

1 HB500
2 204280-2
3 By Representative Hatcher (N & P)
4 RFD: Montgomery County Legislation
5 First Read: 04-MAY-20

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

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

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

21 (1) AMENDMENT NO. 3. Amendment No. 3 of the
22 Constitution of Alabama 1901, proposed by Act 60, 1915 Regular
23 Session, now appearing as Sections 269.01 and 269.02 of the
24 Official Recompile of the Constitution of Alabama of 1901,
25 as amended.

26 (2) AMENDMENT NO. 373. Amendment No. 373 of the
27 Constitution of Alabama of 1901, proposed by Act 6, H. 170,

1 1978 Second Special Session, now appearing as Section 217 of
2 the Official Recompilation of the Constitution of Alabama of
3 1901, as amended.

4 (3) AMENDMENT NO. 382. Amendment No. 382 of the
5 Constitution of Alabama of 1901, proposed by Act 79-485, 1979
6 Regular Session, now appearing as Section 269.05 of the
7 Official Recompilation of the Constitution of Alabama of 1901,
8 as amended.

9 (4) AMENDMENT NO. 778. Amendment No. 778 of
10 Constitution of Alabama of 1901, proposed by Act 2005-215,
11 2005 First Special Session, now appearing as Section 269.08 of
12 the Official Recompilation of the Constitution of Alabama of
13 1901, as amended.

14 (5) CONSTITUTION. The Constitution of Alabama of
15 1901.

16 (6) COUNTY. Montgomery County, Alabama.

17 (7) COUNTY COMMISSION. The county commission of the
18 county.

19 (8) DISTRICT. The Montgomery School Tax District,
20 the special school tax district in Montgomery County, the
21 boundaries of which have been fixed by the Montgomery County
22 Board of Education and include all the area lying within the
23 boundaries of the county less and except the area lying within
24 the corporate limits of the City of Pike Road.

25 (9) SPECIAL AD VALOREM TAX. The special ad valorem
26 tax authorized in Amendment No. 382 of the Constitution of
27 Alabama of 1901, to be levied and collected at the rate of 3

1 mills on taxable property in the district, subject to approval
2 by the electorate as provided by the laws of Alabama.

3 Section 2. Montgomery County presently is authorized
4 to levy and collect the special ad valorem tax at a rate of
5 \$.30 on each one hundred dollars (3 mills on each dollar) of
6 assessed value pursuant to Amendment No. 382 subject to
7 approval by the electorate as provided by the laws of this
8 state. Pursuant to a resolution adopted by the county
9 commission in accordance with Amendment No. 373, Montgomery
10 County proposes to increase the rate at which it may levy and
11 collect the special ad valorem tax in the district to a
12 maximum rate, for any tax year, which is equal to \$1.85 on
13 each one hundred dollars (18.5 mills on each dollar) of
14 assessed value.

15 Section 3. Pursuant to subsection (f) of Amendment
16 No. 373 and a resolution adopted by the county commission
17 after a public hearing, the county commission may increase the
18 rate at which the county may levy and collect the special ad
19 valorem tax in the district to a maximum rate, for any tax
20 year, which is equal to \$1.85 on each one hundred dollars
21 (18.5 mills on each dollar) of assessed value, the levy and
22 collection at such rate to be in lieu of the levy and
23 collection of any district tax under the provisions of either
24 Section 2 of Amendment No. 3 or Amendment No. 778; provided,
25 that from the proceeds of the special ad valorem tax that may
26 be levied and collected in the district each year pursuant to
27 the increase procedure in this section authorized not more

1 than the proceeds of six mills thereof may be used for capital
2 outlay or to provide, acquire, equip, maintain, construct, or
3 repair public school facilities or for the payment of the
4 principal of or the interest on indebtedness incurred for such
5 purpose.

6 Section 4. The increase in the rate at which the
7 special ad valorem tax may be levied and collected pursuant to
8 this act is subject to the approval of a majority of the
9 qualified electors residing in the district who vote on the
10 proposed levy at a special election called and held for such
11 purpose pursuant to the provisions of subsection (f) of
12 Amendment No. 373, and shall be levied for the tax year
13 beginning October 1, 2022.

14 Section 5. (a) Within six months after the enactment
15 of this act, the Montgomery County Board of Education shall
16 adopt after considering recommendation of the Montgomery
17 County Superintendent of Education, all of the following:

18 (1) A detailed strategic plan with defined steps,
19 assigned staff, financial implications, goals, deadlines, and
20 intended results to guide the Montgomery Public School System.

21 (2) Achievable, but ambitious, performance metrics
22 correlated with the desired outcomes of the strategic plan.
23 Performance metrics shall be adopted by the board based on
24 recognized objective educational outcomes and updated as
25 determined by the board.

26 (b) The Montgomery County Superintendent of
27 Education, after approval of the Montgomery County Board of

1 Education, shall annually submit the Strategic Plan and
2 performance metrics to the Montgomery County Legislative
3 Delegation for review prior to commencement of the next
4 Regular Session of the Legislature.

5 Section 6. This act shall become effective
6 immediately following its passage and approval by the
7 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Montgomery
County Legislation..... 04-MAY-20

Read for the second time and placed
on the calendar 2 amendments 05-MAY-20

Read for the third time and passed
as amended..... 07-MAY-20
Yeas 13, Nays 0, Abstains 54

Jeff Woodard
Clerk