

## Arise Bills of Interest 2009 Regular Session

May 29, 2009

*The Alabama Legislature adjourned sine die on May 15<sup>th</sup>, bringing the 2009 Regular Session to an end. More than 3,200 bills and resolutions were introduced during the 30-day session; the final status of bills monitored by Arise staff is noted in bold print.*

### **BILLS RELATED TO ARISE LEGISLATIVE AGENDA ISSUES:**

#### **Budget Measures**

**HB379/SB291** (Knight/Bedford) – General Fund Budget for FY2010 – provides the appropriations for ordinary expenses of executive, legislative and judicial departments. *HB379 is in the House Government Appropriations Committee, and SB291 is in the Senate Finance & Taxation – General Fund Committee. **These bills are no longer significant, as new General Fund budgets have been introduced incorporating anticipated funds from the American Recovery and Reinvestment Act of 2009.** See HB476/SB506 below.*

**HB418/SB318** (Lindsey/Sanders) – Education Trust Fund Budget for FY2010 – provides the appropriation for the support, maintenance and development of public education. *HB418 is in the House Education Appropriations Committee, and SB318 is in the Senate Finance & Taxation – Education Committee. **These bills are no longer significant, as new Education Trust Fund budgets have been introduced incorporating anticipated funds from the American Recovery and Reinvestment Act of 2009.** See HB827/SB570 below.*

**HB509/SB341** (Canfield/French) – Provides for the maximum amount that may be appropriated from the Education Trust Fund based upon revenues received over the last fifteen years. *HB509 is in the House Education Appropriations Committee, and SB341 is in the Senate Finance & Taxation – Education Committee. **Both bills failed to receive a favorable committee report and are no longer significant.***

**HB652** (McMillan) – Provides that the annual appropriation to the State Ethics Commission shall be equal to a percentage of the total General Fund budget. *HB652 is in the House Government Appropriations Committee. **This bill failed to receive a favorable committee report and is no longer significant.***

**HB745/SB501** (Lindsey/Sanders) – Education Trust Fund Budget for FY2010 – provides for the support, maintenance and development of public education. This ETF budget incorporates anticipated funding from the American Recovery and Reinvestment Act of 2009. *HB745 is in the House Education Appropriations Committee, and SB501 is in the Senate Finance & Taxation – Education Committee. **These bills are no longer significant, as new Education Trust Fund budgets have been introduced further incorporating anticipated funds from the American Recovery and Reinvestment Act of 2009.** See HB827/SB570 below.*

**HB746/SB506** (Knight/Bedford) – General Fund Budget for FY2010 – provides the appropriations for ordinary expenses of executive, legislative and judicial departments. This General Fund budget incorporates anticipated funding from the American Recover and Reinvestment Act of 2009. *HB746, as substituted, has passed both chambers and has been transmitted to the Governor for his consideration. **SB506 failed to received a favorable committee report and is no longer significant.** The Governor returned HB746 with executive amendments; both chambers rejected the proposed change and overrode the Governor's veto. **HB746 is now Act 2009-550.***

**HB827/SB570** (Lindsey/Sanders) – Education Trust Fund Budget for FY2010 – provides for the support, maintenance and development of public education. This ETF budget further incorporates anticipated funding from the American Recovery and Reinvestment Act of 2009. *SB570 passed both chambers and was approved by the Governor. **SB570 is now Act 2009-339; HB827 failed to receive a favorable committee report and is no longer significant.***

**HB885/SB605** (Lindsey/Sanders) - Education Trust Fund Budget for FY2010 – provides for the support, maintenance and development of public education. This ETF budget further incorporates anticipated funding from the American Recovery and Reinvestment Act of 2009. *HB885 is in the House Education Appropriations Committee, and SB605 passed the Senate, received a favorable report from the House Education Appropriations Committee and is on the House calendar. **These bills are no longer significant as the Legislature has passed an Education Trust Fund Budget and submitted it to the Governor for his consideration.** See HB827/SB570 above.*

**HB910** (Hubbard) - General Fund Budget for FY2010 – provides the appropriations for ordinary expenses of executive, legislative and judicial departments. *HB910 is in the House Government Appropriations Committee. **HB910 failed to receive a favorable committee report and is no longer significant.***

**SB592** (Marsh) - General Fund Budget for FY2010 – provides the appropriations for ordinary expenses of executive, legislative and judicial departments. *SB592 is in the Senate Finance & Taxation – General Fund Committee. **SB592 failed to receive a favorable committee report and is no longer significant.***

**SB600** (Bedford) - General Fund Budget for FY2010 – provides the appropriations for ordinary expenses of executive, legislative and judicial departments. *SB600 is in the Senate Finance & Taxation – General Fund Committee. **SB600 failed to receive a favorable committee report and is no longer significant.***

### Tax Measures

**HB16** (Mitchell) – Provides for an annual adjustment to homestead exemptions based upon the annual change in the gross national product. *HB16 is in the House Government Appropriations Committee. **HB16 failed to receive a favorable committee report and is no longer significant.***

**HB45** (Bentley) – Proposes a constitutional amendment that would prohibit annual increases in the ad valorem tax of Class III residential property under certain conditions. *HB45 is in the House Government Appropriations Committee. **HB45 failed to receive a favorable committee report and is no longer significant.***

**HB53** (Mitchell) – Provides an increase in the homestead exemption from ad valorem taxes. *HB53 is in the House Government Appropriations Committee. **HB53 failed to receive a favorable committee report and is no longer significant.***

**HB69** (Lindsey) – Provides incentives and exemptions from sales and use and lodging taxes under certain conditions to the motion picture film industry. *HB69 passed both House and Senate and has been signed by the Governor. **HB69 is now Act 2009-144.***

**HB79** (Bentley) – Proposes to remove the state sales tax on food purchases, to limit the federal income tax deduction from Alabama's income tax determinations, and to exempt retirement income from defined contribution plans from state income tax. *HB79 is in the House Education Appropriations Committee. **HB79 failed to receive a favorable committee report and is no longer significant.***

**HB116/SB115** (Knight/Sanders) – Proposes a constitutional amendment to remove the state sales tax on food purchases, eliminate the deduction for federal taxes from the calculation of state income tax due, and modifies standard deduction, personal exemptions and dependent deductions. *HB116, as amended, was approved by the House Education Appropriations Committee. The amended bill removes the state sales tax from most food purchases and eliminates on a graduated basis the deduction for federal taxes paid. The amended bill does not modify current exemptions or deductions. Attempts were made to bring HB116, as amended, to the floor of the House for debate on March 24<sup>th</sup>, April 1<sup>st</sup> and April 2<sup>nd</sup>, but on each attempt the motion for the Budget Isolation Resolution failed to achieve the required 60 percent favorable vote. HB116 remains on the House calendar. SB115, as amended, received a favorable report from the Senate Finance & Education – Education Committee and is on the Senate calendar. **HB116 was indefinitely postponed and is no longer significant; SB115 failed to receive a Senate floor vote and is no longer significant.***

**HB134** (Todd) – Proposes to increase the tax on cigarettes from 26 cents a pack to 75 cents a pack. *HB134 is in the House Government Appropriations Committee. **HB134 failed to receive a favorable committee report and is no longer significant.***

**HB211** (Allen) – Proposes a constitutional amendment that would prohibit the reappraisal of certain Class II and Class III property more frequently than once every four years. *HB211 is in the House Government Appropriations Committee. **HB211 failed to receive a favorable committee report and is no longer significant.***

**HB270** (Gipson) – Exempts over-the-counter medications from the state sales tax. *HB270 is in the House Education Appropriations Committee. **HB270 failed to receive a favorable committee report and is no longer significant.***

**HB329** (Love) – Proposes to increase personal and dependent deductions and to phase out the optional standard deduction in calculating state income tax. The provisions of this measure are only operational upon certain defined growth in the Education Trust Fund. *HB329 is in the House Education Appropriations Committee. **HB329 failed to receive a favorable committee report and is no longer significant.***

**HB403** (Canfield) – Proposes to exempt retirement income from defined contribution plans from state income tax. *HB403 is in the House Education Appropriations Committee. **HB403 failed to receive a favorable committee report and is no longer significant.***

**HB406** (Mask) – Provides an income tax credit for both employer and employee as an incentive for adult workers to seek additional educational advancement and trainings. *HB392 is in the House Education Appropriations Committee. **HB406 failed to receive a favorable committee report and is no longer significant.***

**HB488** (Canfield) – Proposes to suspend any tax payment on a disputed amount of a tax assessment during the appeals process. *HB488 is in the House County & Municipal Government Committee. **HB488 failed to receive a favorable committee report and is no longer significant.***

**HB618/SB476** (Laird/Holley) – Proposes to increase the state income tax credits for rural physicians. *HB618 is in the House Education Appropriations Committee, and SB476 is in the Senate Finance & Taxation – Education Committee. Both bills failed to receive a favorable committee report and are no longer significant.*

**HB651** (McMillan) – Proposes to limit the 10 mill equivalency of local school tax district ad valorem tax for future fiscal years to the amount calculated for tax year 2008-2009. *HB651 is in the House Education Appropriations Committee. HB651 failed to receive a favorable committee report and is no longer significant.*

**HB697/SB377** (Beason) – Proposes to reduce the state sales and use taxes on food by one percentage point per year after the Education Trust Fund has a three percent growth in revenue. *HB697 is in the House Education Appropriations Committee, and SB377 is in the Senate Finance & Taxation – Education Committee. Both bills failed to receive a favorable committee report and are no longer significant.*

**HB771** (Drake) – Proposes to provide an income tax deduction to offset the loss of the federal income tax deduction resulting from tax credits provided as a result of the ARRA of 2009. *HB771 is in the House Education Appropriations Committee. HB771 failed to receive a favorable committee report and is no longer significant.*

**HB842** (Wren) – Proposes to reduce the state sales tax on food purchases by one percent per year contingent upon growth in the Education Trust Fund. *HB842 is in the House Education Appropriations Committee. HB842 failed to receive a favorable committee report and is no longer significant.*

**SB3** (Brooks) - Provides for annual cost-of-living adjustments to the homestead exemption. *SB3 is in the Senate Finance & Taxation – Education Committee. SB3 failed to receive a favorable committee report and is no longer significant.*

**SB4** (Brooks) – Proposes to increase the homestead exemption from ad valorem taxes. *SB4 is in the Senate Finance & Taxation – Education Committee. SB4 failed to receive a favorable committee report and is no longer significant.*

**SB6** (Brooks) – Proposes to increase the minimum income limit for homestead exemption for the disabled and the aged. *SB6 is in the Senate Finance & Taxation – Education Committee. SB6 failed to receive a favorable committee report and is no longer significant.*

**SB450** (Orr) – Proposes to allow a local county or a municipality to exempt the local sales tax on food. *SB450 received a favorable report from the Senate Governmental Affairs Committee and is on the Senate calendar. SB450 was indefinitely postponed and is no longer significant.*

### **Constitutional Reform**

**HB30** (Newton, D.) – Calls for an election to determine whether to hold a convention to amend and replace the Constitution of Alabama of 1901. *HB30 is in the House Constitution & Elections Committee. HB30 failed to receive a favorable committee report and is no longer significant.*

**HJR91/SJR20** (Newton, D./Little, T.) – Joint resolutions to call for an election to determine whether to hold a convention to amend and replace the Constitution of Alabama of 1901. *HJR91 is in the House Rules Committee, and SJR20 is in the Senate Rules Committee. HJR91 was presented for a floor vote, but carried over when it became apparent that there was significant opposition to the measure; SJR20 never received a favorable report from the Senate Rules committee.*

#### **Death Penalty Moratorium and Related Criminal Justice Bills**

**HB146** (Johnson) – Proposes to require DNA testing for all persons arrested for a felony offense. *HB14, as substituted, passed both chambers. HB146 is now Act 2009-768.*

**HB214/SB86** (Knight/Bedford) – Proposes to establish the Alabama Indigent Defense Commission. *HB214 is in the House Government Appropriations Committee; SB86 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar. HB214 failed to receive a favorable committee report and is no longer significant; SB86 was indefinitely postponed and is no longer significant.*

**HB327** (Martin) – Provides a definition of crimes involving moral turpitude that disqualify citizens from voting. *HB327 is in the House Judiciary Committee. HB327 failed to receive a favorable committee report and is no longer significant.*

**HB436/SB299** (Martin/Little, Z) – Provides a definition of crimes involving moral turpitude that disqualify citizens from voting. *HB436 received a favorable report from the House Constitution & Elections Committee and is on the House calendar, and SB299 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. HB436 was indefinitely postponed and is no longer significant; SB299 failed to receive a favorable committee report and is no longer significant.*

**HB714** (Fields) – Proposes to require that those convicted of certain capital offenses be eligible for parole after serving 20 years in certain circumstances, and to provide for a retroactive review of certain individuals for consideration of parole. *HB714 is in the House Judiciary Committee. HB714 failed to receive a favorable committee report and is no longer significant.*

**HB812** (Lewis) – Provides that a person who has been convicted of a felony may be allowed to register to vote if the person has completed all the terms and conditions of the sentence imposed and has received a pardon. *HB812 is in the House Committee on Constitution & Elections. HB812 failed to receive a favorable committee report and is no longer significant.*

**SB166** (Sanders) – Proposes to prohibit a judge from overriding the sentencing recommendation of a trial jury in capital cases. *SB166 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar. SB166 was indefinitely postponed and is no longer significant.*

**SB168** (Sanders) – Provides a definition of crimes involving moral turpitude that disqualify citizens from voting. *SB168 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. SB168 failed to receive a favorable committee report and is no longer significant.*

**SB170** (Sanders) – Authorizes DNA testing under certain circumstances for individuals serving a term of imprisonment or awaiting execution. *SB170 is in the Senate Judiciary Committee. SB170 failed to receive a favorable committee report and is no longer significant.*

**SB171/HB673** (Sanders/Hall) – Proposes to prohibit the imposition of the death penalty on a person with mental retardation. *SB171 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar and HB673 received a favorable report from the House Judiciary Committee and is on the House calendar. **SB171 was indefinitely postponed and is no longer significant; HB673 was indefinitely postponed and is no longer significant.***

**SB172** (Sanders) – Proposes to prohibit the imposition of the death penalty for a crime committed by a person less than 18 years of age. *SB172 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar. **SB172 was indefinitely postponed and is no longer significant.***

**SB174** (Sanders) – Proposes to modify the requirements for restoration of voting rights of certain persons convicted of a felony. *SB174 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. **SB174 failed to receive a favorable committee report and is no longer significant.***

**SB252** (Dixon) – Provides for the collection of DNA samples from certain persons arrested for certain violent felonies. *SB252 is in the Senate Judiciary Committee. **SB252 failed to receive a favorable committee report and is no longer significant.***

**SB324/HB679** (Sanders/Coleman) – Provides for a moratorium on the imposition and execution of the death penalty for a period not to exceed three years. *SB324 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar, and HB679 is in the House Judiciary Committee. **SB324 was indefinitely postponed and is no longer significant; HB679 was indefinitely postponed and is no longer significant.***

#### **Worker Savings Incentives/Asset Building**

**SB93** (Mitchell) – Establishes the Individual Development Account Program within the Office of the Commissioner of the Department of Agriculture & Industries. *SB93, as amended, passed both chambers. **The Governor declined to sign SB93, resulting in a pocket veto of the measure.***

#### **Public Transportation**

**HJR592** (Scott) – Proposes to establish the Statewide Public Transit Commission, charged with considering the framework for an Alabama Transit Commission to determine how public transit can be established and funded. *HJR592 was passed by both chambers. **HJR592 is now Act 2009-794.***

#### **ARISE ENDORSEMENT ISSUES:**

#### **Preventing Disproportionate Impact of Environmental Hazards on Low-income & Minority Communities**

**HB13** (Mitchell) – Proposes to require the Alabama Department of Environmental Management to identify high impact areas for toxic contamination and to require the State Health Officer to document disease occurrences. *HB13 is in the House Commerce Committee. **HB13 failed to receive a favorable committee report and is no longer significant.***

## Regulating Tax Preparation Services

**HB412/SB201** (Irons/Ross) – Proposes to establish the State Board of Individual Tax Preparers for the registration and regulation of certain preparers of income tax returns. *HB412 is in the House Education Appropriations Committee. SB201 received a favorable report from the House Boards & Commissions Committee and is on the House calendar. **HB412 failed to receive a favorable committee report and is no longer significant; SB201 was carried over and is no longer significant.***

## Ensuring Transparency in Political Campaigning and State Budgeting

**HB34** (Oden) – Proposes to require political advertising that references a voting record to cite the specific legislation or issue. *HB34 received a favorable report from the House Constitution & Elections Committee and is on the House calendar. **HB34 was indefinitely postponed and is no longer significant.***

**HB76** (Ward) – Proposes to grant subpoena authority to the Alabama Ethics Commission. *HB76 received a favorable report from the House Judiciary Committee and is on the House calendar. **HB76 was indefinitely postponed and is no longer significant.***

**HB140** (Hinshaw) – Proposes to require the disclosure of funding sources for electioneering communications and paid political advertising. *HB140 was passed by the House received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee and is on the Senate calendar. **HB140 failed to receive a Senate floor vote and is no longer significant.***

**HB154** (McLaughlin) – Proposes to ban the transfer of funds between political action committees. PAC-to-PAC ban. *HB154 was passed by the House and is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. **HB154 failed to receive a favorable committee report and is no longer significant.***

**HB234** (Gipson) – Proposes to add the Alabama Ethics Commission to the entities that can bring civil action to enforce compliance with the Alabama Open Meetings law. *HB234 is in the House Judiciary Committee. **HB234 failed to receive a favorable committee report and is no longer significant.***

**HB283** (Ball) – Proposes to require that candidates must file campaign contributions and expenditure reports independent of whether they have opposition. *HB283 is in the House Constitution & Elections Committee. **HB283 failed to receive a favorable committee report and is no longer significant.***

**HB288** (Ball) – Proposes to require that reports of campaign contributions must include the occupation and the name of the employer of each contributor. *HB288 received a favorable report from the House Constitution & Elections Committee and is on the House calendar. **HB288 was indefinitely postponed and is no longer significant.***

**HB295/SB208** (Ball/Orr) – Proposes to require that public officials or the spouses of public officials employed or having contracts with governmental entities file a report disclosing their compensation with the Alabama Ethics Commission and that such reports are public records. *HB295 received a favorable report from the House Government Operations Committee and is on the House calendar, and SB208 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee and is on the Senate calendar. **HB295 was indefinitely postponed and is no longer significant; SB208 failed to receive a Senate floor vote and is no longer significant.***

**HB331** (Love) – Proposes to require that information concerning the requestor, recipient amount, recommendations and final action of Community Service Grants be posted on the legislative website. *HB331 is in the House Education Appropriations Committee. **HB331 failed to receive a favorable committee report and is no longer significant.***

**HB365** (Ford) – Proposes to amend the Fair Campaign Practices Act to provide for fines for failure to timely file required reports. *HB365 is in the House Constitution & Elections Committee. **HB365 failed to receive a favorable committee report and is no longer significant.***

**HB404** (Mask) – Proposes to ban PAC-to-PAC transfers. *HB404 is in the House Constitution & Elections Committee. **HB404 failed to receive a favorable committee report and is no longer significant.***

**HB594/SB440** (Gipson/Brooks) – Proposes to make significant changes designed to strengthen the Alabama Ethics Law and the Alabama Ethics Commission. These bills are the Governor's ethics reform proposal. *HB594 received a favorable report from the House Judiciary Committee and is on the House calendar; and SB440 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. **HB594 was indefinitely postponed and is no longer significant; SB440 failed to receive a favorable committee report and is no longer significant.***

**SB202** (Orr) - Proposes to require that reports of campaign contributions must include the occupation and the name of the employer of each contributor. *SB202 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee and is on the Senate calendar. **SB202 failed to receive a Senate floor vote and is no longer significant.***

**SB205** (Orr) - Proposes to require that candidates must file campaign contributions and expenditure reports independent of whether they have opposition. *SB205 passed both chambers. **SB205 is now Act 2009-751.***

**SB207** (Orr) – Proposes to ban PAC-to-PAC transfers. *SB207 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. **SB207 failed to receive a favorable committee report and is no longer significant.***

**SB250** (Little, T.) – Proposes to expand the definition of lobbyist to include persons seeking to obtain a contract with a governmental entity on behalf of a third party. *SB250 passed the Senate and received a favorable report from the House Judiciary Committee and is on the House calendar. **SB250 failed to receive a House floor vote and is no longer significant.***

#### **OTHER BILLS OF INTEREST**

**HB56** (Bentley) – Proposes to require health benefit insurance plans to include coverage for certain dependents until age 27. *HB56 is in the House Banking & Insurance Committee. **HB56 failed to receive a favorable committee report and is no longer significant.***

**HB131** (Todd) – Proposes to establish the Commission to Reduce Poverty. *HB131 passed both chambers. **HB131 is now Act 2009-645.***

**HB133** (Todd) – Proposes to require the Revenue Department to report annually the economic development expenditures, economic development subsidies, and any defaults on development subsidies. *HB133 is in the House Government Operations Committee. **HB133 failed to receive a favorable committee report and is no longer significant.***



**HB207** (Coleman) – Proposes to establish domestic violence fatality review teams. *HB207 passed both chambers. **HB207 is now Act 2009-656.***

**HB208** (Coleman) – Proposes to prohibit health care providers from charging uninsured individuals more than Medicare would pay for the same service. *HB208 is in the House Health Committee. **HB208 failed to receive a favorable committee report and is no longer significant.***

**HB261/SB211** (Black/Dixon) – Proposes to modify the Alabama Student Grant Program to eliminate the requirement that an approved institution of higher learning be a nonprofit entity and be accredited or seeking accreditation from the Southern Association of Colleges and Schools. *HB261 is in the House Education Policy Committee, and SB211 received a favorable report from the Senate Commerce, Transportation & Utilities Committee and is on the Senate calendar. **HB261 failed to receive a favorable committee report and is no longer significant; SB211 was indefinitely postponed and is no longer significant.***

**HB422** (Wood) – Proposes a constitutional amendment that would define the conditions for the restoration of voting rights for a person convicted of a felony. *HB422 is in the House Constitution & Elections Committee. **HB422 failed to receive a favorable committee report and is no longer significant.***

**HB460/SB358** (Coleman/Coleman) – Proposes to require hospitals to disclose to patients any financial assistance policies a hospital has in place. *HB460 passed both chambers; SB358 passed both chambers. **HB460 is now Act 2009-712; SB358 is no longer significant.***

**HB468** (Mask) – Proposes a Work Opportunity income tax credit for tax years beginning after December 31, 2009, that will annually phase in if certain revenue conditions are met, to a maximum of 20 percent of the federal Work Opportunity credit. *HB468 is in the House Education Appropriations Committee. **HB468 failed to receive a favorable committee report and is no longer significant.***

**HB478/SB373** (Black/Smitherman) – Proposes to amend the Communications Reform Act of 2005 to remove all residential telephone services from regulation by the PSC, and to authorize Lifeline and Link-up services for low-income consumers. *HB478 received a favorable report from the House Government Operations Committee and is on the House calendar; SB373 has passed both the House and Senate and will be transmitted to the Governor for his consideration. **HB478 was indefinitely postponed and is no longer significant; SB373 is now Act 2009-461.***

**HB482** (Bridges) – Proposes to provide an incentive for job creation in a county identified by the Department of Industrial Relations as being among the 25 counties with the highest annual unemployment rate. *HB482 is in the House Education Appropriations Committee. **HB482 failed to receive a favorable committee report and is no longer significant.***

**HB483** (Bridges) – Proposes to provide an income tax credit that would encourage employers to hire certain persons who are currently receiving unemployment compensation benefits. *HB483 is in the House Education Appropriations Committee. **HB483 failed to receive a favorable committee report and is no longer significant.***

**HB508/SB439** (Davis/Figures) – Proposes to change the name of the Department of Mental Health and Mental Retardation to the Department of Mental Health. *HB508 passed the House received a favorable Senate committee report and is on the Senate calendar; and SB439 passed both chambers. **HB508 failed to receive a Senate floor vote and is no longer significant; SB439 is now Act 2009-635.***

**HB533** (Holmes) – Proposes to amend the Alabama hate crimes statute by imposing additional penalties for a crime motivated by the victim’s sexual orientation. *HB533 passed the House received a favorable report from the Senate Judiciary Committee and is on the Senate calendar. **HB533 failed to receive a Senate floor vote and is no longer significant.***

**HB556** (Treadaway) – Proposes to end the practice of allowing sheriffs to keep for personal use excess funds allocated for feeding prisoners. *HB556, as amended, received a favorable report from the House County & Municipal Government Committee and is on the House calendar. **HB556 was indefinitely postponed and is no longer significant.***

**HB605** (Hall) – Proposes to allow the creation of a local county or municipal affordable housing program and to provide a means to fund the program. *HB605 received a favorable report from the House County & Municipal Government Committee and is on the House calendar. **HB605 was indefinitely postponed and is no longer significant.***

**HB606/SB438** (Johnson/Means) – Proposes to abolish the existing State Health Planning and Development Board and to provide for the appointment of a new board. *HB606 received a favorable report from the House Boards & Commissions Committee and is on the House calendar, and SB438 is in the Senate Health Committee. **HB606 was indefinitely postponed and is no longer significant; SB438 failed to receive a favorable committee report and is no longer significant.***

**HB622** (Ford) – Proposes a constitutional amendment to establish the Alabama Gaming Commission. *HB622 is in the House Tourism & Travel Committee. **HB622 failed to receive a favorable committee report and is no longer significant.***

**HB662** (Hammon) – Proposes that any person age 18 or older to provide proof of being lawfully in the U.S. before receiving certain public benefits. *HB662 is in the House Judiciary Committee. **HB662 failed to receive a favorable committee report and is no longer significant.***

**HB663** (Hammon) – Proposes to prohibit the state or any political subdivision of the state from issuing or renewing professional licenses of any person not lawfully and physically present in the U.S. *HB663 is in the House Judiciary Committee. **HB663 failed to receive a favorable committee report and is no longer significant.***

**HB676/SB471** (Black/Ross) – Proposes a constitutional amendment to create a state gaming commission and to establish gaming sites at nine locations in the state. *HB676 received a favorable report from the House Committee on Tourism & Travel and is on the House calendar, and SB471 received a favorable report from the Senate Committee on Tourism & Marketing and is on the Senate calendar. **HB676 was indefinitely postponed and is no longer significant; SB471 was indefinitely postponed and is no longer significant.***

**HB680/SB397** (McLaughlin/Barron) – Proposes amendments to the state’s landlord-tenant act. *HB680 received a favorable report from the House Commerce Committee and is on the House calendar; SB397 passed both chambers. **HB680 was indefinitely postponed and is no longer significant; SB397 is now Act 2009-633.***

**HB688/SB460** (Page/Smitherman) – Proposes to make changes to the state’s unemployment insurance statutes to allow the state to receive federal stimulus funds. *HB688 is in the House Commerce Committee; SB460 received a favorable report from the Senate Business & Labor Committee and is on the Senate calendar. **HB688 failed to receive a favorable committee report and is no longer significant; SB460 was indefinitely postponed and is no longer significant.***

**HB726** (Hall) – Proposes to establish the Alabama Affordable Housing Trust Fund. *HB726 is in the House Government Appropriations Committee. **HB726 failed to receive a favorable committee report and is no longer significant.***

**HB747** (Ford) – Proposes a constitutional amendment to make appropriations for the next five years from the Alabama Trust Fund to the Alabama Prepaid Affordable College Tuition Program. *HB747 passed the House and received a favorable report from the Senate Finance & Taxation – General Fund Committee. **SB747 failed to receive a Senate floor vote and is no longer significant.***

**HB748** (Ford) – Proposes to increase funding for the Alabama Prepaid Affordable College Tuition Program by making an appropriation from the surplus funds in the Unclaimed Property Reserve Fund by amending the Alabama Constitution, and making an appropriation from the Alabama Capital Improvement Trust Fund. *HB748 is in the House Government Appropriations Committee. **HB748 failed to receive a favorable committee report and is no longer significant.***

**HB759** (Kennedy) – Provides for the Alabama Restoration of Voting Rights Act. *HB759 is in the House Constitution & Elections Committee. **HB759 failed to receive a favorable committee report and is no longer significant.***

**HB813** (Lewis) – Proposes a constitutional amendment to limit the number terms a member of the Alabama Senate or Alabama House may serve. *HB813 is in the House Constitution & Elections Committee. **HB813 failed to receive a favorable committee report and is no longer significant.***

**SB26** (Coleman) – Proposes to establish the Lifeline Assistance Plan to provide discount telephone services to certain low-income citizens. *SB26 is in the Senate Commerce, Transportation & Utilities Committee. **SB26 failed to receive a favorable committee report and is no longer significant.***

**SB95** (Smitherman) – Proposes a moratorium on the foreclosure of certain mortgaged property. *SB95 received a favorable report from the Senate Judiciary Committee and is on the Senate calendar. **SB95 was indefinitely postponed and is no longer significant.***

**SB130** (Figures) – Proposes to prohibit smoking in public places and places of employment. *SB130 received a favorable report from the Senate Education Committee and is on the Senate calendar. **SB130 was indefinitely postponed and is no longer significant.***

**SB163** (Barron) – Proposes a constitutional amendment to transfer \$100 million annually for 10 years from the Alabama Trust Fund to the Transportation Department for road and bridge construction and maintenance. *SB163 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee and is on the Senate calendar. **SB163 was indefinitely postponed and is no longer significant.***

**SB169** (Orr) – Proposes to include within the General Liability Trust Fund for state employees those retired physicians volunteering at free medical clinics. *SB169 was passed by both chambers. **SB169 is now Act 2009-748.***

**SB279** (Barron) - Proposes a constitutional amendment to transfer \$100 million annually for 10 years from the Alabama Trust Fund to the Transportation Department for road and bridge construction and maintenance. ***SB279 received a favorable report from the Senate Finance & Taxation – General Fund Committee but lost on the Senate floor vote.***

**SB367** (Barron) – Proposes to create a mortgage guarantee fund and to appropriate \$6 million from the Alabama Capital improvement Trust Fund to the guarantee fund. *SB367 was approved by both the Senate and the House and both chambers concurred in an Executive Amendment offered by the Governor. **SB367 is now Act 2009-284.***

**SB378** (Little, T.) – Proposes a constitutional amendment that would allow citizens to initiate the enactment of certain general laws or constitutional amendments by initiative. *SB378 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee. **SB378 failed to receive a favorable committee report and is no longer significant.***

**SB535** (Beason) – Proposes to require that all elections pertaining to and conducted by a labor union shall be by secret ballot. *SB535 is in the Senate Business & Labor Committee. **SB535 failed to receive a favorable committee report and is no longer significant.***

**SB581** (Bedford) – Proposes to modify the state's Prepaid Affordable College Tuition Program by freezing enrollment, placing responsibility for the plan with the Teachers' Retirement System of Alabama, and guaranteeing tuition payments for those currently enrolled in the plan. *SB581 received a favorable report from the Senate Finance & Taxation – General Fund Committee and is on the Senate calendar. **SB581 was indefinitely postponed and is no longer significant.***

**For the text of these and any other bills introduced in this session, go to**  
<http://alisondb.legislature.state.al.us/acas/ACASLoginFire.asp>