

1 SB242
2 214948-2
3 By Senator Orr (Constitutional Amendment)
4 RFD: Local Legislation
5 First Read: 22-FEB-22

1 SB242

2
3
4 ENROLLED, An Act,

5 To propose an amendment to the Constitution of
6 Alabama of 1901, relating to Morgan County, to provide for the
7 distribution of the county's share of the proceeds of the
8 simplified sellers use tax; and to provide for retroactive
9 application.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The following amendment to the
12 Constitution of Alabama of 1901, is proposed and shall become
13 valid as a part of the Constitution when all requirements of
14 this act are fulfilled:

15 PROPOSED AMENDMENT

16 (a) After Morgan County retains five percent of the
17 gross proceeds for administrative purposes, the remaining
18 proceeds of the simplified seller use tax distributed to
19 Morgan County pursuant to Section 40-23-197 of the Code of
20 Alabama 1975, shall be allocated by the county commission each
21 fiscal year and distributed on a monthly basis, as follows:

22 (1) Eighty-five percent of the remaining proceeds
23 shall be allocated to the county and city boards of education
24 in the county for public school purposes based on the
25 proportion that the average daily membership of each school

1 system in the county during the first 20 scholastic days after
2 Labor Day of the preceding school year bears to the total
3 average daily membership of all school systems in Morgan
4 County for the preceding school year.

5 (2) Thirteen and one-half percent of the remaining
6 proceeds shall be allocated to the Morgan County Board of
7 Education for public school purposes.

8 (3) One and one-half percent of the remaining
9 proceeds shall be distributed to the certified volunteer fire
10 departments in the county for fire protection purposes with
11 each volunteer fire department receiving an equal share.

12 (b) This amendment shall apply retroactively to
13 October 1, 2019.

14 Section 2. An election upon the proposed amendment
15 shall be held in accordance with Section 284.01 of the
16 Constitution of Alabama of 1901, now appearing as Section
17 284.01 of the Official ReCompilation of the Constitution of
18 Alabama of 1901, as amended, and the election laws of this
19 state.

20 Section 3. The appropriate election official shall
21 assign a ballot number for the proposed constitutional
22 amendment on the election ballot and shall set forth the
23 following description of the substance or subject matter of
24 the proposed constitutional amendment:

1 "Relating to Morgan County, proposing an amendment
2 to the Constitution of Alabama of 1901, to provide for the
3 distribution of the county's share of the proceeds of the
4 simplified sellers use tax; and to provide for retroactive
5 application.

6 "Proposed by Act _____"

7 This description shall be followed by the following
8 language:

9 "Yes () No ()."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB242

Senate 01-MAR-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 03-MAR-22

By: Senator Orr