

OPTIONS FOR ORGANIZATION OF LOCAL AMENDMENTS

Current practices

General and local acts – enacted, assigned act number, and placed by the Code Commissioner

Constitutional amendments - enacted, assigned act number, ratified by voters, and assigned an amendment number.

As of today, 977 amendments.

In 2020 the Legislature enacted 14 local CA's and 13 of the 14 were ratified. There were no statewide constitutional amendments enacted by the Legislature that year.

I. CURRENT NUMBERING (2005 RECOMPILATION METHOD)

Using Walker County as an example, the current recompilation places local amendments alphabetically, without regard to date of ratification. This format is a bit rigid in that it makes the placement of future amendments difficult. (See highlighted.)

For example: If a new amendment was ratified for Walker County pertaining to lodging tax, how would it be placed between Section 6 and Section 7 alphabetically by number?

Walker County Amendments.	Current Placement
Amendment 459	SEC. 1. Bingo.
Amendment 127	SEC. 2. Court Costs — Salaries.
Amendment 596	SEC. 3. Economic Development.
Amendment 976 (2020)	SEC. 3.50. Judge of Probate.
Amendment 656	SEC. 4. Removal of Officers.
Amendment 977 (2020)	SEC. 4.50. Retirement.
Amendment 50	SEC. 5. Salaries — Certain Officers.
Amendment 655	SEC. 6. Sheriff Employees.
Amendment 133	SEC. 7. Tax — by Municipal Corporations.
Amendment 276	SEC. 8. Tax — Hospitals.
Amendment 19	SEC. 9. Tax — Roads.
Amendment 204	SEC. 10. Tax — Schools.
Town of Carbon Hill	
Amendment 277	SEC. 11. Economic Development.
City of Jasper.	
Amendment 550	SEC. 12. Bingo.
Amendment 253	SEC. 13. Tax — Schools.

II. CHRONOLOGICAL METHOD

Under the chronological method, older existing local constitutional amendments would be codified under the applicable county based on date of ratification and amendment number assigned by the Secretary of State. The numbering of amendments would reflect the chronological order in which each local amendment was numbered, in natural numbers beginning with “1”, and newly ratified local constitutional amendments would be routinely added by natural number.

Under the chronological method, Walker County would appear as follows, with the most recent hypothetical lodging tax amendment placed last.

Walker County Amendments.	Placement under Chronological Method
Amendment 19	SEC. 1. Tax — Roads.
Amendment 50	SEC. 2. Salaries — Certain Officers.
Amendment 127	SEC. 3. Court Costs — Salaries.
Amendment 133	SEC. 4. Tax — by Municipal Corporations.
Amendment 204	SEC. 5. Tax — Schools.
Amendment 253	SEC. 6. City of Jasper - Tax — Schools.
Amendment 276	SEC. 7. Tax — Hospitals.
Amendment 277	SEC. 8. Economic Development.
Amendment 459	SEC. 9. Bingo.
Amendment 550	SEC. 10. City of Jasper - Bingo.
Amendment 596	SEC. 11. Town of Carbon Hill - Economic Development.
Amendment 655	SEC. 12. Sheriff Employees.
Amendment 656	SEC. 13. Removal of Officers.
Amendment 976	SEC. 14. Judge of Probate.
Amendment 977	SEC. 15. Retirement.
Amendment 1055	SEC. 16. Tax – Lodging.

III. COMMON TOPIC METHOD

Under the common topic method, a determination would first be made regarding the most common topics, historically, for which local constitutional amendments have been proposed. While the amendments ratified for each county are unique to that county, they tend to involve the same general areas of law. The same broad topics would then be listed under each county and existing and new amendments would be placed appropriately under those topics. Each standard topic may be further subdivided, to allow for the addition and placement of newly ratified laws.

The common topic method is currently being used to codify local laws in Title 45 of the Code of Alabama 1975. A list of the 26 foundation articles used in Title 45 of the code for local laws (not constitutional amendments) are attached as an exhibit.

After a cursory review of current local constitutional amendments, I've listed possible broad standard topic headings, and more narrow subdivisions, for recompilation.

Courts:

- Court Costs
- Courthouses
- Judicial Compensation
- Judicial Commission

Officials & Employees

- Retirement
- Compensation

Government

- Economic Development
- Home Rule
- Public Works
- Utilities
- Planning & Zoning
- Bonds
- Municipalities

Authorities
Foreign Trade Zones

Property

Annexation
County owned property
Oil & Gas

Taxation

Ad valorem
Lodging
Fire protection
Revenue Commissioner
Bd of Equalization

Law Enforcement

Sheriff
Employees
Crimes
Police Jurisdiction
Traffic
Animals
Work Release
Gaming
Alcoholic Beverages

Health & Environment

Health
Nuisances
Solid Waste/Biosolids

Education

Schools
School Property

EXHIBIT

TITLE 45 FOUNDATION COMMON TOPICS

- Article 1: GENERAL AND MISCELLANEOUS PROVISIONS (45-29-10 et. seq.)
- Article 2: ALCOHOLIC BEVERAGES (45-29-20 et seq.)
- Article 3: BOARDS & COMMISSIONS (45-29-30 et seq.)
- Article 4: BUSINESS, LABOR, & OCCUPATIONS (45-29-40 et seq.)
- Article 5: CONSTABLES (45-29-50 et seq.)
- Article 6: CORONER (45-29-60 et seq.)
- Article 7: COUNTY COMMISSION (45-29-70 et seq.)
- Article 8: COURTS (45-29-80 et seq.)
- Article 9: ECONOMIC & INDUSTRIAL DEVELOPMENT & TOURISM (45-29-90 et Seq.)
- Article 10: EDUCATION (45-29-100 et seq.)
- Article 11: ELECTIONS (45-29-110 et seq.)
- Article 12: EMPLOYEES (45-29-120 et seq.)
- Article 13: ENGINEER, COUNTY (45-29-130 et seq.)
- Article 14: FIRE PROTECTION & EMERGENCY MEDICAL SERVICES (45-29-140 et seq.)
- Article 15: GAMBLING (45-29-150 et seq.)
- Article 16: GOVERNMENT FINANCE & OPERATIONS (45-29-160 et seq.)
- Article 17: HEALTH & ENVIRONMENT (45-29-170 et seq.)
- Article 18: HIGHWAYS AND BRIDGES (45-29-180 et seq.)
- Article 19: LEGISLATURE (45-29-190 et seq.)
- Article 20: LICENSES & LICENSING (45-29-200 et seq.)
- Article 21: MOTOR VEHICLES & TRANSPORTATION (45-29-210 et seq.)
- Article 22: PARKS, HISTORIC PRESERVATION, MUSEUMS, & RECREATION (45-29-220 et seq.)
- Article 23: SHERIFF (45-29-230 et seq.)
- Article 24: TAXATION (45-29-240 et seq.)
- Article 25: UTILITIES (45-29-250 et seq.)
- Article 26: ZONING & PLANNING (45-29-260 et seq.)