

S U M M A R I E S
OF
GENERAL LAWS ENACTED AND CONSTITUTIONAL
AMENDMENTS PROPOSED
By the Legislature of Alabama
at the
SECOND SPECIAL SESSION, 2003
September 15 to September 26, 2003

(LRS2003-4927)

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Montgomery, Alabama 36130

**INDEX TO SUMMARIES OF GENERAL LAWS ENACTED AND CONSTITUTIONAL
AMENDMENTS PROPOSED BY THE LEGISLATURE OF ALABAMA AT THE
2003 SECOND SPECIAL SESSION**

<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>
2003-408	HB14	2003-484	SB59	2003-506	HB99
2003-409	HB28	2003-485	SB63	2003-507	HB100
2003-413	SB38	2003-486	SB85	2003-508	HB101
2003-414	SB1	2003-487	SB88	2003-509	HB103
2003-415	HB3	2003-488	SB89	2003-510	HB104
2003-430	SB39	2003-489	SB91	2003-511	HB105
2003-432	HB73	2003-490	SB96	2003-512	HB106
2003-433	SB9	2003-491	SB97	2003-513	HB107
2003-436	HB11	2003-492	SB103	2003-516	SB41
2003-437	HB1	2003-493	SB82	2003-517	HB2
2003-438	SB8	2003-494	SB86	2003-518	HB94
2003-473	SB11	2003-495	SB87	2003-519	HB95
2003-474	SB90	2003-496	SB92	2003-520	HB96
2003-475	SB98	2003-497	SB93	2003-521	HB102
2003-476	SB99	2003-498	SB94	2003-522	HB110
2003-477	SB100	2003-499	SB95	2003-523	HB111
2003-478	SB22	2003-501	SB27	2003-524	HB113
2003-479	SB101	2003-502	SB58	2003-526	HB109
2003-480	SB102	2003-503	SB26	2003-529	HB108
2003-482	HB77	2003-504	HB97		
2003-483	SB10	2003-505	HB98		

**SENATE BILLS
2003 SECOND SPECIAL SESSION**

<u>SENATE BILL</u>	<u>ACT</u>	<u>SENATE BILL</u>	<u>ACT</u>	<u>SENATE BILL</u>	<u>ACT</u>
SB1	Act 2003-414	SB59	Act 2003-484	SB94	Act 2003-498
SB8	Act 2003-438	SB63	Act 2003-485	SB95	Act 2003-499
SB9	Act 2003-433	SB82	Act 2003-493	SB96	Act 2003-490
SB10	Act 2003-483	SB85	Act 2003-486	SB97	Act 2003-491
SB11	Act 2003-473	SB86	Act 2003-494	SB98	Act 2003-475
SB22	Act 2003-478	SB87	Act 2003-495	SB99	Act 2003-476
SB26	Act 2003-503	SB88	Act 2003-487	SB100	Act 2003-477
SB27	Act 2003-501	SB89	Act 2003-488	SB101	Act 2003-479
SB38	Act 2003-413	SB90	Act 2003-474	SB102	Act 2003-480
SB39	Act 2003-430	SB91	Act 2003-489	SB103	Act 2003-492
SB41	Act 2003-516	SB92	Act 2003-496		
SB58	Act 2003-502	SB93	Act 2003-497		

**HOUSE BILLS
2003 SECOND SPECIAL SESSION**

<u>HOUSE BILL</u>	<u>ACT</u>	<u>HOUSE BILL</u>	<u>ACT</u>	<u>HOUSE BILL</u>	<u>ACT</u>
HB1	Act 2003-437	HB96	Act 2003-520	HB106	Act 2003-512
HB2	Act 2003-517	HB97	Act 2003-504	HB107	Act 2003-513
HB3	Act 2003-415	HB98	Act 2003-505	HB108	Act 2003-529
HB11	Act 2003-436	HB99	Act 2003-506	HB109	Act 2003-526
HB14	Act 2003-408	HB100	Act 2003-507	HB110	Act 2003-522
HB28	Act 2003-409	HB101	Act 2003-508	HB111	Act 2003-523
HB73	Act 2003-432	HB102	Act 2003-521	HB113	Act 2003-524
HB77	Act 2003-482	HB103	Act 2003-509		
HB94	Act 2003-518	HB104	Act 2003-510		
HB95	Act 2003-519	HB105	Act 2003-511		

2003 SECOND SPECIAL SESSION SUMMARIES

Act 2003-408, HB14, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Etowah County, to authorize Etowah County and any municipality located in the county to take certain actions for the promotion of local economic and industrial development in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2003-409, HB28, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to authorize Baldwin County and any municipality located in the county to take certain actions for the promotion of local economic and industrial development in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2003-413, SB38, proposes an amendment to Amendment 538 to the Constitution of Alabama of 1901, pertaining only to Fayette County, to authorize the Tom Bevill Reservoir Management Area Authority to enter into contracts and accept grants from other authorities organized pursuant to the laws of this state. This act is identical to Act 2003-432.

Act 2003-414, SB1, proposes an amendment to Amendment 648 to the Constitution of Alabama of 1901, pertaining only to Mobile County, to specifically include the sheriff within the group of certain elected and appointed county officials prohibited from participating in the supernumerary program and allowed to participate in the Employees' Retirement System.

EFFECTIVE DATE: Contingent upon ratification.

Act 2003-415, HB3, amends Sections 15-22-20, 15-22-23, and 17-3-10, Code of Alabama 1975, relating to the Pardons and Paroles Board, to provide for the appointment of four special members to the board, to serve from October 1, 2003, to September 30, 2006, to allow the board to sit in two panels of three members for the purpose of conducting hearings and making decisions concerning pardons, paroles, restoration of political and civil rights, remission of fines and forfeitures, and revocations. The act adds Section 15-22-36.1 to the Code of Alabama 1975, to provide a procedure for the restoration of eligibility to register to vote of former probationers, parolees, and inmates who have satisfactorily completed conditions of their sentence. The act also creates a temporary Joint Legislative Oversight Committee on Pardons and Paroles.

EFFECTIVE DATE: September 25, 2003.

2003-430, SB39, amends Section 32-6-17, Code of Alabama 1975, relating to the Department of Public Safety, to delete the requirement that the department use certified mail to notify a person that their drivers license has been suspended, cancelled, or revoked.

EFFECTIVE DATE: September 26, 2003.

Act 2003-432, HB73, proposes an amendment to Amendment 538 to the Constitution of Alabama of 1901, pertaining only to Fayette County, to authorize the Tom Bevill Reservoir Management Area Authority to enter into contracts and accept grants from other authorities organized pursuant to the laws of this state. This act is identical to Act 2003-413.

EFFECTIVE DATE: Contingent upon ratification.

Act 2003-433, SB9, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Greene Co., to authorize the operation of bingo games by nonprofit organizations for charitable, educational, and other lawful purposes.
EFFECTIVE DATE: Contingent upon ratification.

Act 2003-436, HB11, authorizes the Alabama Public School and College Authority to sell and issue additional bonds in the amount of \$15,400,000 for rebuilding certain destroyed schools in Etowah County, Henry County, and Walker County, and for replacing coal and wood-burning furnaces at certain schools in Lowndes County.
EFFECTIVE DATE: September 29, 2003.

Act 2003-437, HB1, is the General Fund Budget. The act makes appropriations for the ordinary expenses of the executive, legislative, and judicial agencies of the state for capital outlay for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-438, SB8, is the Education Trust Fund Budget. The act makes appropriations for the support, maintenance, and development of public education for debt service and for capital outlay for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-473, SB11, amends Section 16-25A-8, Code of Alabama 1975, relating to the Public Education Employees' Health Insurance Board, to require nonparticipating universities to pay the cost of insuring retired employees who elect to participate in the Public Education Employees' Health Insurance Plan.
EFFECTIVE DATE: October 1, 2003.

Act 2003-474, SB90, appropriates \$152,109 from the Education Trust Fund to the Children's and Women's Hospital in Mobile for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-475, SB98, appropriates \$66,833 from the Education Trust Fund and \$12,666 from the State General Fund to AIDS Alabama in Birmingham for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-476, SB99, appropriates \$977,833 from the Education Trust Fund to the Department of Postsecondary Education, to be used for the support and maintenance of emergency medical services programs, for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: September 30, 2003.

Act 2003-477, SB100, appropriates \$22,278 from the Education Trust Fund to the Epilepsy Foundation of North and Central Alabama in Birmingham (\$13,300) and the Epilepsy Chapter of Mobile and Gulf Coast (\$8,978) for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-478, SB22, amends Section 32-9A-2, Code of Alabama 1975, relating to commercial motor vehicles and the application in this state of the United States Department of Transportation motor carrier safety regulations, to exempt certain utility service vehicles, other motor vehicles engaged solely in intrastate commerce, and vehicles responding to emergency situations from hours of service requirements unless the exemption would result in the loss of federal Motor Carrier Safety Assistance Program funding.
EFFECTIVE DATE: September 30, 2003.

Act 2003-479, SB101, appropriates \$96,662 from the Education Trust Fund to the State Board of Education for special programs, schools, and services for special education for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-480, SB102, appropriates \$79,668 from the Education Trust Fund to the Helen Keller Eye Research Foundation in Birmingham for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-482, HB77, amends Section 34-36-7, Code of Alabama 1975, relating to the Board of Electrical Contractors, to authorize the board to recognize licenses issued by another state if that state has standards of practice equal to or higher than those of this state.

EFFECTIVE DATE: September 30, 2003.

Act 2003-483, SB10, amends Sections 22-35-4 to 22-35-7, inclusive, and Section 22-35-9, Code of Alabama 1975, relating to the Alabama Underground and Aboveground Storage Tank Trust Fund, to replace the advisory board with a nine-member management board, to bar the collection of delinquent tank fees after two years of delinquency, to revise the per gallon fee on the withdrawal of motor fuel from bulk, to provide a time frame for the submission and approval of proposals for response action services, to set the financial responsibility of third-party claims at \$5,000, and to authorize the appropriation of additional monies from the fund to the Department of Environmental Management.

EFFECTIVE DATE: September 30, 2003.

Act 2003-484, SB59, appropriates \$2,363,230 from the Education Trust Fund to Tuskegee University for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-485, SB63, appropriates \$242,504 from the Education Trust Fund to Talladega College for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-486, SB85, appropriates \$19,172 from the Education Trust Fund to the Alabama League for the Advancement of Education in Montgomery for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-487, SB88, appropriates \$7,919 from the Education Trust Fund to the Department of Human Resources for distribution to the Adam Bishop Center in Walker County (\$3,760) and Children's Village, Inc., in Jefferson County (\$4,159) for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-488, SB89, appropriates \$27,513 from the Education Trust Fund to the Central Alabama Opportunities Industrialization Center in Montgomery for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-489, SB91, appropriates \$17,823 from the Education Trust Fund to the Alabama Sports Festival in Montgomery for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-490, SB96, appropriates \$262,918 from the Education Trust Fund to the Childcare Resource Network for the East Alabama Child Development Program for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-491, SB97, appropriates \$334,166 from the Education Trust Fund to the State Council on the Arts for distribution to the Children's Theatre of Birmingham (\$47,528 with \$5,941 of that amount being further distributed to the Summerfest Children's Theatre), Children's Hands on Museum in Tuscaloosa County (\$77,233), Gulf Coast Exploreum Science Center (\$74,262), McWane Center in Jefferson County (\$74,262), Humanities Foundation (\$37,131), and the North Alabama Science Center (\$23,750) for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-492, SB103, appropriates \$211,636 from the Education Trust Fund to Children's Hospital in Birmingham for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-493, SB82, appropriates \$207,139 from the Education Trust Fund to the Marion Military Institute for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003

Act 2003-494, SB86, appropriates \$77,233 from the Education Trust Fund to the Department of Archives and History for distribution to the Birmingham Civil Rights Museum (\$29,705), Constitution Village in Madison County (\$29,705), and the National Voting Rights Museum and Institution in Dallas County (\$17,823) for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-495, SB87, appropriates \$2,101 from the Education Trust Fund to the Alabama Law Institute for the YMCA Youth in Government program for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-496, SB92, appropriates \$96,664 from the Education Trust Fund to the Lyman Ward Military Academy in Camp Hill for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-497, SB93, appropriates \$122,526 from the Education Trust Fund to Camp ASCCA in Jackson Gap for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-498, SB94, appropriates \$1,188 from the Education Trust Fund to the State Department of Education for the Macon County YMCA for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-499, SB95, appropriates \$14,853 from the Education Trust Fund to the Kate Duncan Smith DAR School in Marshall County for the fiscal year ending September 30, 2004.

EFFECTIVE DATE: October 1, 2003.

Act 2003-501, SB27, amends Section 36-26-26, Code of Alabama 1975, relating to state employees, to prohibit state agencies from laying off State Merit System employees before contract employees in similar positions and to require that vacant Merit System positions be filled first by any laid off State Merit System employee before a contract or nonmerit employee may be placed in the position. This act terminates on October 1, 2005.
EFFECTIVE DATE: September 30, 2003.

Act 2003-502, SB58, repeals Act 2003-125, 2003 Regular Session, proposing an amendment to the Constitution of Alabama of 1901, pertaining only to Walker County, providing for the creation of the Corridor X Parkway Authority.
EFFECTIVE DATE: September 30, 2003.

Act 2003-503, SB26, classifies any trade or business operating in a county with a population under 30,000, that is engaged in the postharvest processing of peanuts as described in the 1987 Standard Industrial Classification Manual, as an industrial or research enterprise for purposes of the Tax Incentive Reform Act of 1992, and provides for the abatement of state and local taxes, excluding education taxes, pursuant to that act.
EFFECTIVE DATE: September 30, 2003, retroactive to April 1, 2003.

Act 2003-504, HB97, appropriates \$15,141 from the State General Fund to the Tri-Rivers Waterway Development Authority for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-505, HB98, appropriates \$24,125 from the State General Fund to the Alabama Travel Council in Montgomery for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-506, HB99, appropriates \$24,125 from the State General Fund to the Shoals Entrepreneurial Center, Inc., in Florence for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-507, HB100, appropriates \$70,347 from the State General Fund to the Retired Senior Volunteer Program for distribution to the Foster Grandparent and Senior Companions Programs (\$7,738) and the Retired Senior Volunteer Programs (\$62,609) for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-508, HB101, appropriates \$46,465 from the State General Fund to Prevent Child Abuse Alabama in Montgomery for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-509, HB103, appropriates \$24,125 from the State General Fund to the Montgomery Minority Business Development Center at Trenholm State Technical College for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-510, HB104, appropriates \$7,238 from the State General Fund to the Lighthouse Counseling Center for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-511, HB105, appropriates \$90,469 from the State General Fund to the Alabama Kidney Foundation, Inc., for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-512, HB106, appropriates \$14,922 from the State General Fund to the Elyton Recovery Center for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-513, HB107, appropriates \$22,543 from the State General Fund to the Coosa-Alabama River Improvement Association for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-516, SB41, provides a procedure for the owner of a manufactured dwelling community to declare a manufactured dwelling, and certain personal property, as abandoned property when a tenant fails to make payment pursuant to agreement with the owner.
EFFECTIVE DATE: December 1, 2003.

Act 2003-517, HB2, appropriates \$77,259,924 from the Children First Trust Fund for distribution to those entities specified in Section 41-15B-2.2, Code of Alabama 1975, for the fiscal year ending September 30, 2004; appropriates \$52,766,851 from additional tobacco settlements funds to the Department of Children's Affairs (\$227,348), 21st Century Debt Service (\$13,000,000), the Senior Services Trust Fund (\$5,024,503), the Department of Senior Services – CASA (\$15,000), the Alabama Medicaid Agency (\$32,000,000), and the Department of Senior Services - Medicaid Waiver (\$2,500,000) for the fiscal year ending September 30, 2004; and conditionally appropriates any additional tobacco revenues received for the fiscal year ending September 30, 2004, subject to certain notification, operational reporting, and audit procedures.
EFFECTIVE DATE: September 30, 2003.

Act 2003-518, HB94, appropriates \$3,146 from the State General Fund to the Alabama's Junior Miss Pageant for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-519, HB95, appropriates \$18,750 from the State General Fund to the Waste Reduction and Technology Transfer Foundation for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-520, HB96, appropriates \$16,871 from the State General Fund to the Warrior-Tombigbee Development Association for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-521, HB102, appropriates \$25,000 from the State General Fund to the Parkinson Association of Alabama for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-522, HB110, appropriates \$8,456 from the State General Fund to the Beacon House-Jasper for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-523, HB111, appropriates \$12,063 from the State General Fund to the Autism Society of Alabama in Birmingham for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-524, HB113, appropriates \$13,594 from the State General Fund to the America's Junior Miss Pageant for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-526, HB109, appropriates \$840,600 from the State General Fund to the Children's Advocacy Programs in Alabama for the Children's Advocacy Centers and the Alabama Network of Children's Advocacy Centers, Inc., for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.

Act 2003-529, HB108, appropriates \$503,583 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2004.
EFFECTIVE DATE: October 1, 2003.