

Arise Bills of Interest 2011 Regular Session

March 25, 2011

The Alabama Legislature convened for the 2011 Regular Legislative Session on March 1. During the first seven days of the legislative session, 634 bills have been introduced. A maximum of 23 meeting days remain in the 2011 Session. Throughout the session, Arise follows legislation that relates to our annual legislative priorities and endorsements:

Adequate state budgets

HB57/SB121 (Canfield/Pittman) – Proposes for the Education Trust Fund a “rolling reserve” budget process that would cap appropriations and tie annual appropriation increases to a 15-year average of ETF revenue growth. **HB57 has been enacted into law as Act 2011-3, and SB121 is no longer significant.**

HB59 (Mask) – Proposes to repeal the Deferred Retirement Option Plan (DROP) for teachers and state employees not already enrolled in the program. *HB59 has been indefinitely postponed in the House.*

HB122/SB133 (Barton/Orr) – General Fund budget for FY 2012 to provide appropriations for ordinary expenses of executive, legislative and judicial departments. *HB122 is in the House Ways & Means General Fund Committee, and SB133 is in the Senate Finance & Taxation General Fund Committee.*

HB123/SB132 (Love/Pittman) – Education Trust Fund budget for FY 2012 to provide appropriations for the support, maintenance and development of public education. *HB123 is in the House Ways & Means Education Committee, and SB132 is in the Senate Finance & Taxation Education Committee.*

HB133 (Oden) – Proposes to allow the governor to reduce the number of school days by up to five when proration is declared in the Education Trust Fund budget. *HB133 is in the House Ways & Means Education Committee.*

HB246 (Ford) – Proposes a constitutional amendment to distribute all offshore oil and gas capital payments between FY 2013 and FY 2017 to a job creation and retention program. *HB246 is in the House Economic Development & Tourism Committee.*

SB51 (Brewbaker) – Proposes to decrease the minimum number of school instructional days from 180 to 175 for the 2012-13 and 2013-14 school years. *SB51 received a favorable report from the Senate Education Committee.*

SB72 (Marsh) – Proposes to prohibit new participation by teachers and state employees in the Deferred Retirement Option Plan (DROP) and to limit interest paid on DROP accounts. **SB72 has been enacted into law as Act 2011-27.**

SB162 (Orr) – Proposes to make supplemental appropriations to Medicaid, corrections, mental health, public health and certain other state General Fund agencies for FY 2011. *SB162 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

SB236 (Orr) – Proposes to allow the governor and state agencies to impose mandatory furloughs of state employees. *SB236 is in the Senate Finance & Taxation General Fund Committee.*

SB240 (McGill) – Proposes a General Fund appropriation to the Alabama Coalition Against Domestic Violence for FY 2012. *SB240 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

SB242 (Scofield) – Children’s Trust Fund budget for FY 2012 to provide appropriations for certain agencies from tobacco settlement funds. *SB242 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

SB257 (Sanford) – Proposes to repeal annual longevity raises for state employees, subsistence allowances for certain law enforcement officers, and travel allowances for state employees for trips not involving an overnight stay. *SB257 is in the Senate Finance & Taxation General Fund Committee.*

SB258 (Waggoner) – Proposes a General Fund appropriation to the Alabama Kidney Foundation for FY 2012. *SB258 is in the Senate Finance & Taxation General Fund Committee.*

Health care

HB60/SB215 (Galliher/Beason) – Proposes a constitutional amendment to prohibit mandatory participation by individuals, employers or health care providers in any health care system. *HB60 lost in the House, and SB215 is in the Senate Health Committee.*

HB178/SB46 (McClurkin/Ward) – Proposes to establish the right of health care providers, institutions and payers to decline to perform services that violate their consciences. *HB178 is in the House Health Committee, and SB46 is in the Senate Health Committee.*

Taxes & tax reform

HB61/SB159 (Weaver/Reed) – Proposes to increase income tax deductions to 200 percent of amounts paid for health insurance premiums by qualifying employers and qualifying employees. *HB61 passed in the House and is in the Senate Job Creation & Economic Development Committee, and SB159 received a favorable report from the Senate Health Committee.*

HB124/SB111 (Merrill/Orr) – Proposes a constitutional amendment to prohibit counties and municipalities from levying an occupational tax unless the tax was imposed before Jan. 1, 2011. *HB124 received a favorable report from the House County & Municipal Government Committee, and SB111 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

HB230/SB173 (Galliher/Orr) – Proposes to create, for businesses with 50 or fewer employees, an income tax credit of \$1,000 per new job paying more than \$10 per hour. *HB230 is in the House Economic Development & Tourism Committee, and SB173 is in the Senate Job Creation & Economic Development Committee.*

HB242 (Knight) – Proposes a constitutional amendment to eliminate the state sales tax on groceries and to limit the state income tax deduction for federal income taxes paid for certain taxpayers. *HB242 is in the House Ways & Means Education Committee.*

HB274 (Todd) – Proposes to increase the state cigarette tax from 42.5 cents per pack to 75 cents per pack. *HB274 is in the House Ways & Means General Fund Committee.*

HB293 (Shiver) – Proposes to create state insurance premium tax credits for insurers offering homeowner insurance policies for certain coastal properties. *HB293 is in the House Insurance Committee.*

HB295 (Davis) – Proposes to offer state income tax deductions for contributions to catastrophe savings accounts to cover insurance deductibles on certain residential property. *HB295 is in the House Ways & Means Education Committee.*

HB296 (Davis) – Proposes to create a state income tax credit for home retrofit improvements to protect against hurricane or wind damage. *HB296 is in the House Ways & Means Education Committee.*

HB299 (Lindsey) – Proposes to limit the state corporate income tax deduction for domestic production activities. *HB299 is in the House Ways & Means Education Committee.*

HB300 (Lindsey) – Proposes to limit the state corporate income tax deduction for bonus depreciation of qualified property. *HB300 is in the House Ways & Means Education Committee.*

HB301 (Lindsey) – Proposes to require combined reporting of taxable income from businesses that consist of multiple business entities. *HB301 is in the House Ways & Means Education Committee.*

HB302 (Lindsey) – Proposes to limit the state depletion allowance for oil and gas to the amount allowed by the federal allowance. *HB302 is in the House Ways & Means General Fund Committee.*

HB324 (Greeson) – Proposes to limit property tax reappraisals to no more than once every four years. *HB324 is in the House County & Municipal Government Committee.*

HB345/SB255 (Lindsey/Dial) – Proposes to extend state entertainment industry tax rebates to music video productions, to clarify rebate eligibility provisions for television series and commercials, and to require payment of local sales, use and lodging taxes. *HB345 is in the House Economic Development & Tourism Committee, and SB255 is in the Senate Finance & Taxation General Fund Committee.*

SB8 (Brooks) – Proposes, similar to SB74, to increase from \$7,500 to \$15,000 the taxable income line below which people with disabilities and the elderly are exempt from property tax on a principal residence. *SB8 is in the Senate Finance & Taxation Education Committee.*

SB9 (Brooks) – Proposes to increase the maximum homestead exemption from \$4,000 in assessed value to \$8,000 in assessed value. *SB9 is in the Senate Finance & Taxation Education Committee.*

SB 10 (Brooks) – Proposes to adjust the maximum homestead exemption annually to reflect cost of living increases. *SB10 is in the Senate Finance & Taxation Education Committee.*

SB 15 (Ward) – Proposes, similar to SB50, to authorize tax credits for certain companies that create jobs, including larger credits for jobs created in counties with high unemployment and low per capita income. *SB15 is in the Senate Finance & Taxation General Fund Committee.*

SB26 (Ward) – Proposes to exempt from state income tax any compensation for active duty military service by Alabama residents deployed outside the United States. *SB26 passed in the Senate and is in the House Ways & Means Education Committee.*

SB50 (Ward) – Proposes, similar to SB15, to authorize tax credits for certain companies that create jobs, including larger credits for jobs created in counties with high unemployment and low per capita income. *SB50 received a favorable report from the Senate Job Creation & Economic Development Committee.*

SB74 (Marsh) – Proposes, similar to SB8, to increase from \$7,500 to \$15,000 the taxable income line below which people with disabilities and the elderly are exempt from property tax on a principal residence. *SB74 received a favorable report from the House Finance & Taxation General Fund Committee.*

SB109 (Orr) – Proposes to authorize counties and municipalities to exempt food purchases from local sales tax. *SB109 is in the Senate Finance & Taxation General Fund Committee.*

SB126 (Whatley) – Proposes to authorize income tax credits to financial institutions and businesses for qualified research and development expenses. *SB126 is in the Senate Finance & Taxation General Fund Committee.*

SB150 (Williams) – Proposes to authorize income tax credits to certain telecommunications or manufacturing facilities for employee retraining or for upgrading or expanding existing facilities and equipment. *SB150 is in the Senate Small Business Committee.*

SB152 (Bussman) – Proposes to exempt companies with fewer than 100 employees from increases in non-educational property taxes for up to five years for qualifying expansion or relocation projects. *SB152 received a favorable report from the Senate Job Creation & Economic Development Committee.*

SB190 (Allen) – Proposes to provide a 100 percent license tax credit to freight lines and equipment companies for expenses incurred to maintain, repair or improve a railroad car. *SB190 is in the Senate Commerce, Transportation & Utilities Committee.*

SB223 (Marsh) – Proposes to reduce the number of new jobs that a data processing center must create to qualify for certain state tax abatements and to extend tax abatements to computer software used in the center's operation. *SB223 is in the Senate Fiscal Responsibility & Accountability Committee.*

Equal Pay Commission

No legislation relating to this priority has been introduced thus far this session.

Constitutional reform

HB181 (Hill) – Proposes a constitutional amendment to allow counties, upon voter approval in a local referendum, to exercise limited home rule in the areas of public health and safety and land use regulation and control. *HB181 is in the House County and Municipal Government Committee.*

HJR34 (Newton, D.) – Proposes, similar to SJR27, a statewide election in June 2012 on whether to hold a convention to revise the Constitution of Alabama of 1901. *HJR34 is in the House Rules Committee.*

SB112 (Orr) – Proposes a constitutional amendment to remove from the Constitution of Alabama of 1901 certain passages containing racist language. *SB112 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

SJR27 (Bedford) – Proposes, similar to HJR34, a statewide election in June 2012 on whether to hold a convention to revise the Constitution of Alabama of 1901. *SJR27 is in the Senate Rules Committee.*

Public transportation

HB207 (Todd) – Proposes a constitutional amendment to authorize the state to use a portion of state gasoline and motor fuel excise taxes to fund public transportation. *HB207 is in the House Ways & Means General Fund Committee.*

SB79 (Marsh) – Proposes to authorize county commissions to levy additional gasoline and motor fuel excise taxes up to 5 cents after referendum to support roads, bridges or public transportation. *SB79 is in the Senate Finance & Taxation General Fund Committee.*

Worker savings incentives

No legislation relating to this priority has been introduced thus far this session.

Death penalty moratorium

HB319/SB245 (Coleman/Sanders) – Proposes to impose a moratorium on the imposition and execution of the death penalty for up to three years. *HB319 is in the House Judiciary Committee, and SB245 is in the Senate Judiciary Committee.*

SB241 (Sanders) – Proposes an Innocence Inquiry Commission to investigate and determine claims of innocence from a person convicted of a felony. *SB241 is in the Senate Judiciary Committee.*

SB244 (Sanders) – Proposes to prohibit the death penalty for offenders who were under age 18 at the time of commission of a capital offense. *SB244 is in the Senate Judiciary Committee.*

SB247 (Sanders) – Proposes to prohibit a judge from overriding a jury's sentencing decision in a death penalty case. *SB247 is in the Senate Judiciary Committee.*

Other subjects

HB6 (Merrill) – Proposes to decrease from 7 to 6 the minimum mandatory age of attendance in public schools. *HB6 received a favorable report from the House Education Policy Committee.*

HB10/SB82 (England/Coleman) – Proposes to restore eligibility for TANF and food stamps for certain individuals with felony drug convictions. *HB10 is in the House State Government Committee, and SB82 is in the Senate Judiciary Committee.*

HB56 (Hammon) – Proposes a system for enforcement of immigration laws and verification of legal status of people and creates specific crimes for activities relating to undocumented immigrants in Alabama. *HB56 received a favorable report from the House Public Safety & Homeland Security Committee.*

HB67/SB24 (Hubbard, J./Brewbaker) – Proposes a constitutional amendment to increase the legislative vote required to override a gubernatorial veto. *HB67 is in the House Constitution, Campaigns & Elections Committee, and SB24 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

HB80 (Wren) – Proposes to require tenants under a rental agreement to pay certain attorney's fees under certain conditions. *HB80 is in the House Commerce & Small Business Committee.*

HB98/SB127 (Rich/Pittman) – Proposes a constitutional amendment limiting members of Senate and House of Representatives to three consecutive full terms. *HB 98 is in the House Constitution, Campaigns & Elections Committee, and SB 127 received a favorable report from the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

HB121 (Rich) – Proposes to establish specific criminal penalties for using a fraudulent document to apply for public benefits, to require applicants for certain public benefits to prove lawful presence in the United States, and to require state agencies to verify eligibility of all TANF applicants through the federal E-Verify program. *HB121 is in the House Judiciary Committee.*

HB151 (Hubbard, J.) – Proposes to require electronic filing of campaign finance disclosures starting with the 2014 election cycle, to include Section 527 organizations within the definition of political action committees, and to disqualify candidates who do not comply with certain filing requirements. *HB 151 is in the House Ethics and Campaign Finance Committee.*

HB157 (Rich) – Proposes to require random drug tests for recipients of Medicaid, TANF or food stamps, if an applicant's appearance or demeanor implies possible drug use. *HB157 is in the House State Government Committee.*

HB203 (Nordgren) – Proposes to require parents or guardians who enroll a child in a public school, or whose child is tutored at home or a church school, to provide proof of the child's citizenship. *HB203 is in the House Public Safety and Homeland Security Committee.*

HB211/SB278 (Love/Taylor) – Proposes to require the state departments of Education and Finance to create a program to purchase or provide professional liability insurance for teachers and certain other education personnel. *HB211 received a favorable report from the House Ways & Means Education Committee, and SB278 is in the Senate Finance & Taxation Education Committee.*

HB215/SB142 (Poole/Fielding) – Proposes to establish early release and mandatory supervised re-entry for certain nonviolent offenders. *HB215 is in the House Public Safety & Homeland Security Committee, and SB142 is in the Senate Judiciary Committee.*

HB216/SB217 (Poole/Williams) – Proposes to establish the Honor and Opportunity Probation with Enforcement (HOPE) program as an offender supervision program intended to reduce probation violations and recidivism. *HB216 is in the House Judiciary Committee, and SB217 is in the Senate Judiciary Committee.*

HB304 (Canfield) – Proposes to disqualify unemployment insurance claimants who engage in certain fraudulent conduct from receiving unemployment benefits for 52 weeks or until the overpayment is repaid. *HB304 is in the House Judiciary Committee.*

HB328 (Hill) – Proposes to amend Landlord and Tenant Act provisions regarding eviction, tenant abandonment of rental property, unenforceable lease provisions and landlord access for repairs. *HB328 is in the House Commerce & Small Business Committee.*

HB337 (Ball) – Proposes a constitutional amendment to allow Alabamians to propose laws and amendments by initiative. *HB337 is in the House Constitution, Campaigns & Elections Committee.*

HB340 (Newton, C.) – Proposes to establish nonpartisan elections of district and circuit judges. *HB340 is in the House Constitution, Campaigns & Elections Committee.*

SB95 (Taylor) – Proposes to require lobbyists to report any item excluded from the definition of a thing of value, whatever the actual cost. *SB95 is in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

SB115 (Orr) – Proposes to prohibit certain fraudulent conduct in obtaining public assistance under any state or federally funded public assistance program. *SB115 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

SB175 (Taylor) – Proposes a constitutional amendment to provide that the Legislature may not increase members' expense allowances during a current term of office, except for reimbursement for actual expenses incurred in the performance of official duties. *SB175 is in the Senate Rules Committee.*

SB243 (Sanders) – Proposes to clarify which felonies involve moral turpitude and disqualify people from voting. *SB243 is in the Senate Judiciary Committee.*

SB256 (Beason) – Proposes to prohibit undocumented immigrants from receiving driver's licenses and certain other public benefits and to create criminal penalties and fines related to harboring, transporting or employing undocumented immigrants. *SB256 is in the Senate Job Creation & Economic Development Committee.*

For the full text of these and any other bills introduced in the 2011 regular session, go to <http://alisondb.legislature.state.al.us/acas/ACASLoginFire.asp>