



**GOAT HILL**  
**FINAL REPORT**

2021 Regular Session Edition



**ACCA**  
Association of County  
Commissions *of* Alabama

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*\*In this report, the following symbol is used to indicate local bills eligible for advertising cost reimbursement:*



# INTRODUCTION

Members of the Alabama County Family,

Although vastly different from previous legislative sessions, the recently concluded 2021 Regular Session of the Alabama Legislature was a successful one for the County Family. With restricted access to the Statehouse, including committee meetings and legislators themselves, established personal relationships with lawmakers has never been more paramount to achieving our legislative goals than it was this past session. Your ACCA Policy Team, along with the members of the Association's Legislative Committee, appreciate every email, every phone call, every text and every social media post you prioritized to ensure we as a County Family spoke with ONE Voice these past several months.

Thanks to your efforts, combined with those of the ACCA Legislative Committee and Policy Team, all nine of counties' set 2021 legislative priorities were passed and are now law. Additionally, our collective efforts allowed for many potentially harmful pieces of legislation to be successfully amended to minimize any burdens on counties.

**Provided in this final legislative report are the new statewide and local laws impacting county governments.** You will learn more about many of the laws included in this report through future ACCA educational courses and events, as well as through direct implementation procedures we will provide in the coming weeks. **As always, county officials and employees with questions about the laws referenced in this report are encouraged to contact the ACCA office at (334) 263-7594.**

**For your reference, the 2021 Regular Session legislative report is divided into the following sections:**

- > Statewide Legislation**
  - Priority Bills Signed into Law
  - Danger Bills Amended & Signed into Law
  - Other Important Bills Signed into Law
- > Local Legislation**
  - Local Bills Signed into Law

At the start of this session, many were unconvinced that a full, 105-day session would be possible. Upon your review of this report, we are hopeful you will agree that, together, we exceeded all expectations and allowed our collective efforts to produce, yet again, great results for the entire County Family.

With the utmost gratitude and respect,  
***Your Association Staff***



# **STATEWIDE LEGISLATION**

**PRIORITY BILLS SIGNED INTO LAW**

**DANGER BILLS AMENDED  
& SIGNED INTO LAW**

**OTHER IMPORTANT BILLS  
SIGNED INTO LAW**

# PRIORITY BILLS SIGNED INTO LAW

Outlined below are the new laws of which their 2021 enactment was prioritized and advocated by Alabama's 67 county governments. These priority issues were selected by the membership through the ACCA's monthslong legislative development process.

## **COVID-19 Liability**

**Act 2021-4** by Sen. Arthur Orr & Rep. David Faulkner

This law provides civil immunity for counties, as well as other entities, from claims by individuals who allege they contracted or were exposed to the coronavirus through interaction with the county or the receipt of county services. **Effective February 12, 2021.**

## **Online Project Advertising**

**Act 2021-146** by Sen. Arthur Orr & Rep. Steve McMillan

This act authorizes counties to utilize the Rebuild Alabama bidding procedures approved by the Alabama Department of Examiners of Public Accounts for all road and bridge projects. **Effective April 1, 2021.**

## **Safer Places Creation**

**Act 2021-165** by Sen. Randy Price & Rep. Joe Lovvorn

This act establishes a process for property owners to volunteer structures to be utilized as "Safer Places" to provide temporary cover to individuals during severe weather events. Specifically, this act requires the Alabama Emergency Management Agency and the Alabama Association of Emergency Managers to create uniform guidelines for identifying these Safer Places and establish an application for those wishing to volunteer structures; creates a process for local emergency managers to notify the community regarding their area's Safer Places; and establishes procedures, criteria and additional guidelines to further carry out the implementation of designated Safer Places. **Effective April 7, 2021.**

## **Boards of Equalization Nominations**

**Act 2021-173** by Sens. Malika Sanders-Fortier & Garlan Gudger & Rep. Corley Ellis

This law streamlines the nomination process for county Boards of Equalization and provides a reasonable increase in compensation in order to attract persons willing to serve on the Board. Specifically, this act allows the Alabama Department of Revenue to appoint Board members to vacant seats on short notice to help fill unexpected vacancies, which can today take as long as two months. The passage of this act is expected to allow the Boards to be more efficient in conducting appraisal review hearings. **Effective April 8, 2021.**

## **Tax Sale Locations**

**Act 2021-175** by Sen. Tom Butler & Rep. Jim Hill

Enacted in reaction to a ruling of the Alabama Supreme Court that would have voided the sale of property for unpaid taxes that occurred anywhere other than "in front of the door of the courthouse," this act now allows such sales to occur anywhere on the courthouse property. The act also validates previous sales that were held in other locations. **Effective July 1, 2021.**

# PRIORITY BILLS SIGNED INTO LAW

## **Inmate “Dips & Dunks” Process**

**Act 2021-249 by Rep. Jim Hill & Sen. Greg Albritton**

This act is the first step in addressing the unintended burdens placed on counties under the 2015 prison reform measures. The new law largely takes aim at the “dips and dunks” process and makes substantive revisions that allow for long overdue operational and financial relief for county jails. Act 2021-249 specifically reduces the number of days a parole or probation violator can be “dipped” from 18 total days to nine total days and requires “dunked” individuals to serve their time in either a volunteering county jail or a residential transition facility established by the Alabama Bureau of Pardons and Paroles. This act establishes a payment of \$28 per day per inmate for the counties that volunteer to hold probation violators; requires the Alabama Department of Corrections to assume the costs of transporting violators; and clarifies that the medical expenses shall be the responsibility of the state.

Further, the new law streamlines the process for the receipt of the “transcript” for those persons convicted of felonies and sentenced to the custody of the state, thereby reducing the time such inmates spend awaiting transfer. And the new law clearly states that after the expiration of the 30-day transfer period, Alabama sheriffs are directed to transfer physical custody of the inmate to the Department of Corrections without being required to await state approval of the transfer.

**Effective January 1, 2022.**

## **Police Jurisdiction Creep**

**Act 2021-297 by Sen. Chris Elliott & Rep. Reed Ingram**

This act makes significant changes in the operation and exercise of extra-jurisdictional powers by city governments. Specifically, this new law repeals the current laws that allow for cities to expand their police jurisdictions as they annex new property; restricts the use of taxing and regulatory powers in the police jurisdiction areas; clarifies the circumstances under which city or county subdivision regulations apply outside city boundaries; and establishes a phase-in period for many of these changes. The Association staff is developing a detailed analysis of this new act that will be shared with county officials and engineers. **Effective July 27, 2021.**

## **Solid Waste Funds**

**Act 2021-348 by Sen. Tim Melson & Rep. Lynn Greer**

Today, solid waste funds may only be expended on solid waste activities and services. This act allows local governments to establish a \$1 million reserve account for such expenses and then utilize additional solid waste revenue above the \$1 million threshold for other county operating expenses. **Effective August 1, 2021.**

## **Retirement System Governance**

**Act 2021-390 by Sen. Garlan Gudger & Rep. Reed Ingram**

This act adds two local government seats – one county-elected board position and one at-large local position – to the Board of Control of the Employees’ Retirement System of Alabama, creating a 15-member Board with 5 seats filled by local government representatives. After a phase-in period, the five local government seats shall be designated to the following: a local government retiree; an active county employee; an active city employee; an active employee of a local entity other than a city or county; and an at-large seat voted on by all local government employees and retirees. The at-large seat will be filled through an election conducted in the summer of 2021, while the active county employee seat will be filled the following summer. **Effective May 6, 2021.**



# DANGER BILLS AMENDED & SIGNED INTO LAW

*Outlined below are the new laws that, as introduced in bill form, were deemed “dangerous” in accordance with the Alabama County Platform. While moving through the legislative process, these former bills were amended to minimize any potential burden or harm to counties.*

## **Small Cell Equipment**

**Act 2021-5 by Sen. Arthur Orr**

This act establishes a procedure to authorize wireless providers to collocate, mount, or install small wireless facilities on existing poles, or install new poles, on the right-of-way of the state, or any agency, county or municipality. In addition, this act exempts small wireless facilities from certain zoning review and approval procedures; establishes a procedure for the permitting of the development of small wireless facilities and poles in the rights-of-way of the state; and establishes rates and fees for all permits for small wireless facilities. ACCA changes were negotiated to preserve county authority to impose guidelines that do not violate federal regulations. **Effective February 19, 2021.**

## **Construction Liability**

**Act 2021-244 by Sen. Clay Scofield**

This act prohibits a public works contract or subcontract for road and bridge work from containing a provision requiring a party to indemnify another entity for damages caused by the conduct of the other party. ACCA amendments addressed language that would have shifted liability from road contracts to counties and their employees. **Effective April 20, 2021.**

## **Lifetime Pistol Permits**

**Act 2021-246 by Sen. Randy Price**

After years of efforts by the National Rifle Association, the Alabama Legislature passed this act, which establishes a process for persons to purchase a lifetime pistol permit. The new act also creates a database to follow those persons who purchase the permit and allow for the permit to be suspended under certain circumstances. The Association worked to support amendments requiring an individual to purchase a pistol permit for at least five consecutive years before becoming eligible for a lifetime permit. **Effective upon receipt by the Governor and the Director of the Legislative Services Agency of written notice from the Alabama Law Enforcement Agency certifying that the state firearms prohibited persons database is operational and fully compliant with the act.**

## **Law Enforcement Database**

**Act 2021-268 by Rep. A.J. McCampbell**

This act creates a statewide database for the required storing of employment information on Alabama law enforcement officers. The new law is designed to identify officers involved in incidences that may have resulted from unnecessary use of force. ACCA changes removed language that would have made the requirements extremely difficult to administer and could have established additional liability exposure for counties. **Effective July 22, 2021.**

## **Forestry Tags**

**Act 2021-337 by Rep. Wes Allen**

This act establishes a specific vehicle tag for trucks used to haul forest products and is designed to allow Alabama trucks to operate in other states. ACCA changes to this act ensured it does not alter the fee schedule for such vehicles and, therefore, will not reduce the revenue counties receive from the purchase of these tags. **Effective October 1, 2021.**

# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — BIDS & PURCHASES —

### Act 2021-282 by Sen. Will Barfoot

This act expands the current exemption from the public works bidding requirements for the purchase and installation of heating and air conditioning units. Although the changes are very technical, they result in authorization to purchase heating and air conditioning units through the purchasing cooperatives approved by the Alabama Department of Examiners of Public Accounts. **Effective July 1, 2021.**

### Act 2021-296 by Sen. Arthur Orr

This act abolishes the Division of Purchasing in the Alabama Department of Finance and replaces it with the Office of the Chief Procurement Officer and authorizes the Chief Procurement Officer to make and supervise state purchases of supplies and services. Counties are exempt from the requirements established by this act and will continue to follow the existing bid law procedure. **Effective October 1, 2022.**

### Act 2021-485 by Rep. Terri Collins

This act specifies that the exclusion for the purchase or lease of goods and services made through national or regional cooperative purchasing agreements includes leases and lease/purchase agreements. Also, upon request by the entity purchasing, leasing or leasing/purchasing, an ACCA amendment requires vendors to provide a report of the prices it has charged other governmental entities for sales, leases and lease/purchase prices through these cooperative agreements. **Effective May 21, 2021.**





# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — CONTROLLED SUBSTANCES —

### Act 2021-188 by Sen. Jabo Waggoner

At the direction of a legislative study committee, this new law will allow for certain retailers in Alabama to deliver beer, wine and spirits to homes and other locations in Alabama. ACCA efforts ensured the inclusion of proper language to require the collection of sales and other taxes on delivery activities. **Effective October 1, 2021.**

### Act 2021-287 by Sen. Andrew Jones

Alabama law currently allows for the issuance of temporary licenses to hold wine festivals and other tasting activities. This new law makes technical changes to that process, including the ability to sale larger quantities of wine at such events. ACCA efforts ensured the inclusion of proper language to require the collection of sales and other taxes at these events. **Effective July 1, 2021.**

### Act 2021-419 by Rep. Terri Collins

This new act will allow wine manufacturers to ship wine directly to Alabama residents and to distribution centers that will then deliver wine to homes and other locations. The act authorizes the Alabama Alcoholic Beverage Control Board to adopt and enforce rules for this process. ACCA efforts ensured the inclusion of proper language to require the collection of sales and other taxes by those licensed to participate in this new process. **Effective August 1, 2021.**

### Act 2021-440 by Sen. Andrew Jones

This is another new law that authorizes the sale of wine directly to consumers. This act establishes small farm wineries in Alabama and allows these establishments to sale directly to consumers, as well as to distribute directly to retailers. ACCA efforts ensured the inclusion of proper language to require the collection of sales and other taxes on these transactions. **Effective August 1, 2021.**

### Act 2021-463 by Sen. Garlan Gudger

This act provides for the deposit in the county treasury of the proceeds of sales taxes collected from the sale of alcoholic beverages in certain community development districts. Although this language is designed to relate to a specific community development district, it will apply to all establishments that meet the provisions of the new law. **Effective October 1, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — CRIMES —

### Act 2021-201 by Rep. Chip Brown

This proposed constitutional amendment, if ratified, would implement the provisions of Act 2021-267, which is detailed directly below. **Set to appear on the statewide ballot for the primary election held May 24, 2022.**

### Act 2021-267 by Rep. Chip Brown

This act provides for additional offenses – such as murder, assault in the first degree, kidnapping in the first degree, rape in the first degree, sodomy in the first degree, sexual torture, domestic violence in the first degree, human trafficking in the first degree, robbery in the first degree, terrorism and aggravated child abuse – for which a judge may deny bail and provides for a pretrial detention hearing under certain circumstances. This new law will result in the possibility of bail being denied to some persons who are, today, eligible for bail after being charged with the crimes outlined above. ACCA language in the law ensures that the changes are permissive and that each case must be evaluated individually before bail is denied. **Effective upon ratification of Act 2021-201.**

### Act 2021-286 by Sen. Linda Coleman-Madison

The new law expands the list of crimes that can be expunged from a person's criminal record by including some misdemeanor offenses, traffic violations, municipal ordinances and felony offenses, and the act increases the filing fee for expungements. **Effective July 1, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — ECONOMIC INCENTIVES —

### Act 2021-2 by Rep. Bill Poole

This act re-establishes the Growing Alabama Credit for certain businesses. The act allows for the credit to also be applied against the state's portion of the financial institution excise tax. Further, the new law establishes a \$20-million annual cap on the amount of credits available, reserves a portion of the credits for targeted or jumpstart counties that meet certain criteria, and sunsets the tax credit at the end of the 2023 calendar year. This act also extends authorization of the Alabama Jobs Act to July 31, 2023, and increases the cap each calendar year through 2022.

Effective February 10, 2021.



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — ELECTIONS —

### **Act 2021-284 by Rep. Jim Carns**

This proposed constitutional amendment, if ratified, would require all future election legislation to be enacted at least six months prior to the next general election. The impact of this amendment would close the door on statutory changes to Alabama election laws in May of each election year.

Set to appear on the statewide ballot for the primary election held May 24, 2022.

### **Act 2021-314 by Rep. Andy Whitt**

This act makes a technical change in the date for the filing of the last campaign finance report before each election.

Effective August 1, 2023.

### **Act 2021-335 by Rep. David Faulkner**

The new act permits a registered voter, or his or her spouse, who is a prosecutor, judge or law enforcement officer to have their personal information omitted from the voter list. The effect of this law will allow these individuals to remove their place of residence from the voter list, which is a document subject to Alabama's public records law.

Effective May 4, 2021.

### **Act 2021-364 by Rep. Alan Baker**

This act establishes new requirements for the returning of absentee ballots to the absentee election manager in each county. Under this new law, ballots must be returned by mail no later than 7 days before the election or delivered by hand no later than 5 days before the election. Further, the act allows for the counting of absentee ballots to begin at 7 a.m. on Election Day, a change designed to eliminate the lengthy delay in counting absentee ballots. Effective May 6, 2021.

### **Act 2021-377 by Rep. David Wheeler**

The new law removes the requirement, under certain circumstances, that all precinct election officials be registered to vote in the precinct in which they work on Election Day. The act is designed to allow counties to fill election worker slots in precincts where it is difficult to find workers. Effective August 1, 2021.

### **Act 2021-446 by Rep. David Standridge**

This new law will allow the Alabama Secretary of State to conduct an audit of the results of elections in the state. ACCA-advocated changes moved this new process to a pilot project restricted to only three counties and require that the County Commission and Probate Judge provide consent in those counties selected for the pilot project.

Effective May 14, 2021.

### **Act 2021-448 by Rep. Chris Blackshear**

This new law targets the assumption that some voters could cast ballots in both Alabama and another state. Should a person be found to have voted in Alabama and elsewhere in the same election, the individual will be subject to the criminal penalties established under this act. Effective May 17, 2021.

# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — EMERGENCY MANAGEMENT —

### Act 2021-3 by Rep. Steve Clouse

This act provides for a supplemental appropriation of federal funds from the Alabama Rental Assistance Fund to be provided to the Alabama Housing Finance Authority for administering COVID-19 rental assistance relief through the federal Emergency Rental Assistance Program. **Effective February 12, 2021.**

### Act 2021-160 by Rep. Jamie Kiel

This act allows religious services to continue during times of a pandemic, unless prohibited by an order issued by the Governor. **Effective July 1, 2021.**

### Act 2021-272 by Sen. Randy Price

This act strengthens the penalties and circumstances under which persons can be charged for aggravated home repair fraud during times of emergencies. **Effective July 1, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — EMPLOYEE BENEFITS —

### Act 2021-226 by Rep. Wes Kitchens

This act establishes use of a federal standard for determining if an employee is considered full time for the purpose of eligibility for certain benefits. The standard is in use under most circumstances in Alabama. **Effective July 1, 2021.**

### Act 2021-270 by Rep. Phillip Pettus

Today, firefighters, law enforcement and correctional officers earn hazardous duty time that can be added to their years of service upon their eligibility for retirement. This new act allows for earned hazardous duty time to be used in calculating an individual's requisite years of service to be eligible for death benefits through the Retirement Systems of Alabama, if the employee has not otherwise attained 25 years of creditable service at the time of his or her death. **Effective April 22, 2021.**

### Act 2021-330 by Sen. Arthur Orr

This act provides a 2-percent pay raise for public education employees beginning October 1, 2021. The act does not impact counties but is reported for informational purposes. **Effective May 4, 2021.**

### Act 2021-338 by Rep. Kelvin Lawrence

This act provides a 2-percent cost-of-living pay increase for state employees. The act does not impact county employees but is reported for informational purposes. **Effective October 1, 2021.**

### Act 2021-493 by Sen. Arthur Orr

This act prohibits the issuance of vaccine passports by governmental entities and prohibits any governmental entity from requiring a person to receive an immunization as a condition for receiving government services. This act also prohibits businesses from refusing service to an individual based on their immunization status. **Effective May 24, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — ENVIRONMENTAL —

### Act 2021-114 by Sen. Tom Butler

This act requires counties to provide notice and an opportunity for review to an affected military installation for any proposed tall structure or wind energy facility plans in which the proposed structure would be within two miles of the installation. **Effective June 1, 2021.**

### Act 2021-336 by Rep. David Faulkner

This act, supported by the Alabama Propane Gas Association, provides that no governmental entity may prohibit a person or entity from using utility services from a provider capable of providing service and otherwise authorized to do business in Alabama. **Effective August 1, 2021.**

### Act 2021-347 by Sen. Clyde Chambliss

This act authorizes counties to use public funds to repair or replace private sewer laterals and allows for a county to add the cost of the repair or replacement to the utility bill of the property owner. The new law, which is permissive, is aimed at a specific situation but would apply to all counties. **Effective August 1, 2021.**

### Act 2021-378 by Rep. Alan Baker

This act permits public contracts for residential solid waste collection and disposal to be extended to a contract term of no more than five years. Today, such contracts are limited to three years. ACCA language included in the law ensures that this change is at the discretion of the county commission. **Effective August 1, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — EXEMPTIONS —

### Act 2021-130 by Sen. Sam Givhan

This act exempts the Alabama School of Fine Arts Foundation, High School of Mathematics and Science Foundation, and School of Cyber Technology and Engineering Foundation from the payment of state and local taxes.

Effective March 31, 2021.

### Act 2021-170 by Sen. Rodger Smitherman

This act exempts The World Games 2021 Birmingham Foundation from paying and collecting all state, county, and municipal sales, use, license and ad valorem taxes. Effective April 8, 2021.

### Act 2021-298 by Sen. Sam Givhan

This act exempts all airport authorities from paying sales and use taxes. Effective April 27, 2021.

### Act 2021-372 by Rep. David Faulkner

This act reinstates the sales tax exemption on construction materials for the construction of a highway, road or bridge project. This change will result in a reduction in sales tax revenue but will also save road and bridge dollars that will no longer be used to pay sales tax. Effective October 1, 2021.

### Act 2021-374 by Rep. David Faulkner

This act exempts the Birmingham Regional Paratransit Consortium, or ClasTran, from the payment of sales and use taxes. Effective August 1, 2021.

### Act 2021-381 by Sen. Dan Roberts

This act temporarily exempts non-resident credentialed health providers providing medical care to their athletes from state licensure requirements during the World Games in Jefferson County. Effective May 6, 2021.

### Act 2021-410 by Rep. Rhett Marques

This act exempts disabled veterans from paying license plate issuance fees. Effective January 1, 2022.

### Act 2021-429 by Rep. Ed Oliver

This act exempts volunteer rescue squads from the payment of registration fees and ad valorem taxes for utility trailers. Section 1 effective January 1, 2022, and Section 2 effective May 14, 2021.

### Act 2021-431 by Rep. Victor Gaston

This act addresses the existing historical tax credit program, which does not impact county revenue. The changes are technical and will result in additional structures and investments being eligible for the state tax credit. The new law also extends the program's function through 2027. Effective May 14, 2021.



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — TAXES & FEES —

### Act 2021-221 by Rep. Kyle South

This act removes the restriction that a lessor may not pass along a lease tax to a lessee except under certain circumstances, such as fleet leases. The tax levied by this act does not apply to any lease or rental by the state, a county or a municipality. **Effective July 1, 2021.**

### Act 2021-345 by Sen. Linda Coleman-Madison

This act allows counties with more than 100 tax-delinquent properties to form a local land bank authority to allow for the future sale of these properties. Further, the act allows for a local land bank authority to acquire real property that has been delinquent for at least three years but only in those portions of the county located outside the geographical boundaries of any other local authority created by a municipality located partially or entirely within the county.

**Effective August 1, 2021.**

### Act 2021-422 by Rep. David Faulkner

This act will authorize a local tax official to accept homestead exemption requests electronically. Should a tax official elect to accept these applications electronically, ACCA language included in the law ensures that all costs will be paid from the tax official's reprisal budget and not by the county commission. **Effective October 1, 2021.**

### Act 2021-430 by Rep. K.L. Brown

The new act establishes a distinctive license plate for purchase by those persons who served in and were honorably discharged from the Cold War. **Effective January 1, 2022.**

### Act 2021-432 by Rep. Ritchie Whorton

This new law imposes a \$1 fee on firefighter distinctive license plates, with proceeds to be distributed to the Alabama Joint Fire Council and the Alabama Fire College. **Effective August 1, 2021.**

### Act 2021-490 by Rep. Randy Wood

This act increases the total number of motor vehicle, motorcycle and used vehicle dealer license plates available for purchase by any one dealer. **Effective October 1, 2021.**

### Act 2021-515 by Sen. Jack Williams

This new law revises the process utilized by County Tax Officials to collect and distribute ad valorem taxes. The changes are technical in nature and were written in coordination with the Association. **Effective October 1, 2021.**



# OTHER IMPORTANT BILLS SIGNED INTO LAW

## — TRANSPORTATION —

### Act 2021-318 by Sen. Clyde Chambliss

This act makes changes to the provisions that can be included in contracts between design professionals and those who are seeking their professional services. The language is designed to limit the requirement that such professionals indemnify other parties. ACCA amendments in the law ensure the changes do not result in counties being liable for the actions or inactions of these design professionals. ACCA's included language also requires the design professional to indemnify third parties against liability, except for in situations involving negligence, intentional tort or property infringement, or failure to pay a sub-consultant or supplier. **Effective July 1, 2021.**

### Act 2021-408 by Rep. Chris England

This act provides for the creation of joint road improvement authorities for counties and participating municipalities, establishes procedures for reincorporating and ratifying existing road improvement commissions, and specifies the duties of such joint road improvement authorities. The new law is specifically aimed at such an authority established by local law in Tuscaloosa County. **Effective June 1, 2021.**

### Act 2021-482 by Sen. Gerald Allen

This act extends construction zone speeding penalties to include any moving violation taking place in a construction zone. This act, which also applies to county construction projects, provides that the penalty for a construction zone violation is the greater of \$250 or double the amount prescribed by law outside of a construction zone.

**Effective July 1, 2021.**





# **LOCAL LEGISLATION**

**LOCAL BILLS SIGNED INTO LAW**

# LOCAL BILLS SIGNED INTO LAW

## — BALDWIN —

[Act 2021-154](#) by Rep. Matt Simpson 

This act provides for the assessment and collection of additional circuit and district court costs in certain criminal cases for the creation, implementation and continued administration of a mental health diversionary program.

Effective July 1, 2021.

## — BULLOCK —

[Act 2021-542](#) by Sen. Billy Beasley

This act authorizes the County Revenue Commissioner to charge and collect an administrative fee for land redemption tax sales. Effective August 1, 2021.

## — CHEROKEE —

[Act 2021-127](#) by Rep. Ginny Shaver 

This act alters, rearranges and extends the boundaries and corporate limits of the city of Centre. Effective April 1, 2021.

[Act 2021-156](#) by Sen. Andrew Jones

This act provides for the compensation of the County Revenue Commissioner and Sheriff to become effective at the beginning of the next term of office. Effective April 6, 2021.

## — CHILTON —

[Act 2021-197](#) by Rep. Van Smith

This act provides for a salary adjustment for the Sheriff. Effective April 13, 2021.

[Act 2021-200](#) by Rep. Van Smith

This act authorizes the Sheriff to sell or destroy certain abandoned, stolen, and unclaimed property and firearms, and the act further provides for the auction and disposition of proceeds. Effective July 1, 2021.

[Act 2021-458](#) by Rep. Van Smith

This act authorizes the sale of draft beer in the city of Clanton. Effective August 1, 2021.

## — CLAY —

[Act 2021-310](#) by Rep. Steve Hurst

This act creates the Clay County Animal Shelter Authority and provides for the composition, terms, duties and powers of the authority. Effective April 29, 2021.

## — CLEBURNE —

[Act 2021-280](#) by Sen. Randy Price

This act provides for the qualifications and continuing education of the Sheriff. Effective April 22, 2021.

# LOCAL BILLS SIGNED INTO LAW

## — COFFEE —

### Act 2021-468 by Sen. Rhett Marques

This act further provides for the salaries of the County Probate Judge, Sheriff and Revenue Commissioner. **Effective May 17, 2021.**

## — COLBERT —

### Act 2021-278 by Sen. Tim Melson

This act allows for a portion of the Shoals Economic Development Fund to be used to build a Workforce Training and Development Center on property owned by the Lauderdale County Commission. **Effective April 22, 2021.**

## — COVINGTON —

### Act 2021-80 by Rep. Mike Jones

This proposed constitutional amendment would allow for the limited operation of golf carts on a municipal street or public road. **Effective upon approval of a local referendum.**

### Act 2021-136 by Rep. Mike Jones

This act authorizes a law enforcement officer from a designated law enforcement agency to take an individual whom the officer believes to be suffering from a mental illness into protective custody under certain conditions. **Effective July 1, 2021.**

## — CULLMAN —

### Act 2021-343 by Rep. Corey Harbison

This proposed constitutional amendment would require the county Superintendent of Education be elected by the qualified voters of the county. **Effective upon approval of a local referendum.**

### Act 2021-543 by Sen. Garlan Gudger

This act decreases the county lodgings tax upon the retirement of certain debt and provides for the use of the proceeds of the tax. **Effective June 1, 2021.**

## — DALE —

### Act 2021-135 by Rep. Steve Clouse

This act repeals Act 690 of the 1975 Regular Session, which directs the county's Board of Education to determine and fix the annual salary of the Superintendent of Education and to ratify and confirm prior payments. **Effective April 1, 2021.**

### Act 2021-137 by Rep. Steve Clouse

This act provides for an additional expense allowance and salary for the Sheriff. **Effective April 1, 2021.**

### Act 2021-139 by Rep. Steve Clouse

This act provides for any municipality to contract for police services with the Sheriff. **Effective July 1, 2021.**

## — DALLAS —

### Act 2021-247 by Sen. Malika Sanders-Fortier

This act provides for an additional expense allowance and salary for the County Probate Judge. **Effective July 1, 2021.**

# LOCAL BILLS SIGNED INTO LAW

## — ELMORE —

### Act 2021-144 by Sen. Will Barfoot

This act authorizes under certain conditions the sale of draft or keg beer by properly licensed retail licensees. Effective April 1, 2021.

### Act 2021-145 by Sen. Will Barfoot

This act amends current law to further provide for the employment of the County Engineer. Effective April 1, 2021.

### Act 2021-148 by Sen. Will Barfoot

This act abolishes the office of Constable. Effective April 2, 2021.

### Act 2021-149 by Sen. Will Barfoot

This act authorizes the Elmore County Board of Education to insure school buildings and property either in the State Insurance Fund or with an insurance company. Effective April 2, 2021.

## — ESCAMBIA —

### Act 2021-142 by Rep. Alan Baker

This act authorizes the Sheriff to sell certain abandoned, stolen and unclaimed property at public auction. Effective July 1, 2021.

### Act 2021-147 by Rep. Alan Baker

This act provides for the compensation of the County Probate Judge, Sheriff, Tax Assessor and Tax Collector. Effective April 2, 2021.

## — ETOWAH —

### Act 2021-329 by Sen. Andrew Jones

This act further provides for the distribution of the county beer tax to certain specified local boards of education in the county. Retroactively effective October 1, 2017.

### Act 2021-395 by Sen. Andrew Jones

This act authorizes the County Commission to impose an administrative late payment penalty on county ad valorem tax remittance. Effective May 7, 2021.

### Act 2021-462 by Sen. Andrew Jones

This act authorizes the County Commission to levy an annual business license or privilege fee for certain businesses in the county. Those engaged in farming or growing timber are exempt from this act. Effective May 17, 2021.

# LOCAL BILLS SIGNED INTO LAW

## — FAYETTE —

### Act 2021-191 by Rep. Kyle South

This act further provides for the distribution of the proceeds of the privilege license tax. **Effective April 12, 2021.**

### Act 2021-469 by Rep. Kyle South

This act provides law enforcement powers for a community corrections officer in certain circumstances. **Effective August 1, 2021.**

## — GENEVA —

### Act 2021-309 by Rep. Jeff Sorrells

This act authorizes a law enforcement officer from a designated law enforcement agency to take an individual whom the officer believes to be suffering from a mental illness into protective custody under certain conditions. **Effective July 1, 2021.**

### Act 2021-324 by Rep. Jeff Sorrells

This act establishes a service of process fee for the service of documents from a court outside the state by the Sheriff's Office. The act further provides for the collection and distribution of the fees through an established Sheriff's Service of Process Fund. **Effective July 1, 2021.**

## — HOUSTON —

### Act 2021-138 by Rep. Paul Lee

This act relates to any Class 5 municipality with a mayor/commission/city manager form of government and provides for the abatement of grass or weeds that become a nuisance under certain conditions. **Effective April 1, 2021.**

## — JACKSON —

### Act 2021-242 by Sen. Steve Livingston

This act alters, rearranges and extends the boundary lines and corporate limits of the municipality of Hytop. **Effective July 1, 2021.**

## — JEFFERSON —

### Act 2021-212 by Rep. Juandalynn Givan

This act further provides for the appointment of the chair of the Birmingham Cemetery Board. **Effective April 15, 2021.**

### Act 2021-213 by Rep. Rod Scott

This act relates to Class 1 municipalities and provides further requirements for establishing, amending, expanding or terminating a self-help business improvement district within a municipality. **Effective April 15, 2021.**

### Act 2021-214 by Rep. David Faulkner

This act authorizes the Mountain Brook City Council to establish and regulate the operation of entertainment districts in the city and to provide penalties for violations. **Effective April 15, 2021.**

### Act 2021-215 by Rep. Louise Alexander

This act relates to Class 5 municipalities and provides further requirements for candidates seeking election to the city council or as mayor. **Effective July 1, 2021.**

# LOCAL BILLS SIGNED INTO LAW

## — JEFFERSON —

### Act 2021-217 by Rep. Danny Garrett

This act authorizes the County Commission to adjust the ad valorem rate levied for the benefit of the Trussville City Board of Education. **Effective April 15, 2021.**

### Act 2021-218 by Rep. Merika Coleman

This act authorizes the County Commission to adjust the ad valorem rate levied for the benefit of the Midfield City Board of Education. **Effective April 15, 2021.**

### Act 2021-245 by Rep. Allen Treadaway

This act provides for revisions to the Birmingham retirement and relief system in regard to contribution rates, eligibility, benefits and allowances. **Effective April 20, 2021.**

### Act 2021-269 by Rep. Louise Alexander

This act relates to Class 5 municipalities and authorizes a city council by ordinance to provide for the employment of a council clerical assistant. **Effective July 1, 2021.**

### Act 2021-300 by Rep. David Faulkner

This proposed constitutional amendment would authorize a qualified taxpayer age 56 or older to claim a senior property tax exemption under certain conditions. **Effective upon approval of a local referendum.**

### Act 2021-368 by Rep. Kyle South

This act allows the county to levy a privilege license or excise tax on the disposal of biosolids composed of human sewage in a landfill. **Effective August 1, 2021.**

### Act 2021-369 by Rep. Allen Treadaway

This act provides for the alteration, rearrangement and extension of the boundary lines and corporate limits of the City of Kimberly. **Effective August 1, 2021.**

### Act 2021-394 by Rep. Allen Treadaway

This act applies to the Jefferson County School Tax Sub-District G-1 and provides for the continuation of 8.8 mills of existing ad valorem school district tax via special election of qualified electors of Sub-District G-1. **Effective May 7, 2021.**

### Act 2021-456 by Rep. Jim Carns

This act amends the Jefferson County Retirement System, providing for governance and benefit changes. **Effective May 17, 2021.**

## — LAMAR —

### Act 2021-473 by Rep. Tracy Estes

This act provides law enforcement powers for a community corrections officer in certain circumstances. **Effective August 1, 2021.**



# LOCAL BILLS SIGNED INTO LAW

## — LAUDERDALE —

### Act 2021-192 by Rep. Phillip Pettus

This act authorizes fees for certain administrative services by the Sheriff and provides for the distribution of the revenue. **Effective April 12, 2021.**

### Act 2021-241 by Sen. Tim Melson

This act provides for the municipal classification of public and nonpublic forums and authorizes the requirement of a permit and fee under certain conditions. **Effective July 1, 2021.**

### Act 2021-278 by Sen. Tim Melson

This act allows for a portion of the Shoals Economic Development Fund to be used to build a Workforce Training and Development Center on property owned by the Lauderdale County Commission. **Effective April 22, 2021.**

## — LAWRENCE —

### Act 2021-140 by Rep. Poncey Robertson

This act authorizes the County Commission to adopt a new county personnel system. **Effective July 1, 2021.**

## — LEE —

### Act 2021-243 by Sen. Randy Price

This general act increases the maximum number of days the Lee County board of registrars may meet each year. **Effective July 1, 2021.**

## — LIMESTONE —

### Act 2021-513 by Sen. Tim Melson

This act provides for the municipal classification of public and nonpublic forums and authorizes the requirement of a permit and fee under certain conditions. **Effective August 1, 2021.**

## — LOWNDES —

### Act 2021-311 by Rep. Kelvin Lawrence

This act requires the county health department's Public Health Environmental Soil Specialist to perform site evaluation tests upon request before the installation or repair of a disposal septic system. **Effective April 29, 2021.**

## — MACON —

### Act 2021-158 by Rep. Pebblin Warren

This proposed constitutional amendment would prohibit the Sheriff from participating in the county's supernumerary program and allow the Sheriff to elect to participate in the Employees' Retirement System. **Effective upon approval of a local referendum.**

# LOCAL BILLS SIGNED INTO LAW

## — MARSHALL —

### Act 2021-141 by Rep. Kerry Rich

This act provides for additional court costs in all circuit and district court cases. **Effective April 1, 2021.**

### Act 2021-312 by Rep. Wes Kitchens

This act authorizes the Sheriff to conduct fundraising events and provides for the use of the proceeds. **Effective April 29, 2021.**

### Act 2021-313 by Rep. Wes Kitchens

This act provides for an additional fee for the service of a failure to appear warrant by the Sheriff. **Effective July 1, 2021.**

### Act 2021-457 by Rep. Wes Kitchens

This act provides for the budgetary operations within the County Revenue Commissioner's office. **Effective May 17, 2021.**

## — MOBILE —

### Act 2021-193 by Rep. Adline Clarke

This act relates to Class 2 municipalities and provides for a method of incorporation for an Africatown Redevelopment Corporation, powers and duties of the corporation, and composition of a board of directors. **Effective April 12, 2021.**

### Act 2021-339 by Sen. Jack Williams

This act relates to the Mobile County Racing Commission and establishes a number of provisions involving the operation, authorization and taxation of races in the county. **Effective May 5, 2021.**

## — MONROE —

### Act 2021-194 by Rep. Harry Shiver

This act authorizes the County Commission to levy an additional sales and use tax for a set period of time; provides for the collection, distribution and use of the tax proceeds; and prescribes penalties for violations. The act further creates the Monroe County Highway Repair and Maintenance Fund and requires annual certification that the proceeds are used as directed. **Effective July 1, 2021.**

### Act 2021-198 by Rep. Harry Shiver

This act provides for the salary of the County Revenue Commissioner. **Effective April 13, 2021.**

### Act 2021-467 by Rep. Harry Shiver

This act provides for the expense allowance and compensation of the Sheriff. **Effective October 1, 2021.**

# LOCAL BILLS SIGNED INTO LAW

## — MONTGOMERY —

### Act 2021-119 by Sen. Will Barfoot

This proposed constitutional amendment would require that the county's Probate Judge be an attorney licensed in the state. **Effective upon approval of a local referendum.**

### Act 2021-522 by Rep. Charlotte Meadows

This act provides for the levy of an additional 25.5 mills of ad valorem tax in the Pike Road School Tax District. This additional ad valorem tax will be effective simultaneously with the expiration of 6.5 mills of a separate ad valorem school district tax. **Effective May 17, 2021.**

## — MORGAN —

### Act 2021-306 by Rep. Scott Stadthagen

This act further provides for the compensation of certain election officers in the county. **Effective April 29, 2021.**

## — PICKENS —

### Act 2021-472 by Rep. Rodney Sullivan

This act provides law enforcement powers for a community corrections officer in certain circumstances. **Effective August 1, 2021.**

## — RANDOLPH —

### Act 2021-281 by Sen. Randy Price

This act provides for the qualifications and continuing education of the Sheriff. **Effective April 22, 2021.**

### Act 2021-307 by Rep. Bob Fincher

This act authorizes the County Commission to establish the salary, benefits and expenses of the Coroner and provides for the Coroner to report on office operations to the County Commission. **Effective July 1, 2021.**

## — RUSSELL —

### Act 2021-195 by Rep. Chris Blackshear

This act repeals Act 2008-413 of the 2008 Regular Session, which provides for special elections to fill vacancies on the County Commission when there is one year or more remaining on a term. **Effective April 12, 2021.**

### Act 2021-196 by Rep. Chris Blackshear

This act further provides for the annual salary of the Sheriff. **Effective July 1, 2021.**

## — ST. CLAIR —

### Act 2021-271 by Rep. Jim Hill

This act provides for court costs for defendants charged with a criminal act in the county. **Effective April 22, 2021.**

# LOCAL BILLS SIGNED INTO LAW

## — SHELBY —

### Act 2021-199 by Sen. Jabo Waggoner

This proposed constitutional amendment would bring certain privately-owned sewer systems that use public rights-of-way of public roads under the jurisdiction of the Public Service Commission under certain conditions.

Effective upon approval of a local referendum.

### Act 2021-295 by Rep. Corley Ellis

This act further provides for the salary and cost-of-living increases of the County Property Tax Commissioner.

Effective April 27, 2021.

## — TALLADEGA —

### Act 2021-216 by Rep. Steve Hurst

This act provides for the establishment of and expenditures from the Law Library Fund and the Juvenile Justice Fund.

Effective April 15, 2021.

### Act 2021-466 by Rep. Steve Hurst

This act provides for an additional expense allowance and salary for the Sheriff. Effective May 17, 2021.

## — TUSCALOOSA —

### Act 2021-279 by Sen. Gerald Allen

This act provides for amendments to the authority to levy and collect sales and use taxes in the county and makes further provisions for the duties and operation of the Tuscaloosa County Road Improvement Commission.

Effective April 22, 2021.

## — WALKER —

### Act 2021-159 by Rep. Connie Rowe

This proposed constitutional amendment would require that the county's Probate Judge be an attorney licensed in the state. Effective upon approval of a local referendum.

### Act 2021-219 by Rep. Connie Rowe

This act provides for the compensation of the members of the county civil service board. Effective April 15, 2021.

## — WASHINGTON —

### Act 2021-308 by Rep. Brett Easterbrook

This act increases the compensation of the County Commission Chair and provides for a mileage allowance for district Commissioners. Effective April 29, 2021.

