

1 SB328  
2 204280-1  
3 By Senator Burkette  
4 RFD: Local Legislation  
5 First Read: 04-MAY-20

A BILL  
TO BE ENTITLED  
AN ACT

To authorize the Montgomery County Commission, pursuant to Amendment No. 373 to the Constitution of Alabama of 1901, to increase the rate at which there may be levied and collected by the county, on all taxable property situated within the Montgomery School Tax District, the special ad valorem tax authorized by Amendment No. 382 of the Constitution of Alabama of 1901, to be levied at the rate of 3 mills on each dollar of assessed value, to a maximum rate for any tax year equal to \$1.85 on each one hundred dollars (18.5 mills on each dollar) of assessed value.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words and phrases shall have the following meanings:

(1) AMENDMENT NO. 3. Amendment No. 3 of the Constitution of Alabama 1901, proposed by Act 60, 1915 Regular

1 Session, now appearing as Sections 269.01 and 269.02 of the  
2 Official Recompilation of the Constitution of Alabama of 1901,  
3 as amended.

4 (2) AMENDMENT NO. 373. Amendment No. 373 of the  
5 Constitution of Alabama of 1901, proposed by Act 6, H. 170,  
6 1978 Second Special Session, now appearing as Section 217 of  
7 the Official Recompilation of the Constitution of Alabama of  
8 1901, as amended.

9 (3) AMENDMENT NO. 382. Amendment No. 382 of the  
10 Constitution of Alabama of 1901, proposed by Act 79-485, 1979  
11 Regular Session, now appearing as Section 269.05 of the  
12 Official Recompilation of the Constitution of Alabama of 1901,  
13 as amended.

14 (4) AMENDMENT NO. 778. Amendment No. 778 of  
15 Constitution of Alabama of 1901, proposed by Act 2005-215,  
16 2005 First Special Session, now appearing as Section 269.08 of  
17 the Official Recompilation of the Constitution of Alabama of  
18 1901, as amended.

19 (5) CONSTITUTION. The Constitution of Alabama of  
20 1901.

21 (6) COUNTY. Montgomery County, Alabama.

22 (7) COUNTY COMMISSION. The county commission of the  
23 county.

24 (8) DISTRICT. The Montgomery School Tax District,  
25 the special school tax district in Montgomery County, the  
26 boundaries of which have been fixed by the Montgomery County  
27 Board of Education and include all the area lying within the

1 boundaries of the county less and except the area lying within  
2 the corporate limits of the City of Pike Road.

3 (9) SPECIAL AD VALOREM TAX. The special ad valorem  
4 tax authorized in Amendment No. 382 of the Constitution of  
5 Alabama of 1901, to be levied and collected at the rate of 3  
6 mills on taxable property in the district, subject to approval  
7 by the electorate as provided by the laws of Alabama.

8 Section 2. Montgomery County presently is authorized  
9 to levy and collect the special ad valorem tax at a rate of  
10 \$.30 on each one hundred dollars (3 mills on each dollar) of  
11 assessed value pursuant to Amendment No. 382 subject to  
12 approval by the electorate as provided by the laws of this  
13 state. Pursuant to a resolution adopted by the county  
14 commission in accordance with Amendment No. 373, Montgomery  
15 County proposes to increase the rate at which it may levy and  
16 collect the special ad valorem tax in the district to a  
17 maximum rate, for any tax year, which is equal to \$1.85 on  
18 each one hundred dollars (18.5 mills on each dollar) of  
19 assessed value.

20 Section 3. Pursuant to subsection (f) of Amendment  
21 No. 373 and a resolution adopted by the county commission  
22 after a public hearing, the county commission may increase the  
23 rate at which the county may levy and collect the special ad  
24 valorem tax in the district to a maximum rate, for any tax  
25 year, which is equal to \$1.85 on each one hundred dollars  
26 (18.5 mills on each dollar) of assessed value, the levy and  
27 collection at such rate to be in lieu of the levy and

1 collection of any district tax under the provisions of either  
2 Section 2 of Amendment No. 3 or Amendment No. 778.

3 Section 4. The increase in the rate at which the  
4 special ad valorem tax may be levied and collected pursuant to  
5 this act is subject to the approval of a majority of the  
6 qualified electors residing in the district who vote on the  
7 proposed levy at a special election called and held for such  
8 purpose pursuant to the provisions of subsection (f) of  
9 Amendment No. 373.

10 Section 5. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.