

1 HB246
2 194803-3
3 By Representatives Ellis, Fridy, Mooney, Carns, Drake, Farley
4 and Weaver (Constitutional Amendment)
5 RFD: Shelby County Legislation
6 First Read: 20-MAR-19

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8 SYNOPSIS: This bill would propose a local
9 constitutional amendment relating to Shelby County
10 to provide that all allowances or amounts received
11 by the Sheriff of Shelby County for feeding
12 prisoners would be deposited in a special account
13 and used for feeding prisoners in the county jail
14 and any excess would be authorized to be used by
15 the sheriff only for law enforcement purposes.
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17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To propose an amendment to the Constitution of
22 Alabama of 1901, relating to Shelby County, to provide that
23 all allowances received by the sheriff for feeding prisoners
24 would be deposited in a special account and used for feeding
25 of prisoners in the county jail and that any excess in the
26 fund would be authorized to be used by the sheriff at his or
27 her discretion only for law enforcement purposes.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. The following amendment to the
3 Constitution of Alabama of 1901, is proposed and shall become
4 valid as a part of the Constitution when all requirements of
5 this act are fulfilled:

6 PROPOSED AMENDMENT

7 Effective beginning the next term of office of the
8 Sheriff of Shelby County after the ratification of this
9 amendment, any allowances or other amounts received by the
10 sheriff for feeding prisoners shall be deposited in a separate
11 account in the county treasury to be known as the "Sheriff's
12 Discretionary Fund" and shall be used by the sheriff for the
13 feeding of prisoners in the county jail. Any funds in the
14 Sheriff's Discretionary Fund over the amounts needed for
15 feeding prisoners may be used by the sheriff at his or her
16 discretion only for law enforcement purposes and the sheriff
17 shall not be personally entitled to any portion thereof. Any
18 funds in the Sheriff's Discretionary Fund shall be carried
19 over from year to year. In the event additional amounts are
20 needed by the sheriff for the feeding of prisoners, the
21 amounts shall be paid by the sheriff from any other
22 discretionary funds available for the operation of the office
23 of the sheriff. The sheriff shall not be subject to the
24 competitive bid law for the purchase of food or supplies used
25 for feeding prisoners in the county jail.

26 Section 2. An election upon the proposed amendment
27 shall be held in accordance with Section 284 and Section

1 284.01 of the Constitution of Alabama of 1901, now appearing
2 as Section 284 and Section 284.01 of the Official
3 Recompilation of the Constitution of Alabama of 1901, as
4 amended, and the election laws of this state.

5 Section 3. The appropriate election official shall
6 assign a ballot number for the proposed constitutional
7 amendment on the election ballot and shall set forth the
8 following description of the substance or subject matter of
9 the proposed constitutional amendment:

10 "Relating to Shelby County, proposing an amendment
11 to the Constitution of Alabama of 1901, to provide that
12 effective beginning the next term of office of the sheriff,
13 all allowances or amounts received by the sheriff for feeding
14 prisoners would be deposited in a special account and used for
15 feeding prisoners in the county jail and any excess in the
16 fund would be authorized to be used only for law enforcement
17 purposes by the sheriff and the sheriff shall not be
18 personally entitled to any portion thereof.

19 "Proposed by Act _____"

20 This description shall be followed by the following
21 language:

22 "Yes () No ()."