

1 HB577
2 198497-1
3 By Representative Sorrell (Constitutional Amendment)
4 RFD: State Government
5 First Read: 07-MAY-19

8 SYNOPSIS: Under existing law, local bills are required
9 to be advertised in a newspaper in the affected
10 county or counties prior to introduction.

11 This bill would propose an amendment to the
12 Constitution of Alabama of 1901, to allow the
13 advertisement of local bills on the Internet.
14

15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Proposing an amendment to Section 106 of the
20 Constitution of Alabama of 1901, as amended by Amendment 341,
21 now appearing as Section 106 of the Official Recompile of
22 the Constitution of Alabama of 1901, as amended, relating to
23 the notice requirement for local legislation; to authorize the
24 publication of notice of intention to introduce local bills on
25 the Internet.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following amendment to the
2 Constitution of Alabama of 1901, as amended, is proposed and
3 shall become valid as a part thereof when approved by a
4 majority of the qualified electors voting thereon and in
5 accordance with Sections 284, 285, and 287 of the Constitution
6 of Alabama of 1901, as amended:

7 PROPOSED AMENDMENT

8 "Section 106. No special, private, or local law
9 shall be passed on any subject not enumerated in ~~section~~
10 Section 104 of this Constitution, except in reference to
11 fixing the time of holding courts, unless notice of the
12 intention to apply therefor shall have been published, without
13 cost to the state, in the county or counties where the matter
14 or thing to be affected may be situated, which notice shall
15 state the substance of the proposed law and be published for
16 28 consecutive days on a public Internet website or successor
17 technology, unless the governing body determines that a
18 website would not provide adequate notice to the intended
19 audience as provided by general law; or, if publication by
20 Internet website is declared by the governing body of any
21 affected county to be insufficient as provided by general law,
22 at least once a week for four consecutive weeks in some
23 newspaper published in ~~such~~ that county or counties, or if
24 there is no newspaper published therein, then by posting the
25 ~~said~~ notice for four consecutive weeks at five different
26 places in the county or counties prior to the introduction of
27 the bill; and proof by affidavit that ~~said~~ the notice has been

1 given shall be exhibited to each house of the ~~legislature~~
2 Legislature, and ~~said the~~ proof spread upon the journal. The
3 courts shall pronounce void every special, private, or local
4 law which the journals do not affirmatively show was passed in
5 accordance with the provisions of this section.

6 ~~"This amendment shall be self-executing, and no~~
7 ~~enabling legislation shall be necessary."~~

8 Section 2. An election upon the proposed amendment
9 shall be held in accordance with Sections 284 and 285 of the
10 Constitution of Alabama of 1901, now appearing as Sections 284
11 and 285 of the Official Recompilation of the Constitution of
12 Alabama of 1901, as amended, and the election laws of this
13 state.

14 Section 3. The appropriate election official shall
15 assign a ballot number for the proposed constitutional
16 amendment on the election ballot and shall set forth the
17 following description of the substance or subject matter of
18 the proposed constitutional amendment:

19 "Proposing an amendment to the Constitution of
20 Alabama of 1901, relating to the notice requirement for local
21 legislation; to authorize the publication of notice on the
22 Internet.

23 "Proposed by Act ____."

24 This description shall be followed by the following
25 language:

26 "Yes () No ()."