

1 HB311
2 203866-1
3 By Representatives McMillan, Shiver, Faust, Simpson and Baker
4 (Constitutional Amendment)
5 RFD: Baldwin County Legislation
6 First Read: 25-FEB-20

SYNOPSIS: This bill would propose a local constitutional amendment relating to Baldwin County to define the Josephine Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to define the Josephine Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) For the purposes of this amendment, the
5 "Josephine Landmark District" in Baldwin County is defined as
6 follows:

7 The northeast boundary is defined as the area east
8 of County Road CR95 and south of Leiterman Road. The eastern
9 boundary is defined as the west side of Palmetto Creek to
10 Perdido Bay. The southeast boundary is from the mouth of
11 Palmetto Creek, southward on the western shore of Perdido Bay
12 to Ross Point. The southern boundary is the northern shore of
13 the Intracoastal Waterway, made up of Arnica Bay and Bay La
14 Launch to Sapling Point. The southwestern boundary is from
15 Sapling Point along the eastern shore of Wolf Bay and Hammock
16 Bay and area on the east side of Hammock Creek to County Road
17 CR20. The northwest boundary is from the intersection of
18 Hammock Creek and County Road CR20 northward along the east
19 side of Hammock Creek to its east-west alignment with Totsch
20 Lane to its intersection with County Road CR95.

21 (b) No property within the Josephine Landmark
22 District may be annexed into any municipality by local law.

23 (c) Subsection (b) shall not apply to any
24 municipality incorporated after the ratification of this
25 amendment which includes any part of the Josephine Landmark
26 District.

1 Section 2. An election upon the proposed amendment
2 shall be held at the general election in November 2020 in
3 accordance with Section 284.01 of the Constitution of Alabama
4 of 1901, now appearing as Section 284.01 of the Official
5 Recompilation of the Constitution of Alabama of 1901, as
6 amended, and the election laws of this state.

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

12 "Relating to Baldwin County, proposing an amendment
13 to the Constitution of Alabama of 1901, to define the
14 Josephine Landmark District within the county and to prohibit
15 the annexation by local law of any property within the
16 district into any municipality except under certain
17 conditions.

18 "Proposed by Act _____."

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

21 "Yes () No ()."