwise becoming law.