

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

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2 ENROLLED, An Act,

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

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

16 (1) AMENDMENT NO. 3. Amendment No. 3 of the
17 Constitution of Alabama 1901, proposed by Act 60, 1915 Regular
18 Session, now appearing as Sections 269.01 and 269.02 of the
19 Official Recompilation of the Constitution of Alabama of 1901,
20 as amended.

21 (2) AMENDMENT NO. 373. Amendment No. 373 of the
22 Constitution of Alabama of 1901, proposed by Act 6, H. 170,
23 1978 Second Special Session, now appearing as Section 217 of
24 the Official Recompilation of the Constitution of Alabama of
25 1901, as amended.

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

6 (4) AMENDMENT NO. 778. Amendment No. 778 of
7 Constitution of Alabama of 1901, proposed by Act 2005-215,
8 2005 First Special Session, now appearing as Section 269.08 of
9 the Official Recompilation of the Constitution of Alabama of
10 1901, as amended.

11 (5) CONSTITUTION. The Constitution of Alabama of
12 1901.

13 (6) COUNTY. Montgomery County, Alabama.

14 (7) COUNTY COMMISSION. The county commission of the
15 county.

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

22 (9) SPECIAL AD VALOREM TAX. The special ad valorem
23 tax authorized in Amendment No. 382 of the Constitution of
24 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

1 be levied and collected in the district each year pursuant to
2 the increase procedure in this section authorized not more
3 than the proceeds of six mills thereof may be used for capital
4 outlay or to provide, acquire, equip, maintain, construct, or
5 repair public school facilities or for the payment of the
6 principal of or the interest on indebtedness incurred for such
7 purpose; and, provided further, that the special ad valorem
8 tax that may be levied and collected in the district each year
9 pursuant to the increase procedure in this section authorized
10 may, from and after the levy for the year for which district
11 school taxes become due and payable on October 1, 2028, not be
12 levied at a rate, for any tax year, greater than \$1.25 on each
13 one hundred dollars (12.5 mills on each dollar) of assessed
14 value of taxable property unless, prior to the date on which
15 the annual levy of ad valorem taxes is adopted for the tax
16 year for which district school taxes become due and payable on
17 October 1, 2028, the continued levy at the maximum rate equal
18 to \$1.85 on each one hundred dollars (18.5 mills on each
19 dollar) of assessed value has been approved by a local act of
20 the Legislature.

21 Section 4. The increase in the rate at which the
22 special ad valorem tax may be levied and collected pursuant to
23 this act is subject to the approval of a majority of the
24 qualified electors residing in the district who vote on the
25 proposed levy at a special election called and held for such

1 purpose pursuant to the provisions of subsection (f) of
2 ~~Amendment No. 373, and shall be levied for the tax year~~
3 ~~beginning October 1, 2022~~ Amendment No. 373, and the tax shall
4 be levied for each tax year as authorized by referendum but in
5 no instance shall the first collection be due before the tax
6 year for which school district taxes become due and payable on
7 October 1, 2023.

8 Section 5. (a) Within six months after the enactment
9 of this act, the Montgomery County Board of Education shall
10 adopt after considering recommendation of the Montgomery
11 County Superintendent of Education, all of the following:

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

15 (2) Achievable, but ambitious, performance metrics
16 correlated with the desired outcomes of the strategic plan.
17 Performance metrics shall be adopted by the board based on
18 recognized objective educational outcomes and updated as
19 determined by the board.

20 (b) The Montgomery County Superintendent of
21 Education, after approval of the Montgomery County Board of
22 Education, shall annually submit the Strategic Plan and
23 performance metrics to the Montgomery County Legislative
24 Delegation for review prior to commencement of the next
25 Regular Session of the Legislature.

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

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 07-MAY-20.

Jeff Woodard
Clerk

Senate	<hr/> 09-MAY-20 <hr/>	Amended and Passed
House	<hr/> 09-MAY-20 <hr/>	Concurred in Senate Amendment