

## Arise Bills of Interest 2011 Regular Session

June 3, 2011

*The Alabama Legislature convened for the 2011 regular session on March 1. During the first 29 days of the session, 2,284 bills and resolutions have been introduced. One meeting day remains in the regular session. Throughout the session, Arise follows legislation related to our annual legislative priorities and endorsements. Measures with a status in boldface have been enacted.*

### Adequate state budgets

**HB57/SB121** (Canfield/Pittman) – Proposes for the Education Trust Fund a “rolling reserve” budget process to cap appropriations and tie annual appropriation increases to a 15-year average of ETF revenue growth. **HB57 was enacted as Act 2011-3, and SB 121 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 was 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 died in the House Ways & Means General Fund Committee, and SB133 passed in the Senate and House. The governor returned SB133 with an executive amendment, which the Senate adopted and which is pending in the House.**

**HB123/SB132** (Love/Pittman) – Education Trust Fund budget for FY 2012 to provide appropriations for the support, maintenance and development of public education. **HB123 passed in the House and Senate and was delivered to the governor, and SB132 died 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 died 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 died in the House Economic Development & Tourism Committee.**

**HB379** (Gaston) – Proposes, similar to SB336, a General Fund appropriation to the Children’s Advocacy Programs for FY 2012. **HB379 was indefinitely postponed in the House.**

**HB396** (Ford) – Proposes, similar to HB475 and HB503, to re-establish the Deferred Retirement Option Plan (DROP) for teachers and state employees, to create income limits for eligibility, and to limit interest paid on accounts. **HB396 died in the House Ways & Means General Fund Committee.**

**HB414** (Love) – Proposes to increase the retirement contributions of teachers, state employees and judges by up to 50 percent by FY 2013. **HB414 passed in the House and Senate and went to conference committee. The House adopted the conference report, which is pending in the Senate.**

**HB432** (Love) – Proposes to transfer \$30 million in FY 2012 from the Dual Party Relay Fund, which supports telephone services for deaf Alabamians, to the Education Trust Fund. **HB432 passed**

*in the House and Senate. The governor returned HB432 with an executive amendment, which the House and Senate adopted.*

**HB433** (Love) – Proposes to allow local school boards in FY 2011 to redirect certain funds designated for the Child Nutrition Program to other purposes upon the state school superintendent's approval. ***HB433 was enacted as Act 2011-261.***

**HB475** (Ford) – Proposes, similar to HB396 and HB503, to re-establish the Deferred Retirement Option Plan (DROP) for teachers and state employees, to create income limits for eligibility, and to limit interest paid on accounts. *HB475 died in the House Ways & Means General Fund Committee.*

**HB483/SB335** (Boothe/Taylor) – Proposes to eliminate the limit on college tuition costs for certain participants in the Prepaid Affordable College Tuition (PACT) program. *HB483 died in the House Ways & Means Education Committee, and SB335 died in the Senate Finance & Taxation Education Committee.*

**HB503** (Ford) – Proposes, similar to HB396 and HB475, to re-establish the Deferred Retirement Option Plan (DROP) for teachers and state employees, to create income limits for eligibility, and to limit interest paid on accounts. *HB503 died in the House Ways & Means General Fund Committee.*

**HJR460** (Hubbard, M.) – Proposes to commit the Legislature to work with the governor and state school superintendent to provide the necessary funding to rebuild schools damaged by tornadoes on April 27, 2011. ***HJR460 was enacted as Act 2011-231.***

**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 was indefinitely postponed in the Senate.*

**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 was enacted 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 was enacted as Act 2011-68.***

**SB236** (Orr) – Proposes to allow the governor and state agencies to impose mandatory furloughs of state employees. *SB236 died 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 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

**SB242** (Scofield) – Children First Trust Fund budget for FY 2012 to provide appropriations for certain agencies from tobacco settlement funds. *SB242 passed in the Senate and House and was delivered to the governor.*

**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 died in the Senate Finance & Taxation General Fund Committee.*

**SB258** (Waggoner) – Proposes a General Fund appropriation to the Alabama Kidney Foundation for FY 2012. *SB258 passed in the Senate but died in the House Ways & Means General Fund Committee.*

**SB303** (Holtzclaw) – Proposes to create the Alabama Teachers’ Planned Retirement Option as a deferred retirement program for qualifying teachers. *SB303 was indefinitely postponed in the Senate.*

**SB309** (Marsh) – Proposes to make certain adjustments to health insurance premium calculations for retired state employees, to allow state employers to adjust contributions based on an employee’s spouse’s eligibility for other insurance, and to remove the requirement for a two-thirds vote of the State Employees’ Insurance Board to increase out-of-pocket expenses for employees or retirees. *SB309 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

**SB336** (Taylor) – Proposes, similar to HB379, a General Fund appropriation to the Children’s Advocacy Programs for FY 2012. *SB336 passed in the Senate but died in the House Ways & Means General Fund Committee.*

**SB419** (Marsh) – Proposes to make certain adjustments to health insurance premium calculations for retired teachers, to allow teachers’ employers to adjust contributions based on an employee’s spouse’s eligibility for other insurance, and to remove the requirement for a two-thirds vote of the Public Education Employees’ Health Insurance Board to increase out-of-pocket expenses for employees or retirees. *SB419 passed in the Senate and received a favorable report from the House Ways & Means Education 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 was enacted as Act 2011-155, and SB159 is no longer significant.*

**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 was indefinitely postponed in the House, and SB111 was indefinitely postponed in the Senate.*

**HB179** (Williams, J.) – Proposes, for property tax purposes, to expand the definition of residential property to include single-family homes under construction and to provide that residential property will not lose that classification for two years if a natural disaster leaves the property uninhabitable. *HB179 passed in the House and Senate and was delivered to the governor.*

**HB230/SB173** (Gallihier/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 passed in the House and Senate and was delivered to the governor, and SB173 was indefinitely postponed in the Senate.*

**HB241/SB348** (Knight/Coleman) – Proposes to clarify that for Alabama residents who own pass-through entities, gross income includes the resident’s entire share of income from the entities, not just the portion arising from sources within Alabama. *HB241 died in the House Ways & Means Education Committee, and SB348 died in the Senate Finance & Taxation Education Committee.*

**HB242/SB363** (Knight/Sanders) – Proposes a constitutional amendment to eliminate the state sales tax on groceries and over-the-counter medicines and to limit the state individual income tax deduction for federal income taxes. *HB242 died in the House Ways & Means Education Committee, and SB363 died in the Senate Finance & Taxation Education Committee.*

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

**HB293/SB396** (Shiver/Brooks) – Proposes to create state insurance premium tax credits for insurers offering homeowner insurance policies for certain coastal properties. *HB293 died in the House Insurance Committee, and SB396 was indefinitely postponed in the Senate.*

**HB295/SB400** (Davis/Brooks) – Proposes to offer state income tax deductions for contributions to catastrophe savings accounts to cover insurance deductibles on certain residential property. *HB295 died in the House Ways & Means Education Committee, and SB400 was indefinitely postponed in the Senate.*

**HB296/SB395** (Davis) – Proposes to create a state income tax credit for retrofit improvements to protect homes against hurricane or wind damage. *HB296 died in the House Ways & Means Education Committee, and SB395 passed in the Senate and House and was delivered to the governor.*

**HB299/SB352** (Lindsey/Singleton) – Proposes to limit the state corporate income tax deduction for domestic production activities. *HB299 died in the House Ways & Means Education Committee, and SB352 died in the Senate Finance & Taxation General Fund Committee.*

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

**HB301/SB351** (Lindsey/Keahey) – Proposes to require combined reporting of taxable income from businesses that consist of multiple business entities. *HB301 died in the House Ways & Means Education Committee, and SB351 died in the Senate Commerce, Transportation & Utilities Committee.*

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

**HB324** (Greeson) – Proposes to limit property tax reappraisals to no more than once every four years. *HB324 died 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 died in the House Economic Development & Tourism Committee, and SB255 passed in the Senate and received a favorable report from the House Economic Development & Tourism Committee.*

**HB354** (Wren) – Proposes to allow a state income tax credit for sales taxes paid on certain plug-in electric vehicles. *HB354 died in the House Ways & Means Education Committee.*

**HB365** (Ison) – Proposes to require online retailers to notify their customers of sales and use tax obligations if the retailers do not collect and remit the taxes on their customers' behalf. *HB365 passed in the House and received a favorable report from the Senate Commerce, Transportation & Utilities Committee.*

**HB373** (Hubbard, J.) – Proposes to establish property, payroll and sales thresholds that out-of-state businesses and individuals would have to meet to become subject to state income tax. *HB373 died in the House Ways & Means Education Committee.*

**HB375** (Williams, J.) – Proposes to increase from \$12,000 to \$39,900 the adjusted gross income line below which people with disabilities and the elderly are exempt from local property tax on a principal residence, and to increase from \$7,500 to \$25,000 the taxable income line below which such residents

are exempt from property tax on a principal residence. *HB375 died in the House Ways & Means General Fund Committee.*

**HB377** (Melton) – Proposes to set penalties for taxpayers who take part in tax shelters or fail to report certain business transactions. *HB377 died in the House Ways & Means Education Committee.*

**HB383/SB288** (Barton/Marsh) – Proposes to extend and increase a privilege assessment on nursing homes through FY 2013 and to authorize the Alabama Medicaid Agency to establish a special reimbursement formula for ventilator care units in nursing homes. *HB383 passed in the House and Senate and was delivered to the governor, and SB288 was indefinitely postponed in the Senate.*

**HB392** (Barton) – Proposes, similar to SB388, to extend a Medicaid assessment on private hospitals through FY 2013. *HB392 passed in the House and Senate and was delivered to the governor.*

**HB410** (Rogers) – Proposes to increase from \$7,500 to \$30,000 the taxable income line below which people with disabilities and the elderly are exempt from property tax and to phase in the increase through FY 2022. *HB410 died in the House Ways & Means Education Committee.*

**HB419** (Wood) – Proposes to exempt insulin and other diabetes treatment items from state and local sales and use taxes. *HB419 died in the House Ways & Means Education Committee.*

**HB421** (Bridges) – Proposes to exempt disabled veterans and their surviving spouses from property taxes not devoted to education. *HB421 died in the House Ways & Means General Fund Committee.*

**HB434** (Love) – Proposes to amend the sales factor of multistate corporations' business income apportionment to Alabama for tax purposes and to double the weight given to the sales factor in such apportionment. *HB434 passed in the House and Senate and was delivered to the governor.*

**HB444** (Barton) – Proposes to exempt parts, systems and other items used to convert or refurbish certain commercial passenger aircraft from state sales tax. *HB444 passed in the House but died in the Senate Finance & Taxation Education Committee.*

**HB457** (Todd) – Proposes to increase the state cigarette tax by \$1 per pack. *HB457 died in the House Ways & Means General Fund Committee.*

**HB478/SB373** (Mask/Williams) – Proposes to allow certain companies to keep a percentage of state income taxes withheld from eligible employees as tax incentives for qualifying business location or expansion projects. *HB478 passed in the House and received a favorable report from the Senate Fiscal Responsibility & Accountability Committee, and SB373 passed in the Senate and received a favorable report from the House Economic Development & Tourism Committee.*

**HB480** (Knight) – Proposes a constitutional amendment to eliminate the state sales tax on groceries and over-the-counter medicines and to end the state individual income tax deduction for federal income taxes. *HB480 died in the House Ways & Means Education Committee.*

**HB485/SB223** (Williams, D./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 those abatements to certain software. *HB485 passed in the House and received a favorable report from the Senate Fiscal Responsibility & Accountability Committee, and SB223 was indefinitely postponed in the Senate.*

**HB505** (Harper) – Proposes to establish a one-time filing fee and an annual license fee for tobacco distributors. *HB505 died in the House State Government Committee.*

**HB520** (Hill) – Proposes to increase the annual alcohol license fees for retailers, manufacturers, wholesalers and others. *HB520 died in the House Economic Development & Tourism Committee.*

**HB548/SB425** (Love/Marsh) – Proposes to clarify that for Alabama residents who own pass-through entities, gross income includes the resident's entire share of income from the entities, not just the portion arising from sources within Alabama, and to provide credits for taxes those entities pay to other countries. *HB548 passed in the House and received a favorable report from the Senate Finance & Taxation Education Committee, and SB425 died in the Senate Finance & Taxation Education Committee.*

**HB555** (Ball) – Proposes to require all servers or providers of alcohol at licensed on-site retailers to obtain, for a fee, a server identification registration card from the Alcoholic Beverage Control Board. *HB555 was indefinitely postponed in the House.*

**HB602/SB469** (Hill/Allen) – Proposes to create a state income tax credit for retrofit improvements to protect homes against hurricane, tornado or wind damage. *HB602 died in the House Ways & Means Education Committee, and SB469 was indefinitely postponed in the Senate.*

**HB608/SB477** (Mask/Keahey) – Proposes to authorize a state income tax credit for tariffs on qualifying projects for certain companies that create jobs through 2015 and to allow certain transfers of the credits. *HB608 passed in the House but died in the Senate Finance & Taxation Committee, and SB477 passed in the Senate and House and was delivered to the governor.*

**HB615** (Robinson, O.) – Proposes to provide that residential property will not lose that classification for property tax purposes for two years if a natural disaster leaves the property uninhabitable. *HB615 died in the House Ways & Means General Fund Committee.*

**HB616** (Barton) – Proposes to exempt durable medical equipment and medical supplies from state and local sales tax. *HB616 died in the House Ways & Means Education Committee.*

**HB617/SB506** (Robinson, O./Dunn) – Proposes to provide that residential property and homesteads will not lose those classifications for property tax purposes for two years if a natural disaster leaves the property uninhabitable. *HB617 was indefinitely postponed in the House, and SB506 passed in the Senate and received a favorable report from the House Ways & Means 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 died 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 died in the Senate Finance & Taxation Education Committee.*

**SB10** (Brooks) – Proposes to adjust the maximum homestead exemption annually to reflect cost of living increases. *SB10 was indefinitely postponed in the Senate.*

**SB15** (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 died in the Senate Finance & Taxation General Fund 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 was indefinitely postponed in the Senate.*

**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 was indefinitely postponed in the Senate.*

**SB109** (Orr) – Proposes to authorize counties and municipalities to exempt food purchases from local sales tax. *SB109 was indefinitely postponed in the Senate.*

**SB126** (Whatley) – Proposes to authorize income tax credits to financial institutions and businesses for qualified research and development expenses. *SB126 died 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 was indefinitely postponed in the Senate.*

**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 passed in the Senate but died in the House Economic Development & Tourism 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 was indefinitely postponed in the Senate.*

**SB349** (Ross) – Proposes to require public-works contractors or businesses that receive state or local tax incentives to employ Alabama residents for at least 90 percent of the jobs on certain projects. *SB349 died in the Senate Judiciary Committee.*

**SB388** (Bedford) – Proposes, similar to HB392, to extend a Medicaid assessment on private hospitals through FY 2013. *SB388 died in the Senate Finance & Taxation General Fund Committee.*

**SB402** (Sanford) – Proposes to create for banks an income tax credit of \$1,000 per new job paying more than \$10 per hour. *SB402 died in the Senate Finance & Taxation Education Committee.*

**SB493** (Orr) – Proposes to protect tax incentives and abatements for properties and projects damaged or destroyed by tornadoes in April 2011. *SB493 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

**SB515** (Orr) – Proposes to provide certain health care providers a one-year state income tax deduction of 10 percent of certain payments received from the Alabama Medicaid Agency, contingent upon an agency rule change to reduce payment rates below FY 2010 levels. *SB515 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

### **Health care**

**HB60/SB215** (Gallihier/Beason) – Proposes a constitutional amendment to prohibit mandatory participation by individuals, employers or health care providers in any health care system. *HB60 passed in the House and received a favorable report from the Senate Health Committee, and SB215 was indefinitely postponed in the Senate.*

**HB401** (Wren) – Proposes to create the Alabama Health Insurance Exchange to comply with the federal health care reform act and to provide a central location for certain people and employers to compare and purchase health insurance policies. *HB401 died in the House Health Committee.*

**HJR743** (Wren) – Proposes to urge Congress to cover the full cost of Medicaid expansions under the Affordable Care Act. *HJR743 passed in the House and is in the Senate Rules Committee.*

**SB474** (Whatley) – Proposes to require the Department of Public Health to establish a third-party statewide claim dispute resolution program for health care providers and insurers. *SB474 was indefinitely postponed in the Senate.*

**SB500** (Brewbaker) – Proposes to require annual drug tests for certain adult recipients of Medicaid or other state-subsidized health care benefits. *SB500 died on the Senate calendar.*

### **Equal Pay Commission**

**HB380/SB384** (Hall/Figures) – Proposes to create an Equal Pay Commission to report to the Legislature on the extent, causes and consequences of wage disparities between women and men and between minorities and non-minorities in Alabama and to suggest actions to close those gaps. *HB380 died in the House Boards, Agencies & Commissions Committee, and SB384 died in the Senate Judiciary Committee.*

### **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 died in the House County & Municipal Government Committee.*

**HJR34** (Newton, D.) – Proposes, similar to SJR27, a statewide election on whether to hold a convention to revise the Constitution of Alabama of 1901. *HJR34 died 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 was enacted as Act 2011-353. The measure is pending a statewide referendum.***

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

**SJR82** (Marsh) – Proposes to establish a Constitutional Revision Commission to study revisions of certain articles of the Constitution of Alabama of 1901. ***SJR82 was enacted as Act 2011-197.***

### **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 died in the House Ways & Means General Fund Committee.*

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



### Worker savings incentives

**HB356/SB295** (Ball/Dunn) – Proposes to authorize the state to provide matching funds for an Individual Development Account (IDA) program to help qualifying low-income participants obtain higher education, purchase a first home or start a small business. *HB356 was indefinitely postponed in the House, and SB295 passed in the Senate and House and was delivered to the governor.*

### 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 died in the House Judiciary Committee, and SB245 died 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 died 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 died 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 died in the Senate Judiciary Committee.*

**SB368** (Sanders) – Proposes to establish procedures for trial courts to determine whether defendants in death penalty cases have mental retardation and therefore are not subject to the death penalty. *SB368 died in the Senate Judiciary Committee.*

### Other subjects

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

**HB67/SB24** (Hubbard, J./Brewbaker) – Proposes a constitutional amendment to increase the legislative vote required to override a gubernatorial veto. *HB67 was indefinitely postponed in the House, and SB24 was indefinitely postponed in the Senate.*

**HB80** (Wren) – Proposes to require tenants to pay certain attorney's fees under certain conditions. *HB80 was indefinitely postponed in the House.*

**HB98/SB127** (Rich/Pittman) – Proposes a constitutional amendment to limit members of the Senate and House of Representatives to three consecutive full terms. *HB 98 died in the House Constitution, Campaigns & Elections Committee, and SB 127 was indefinitely postponed in the Senate.*

**HB100** (Rich) – Proposes to allow the impoundment and sale of a motor vehicle driven by a person without a valid driver's license or automobile liability insurance. *HB100 died in the House Public Safety & Homeland Security Committee.*

**HB114/SB101** (Canfield/Marsh) – Proposes to reduce the monthly E-911 service charge for cell phones from 70 cents to 65 cents and to impose that charge on sales of prepaid wireless services. *HB114 died in the House Commerce & Small Business Committee, and SB101 died in the Senate Governmental Affairs 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 died 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 died in the House Ethics & 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 died 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 died in the House Public Safety & 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 was indefinitely postponed in the House, and SB278 died 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 died in the House Public Safety & Homeland Security Committee, and SB142 was indefinitely postponed in the Senate.*

**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 died in the House Judiciary Committee, and SB217 passed in the Senate and received a favorable report from the House Judiciary Committee.*

**HB218/SB204** (Scott/Marsh) – Proposes to create the classification of Class D felonies, punishable by no more than three years in prison, and reclassify certain crimes. *HB218 died in the House Judiciary Committee, and SB204 was indefinitely postponed in the Senate.*

**HB262/SB302** (McClendon/Orr) – Proposes to authorize the Department of Corrections to operate joint ventures with private businesses as part of work-oriented rehabilitation programs for prisoners. *HB262 passed in the House and received a favorable report from the Senate Governmental Affairs Committee, and SB302 was indefinitely postponed in the Senate.*

**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 was indefinitely postponed in the House.*

**HB312** (Millican) – Proposes to establish methods by which providers of prepaid wireless services shall collect a statewide monthly E-911 charge. *HB312 passed in the House but died in the Senate without being referred to a 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 died in the House Commerce & Small Business Committee.*

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

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

**HB349** (Todd) – Proposes to create the Alabama Housing Trust Fund to increase home ownership and rental opportunities for low-income people. *HB349 passed in the House but died in the Senate Banking & Insurance Committee.*

**HB423/SB316** (Jones/Marsh) – Proposes to amend Landlord and Tenant Act provisions regarding eviction, tenant abandonment of rental property, unenforceable lease provisions and landlord access for repairs. *HB423 was indefinitely postponed in the House, and SB316 passed in the Senate and received a favorable report from the House Judiciary Committee.*

**HB601/SB440** (DeMarco/Ward) – Proposes to create a state Office of Indigent Defense Services, to set compensation for appointed criminal defense lawyers, and to provide for public defender or contract counsel systems of indigent defense. *HB601 was indefinitely postponed in the House, and SB440 passed in the Senate and House and is in a conference committee.*

**HB610/SB115** (Ball/Orr) – Proposes to prohibit certain fraudulent conduct in obtaining public assistance under any state or federally funded public assistance program. *HB610 died in the House State Government Committee, and SB115 passed in the Senate and received a favorable report from the House State Government Committee.*

**HB620/SB484** (McClendon/Dial) – Proposes to redraw Alabama's congressional districts pursuant to the 2010 U.S. Census. *HB620 was indefinitely postponed in the House, and SB484 passed in the Senate and House and was delivered to the governor.*

**HB621/SB483** (McClendon/Dial) – Proposes to redraw State Board of Education districts pursuant to the 2010 U.S. Census. *HB621 passed in the House and received a favorable report from the Senate Governmental Affairs Committee, and SB483 was indefinitely postponed in the Senate.*

**HB636/SB502** (Kennedy/Smitherman) – Proposes to redraw State Board of Education districts pursuant to the 2010 U.S. Census. *HB636 died in the House Health Committee, and SB502 died in the Senate Governmental Affairs Committee.*

**HB637/SB508** (Buskey/Singleton) – Proposes to redraw Alabama's congressional districts pursuant to the 2010 U.S. Census. *HB637 died in the House Constitution, Campaigns & Elections Committee, and SB508 died in the Senate Governmental Affairs Committee.*

**HB679** (Mask) – Proposes a constitutional amendment to authorize the state to perform certain actions for economic development, including purchasing, leasing or selling property or equipment,

and granting public funds or lending the state's credit to an individual or company upon the State Industrial Development Authority's approval. *HB679 was indefinitely postponed in the House.*

**SB243** (Sanders) – Proposes to clarify which felonies involve moral turpitude and disqualify people from voting. *SB243 passed in the Senate and received a favorable report from the House 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 passed in the Senate but died in the House Public Safety & Homeland Security Committee.*

**SB317** (Marsh) – Proposes to impose a prepaid wireless E-911 charge on retail sales of prepaid wireless services. *SB317 died in the Senate Commerce, Transportation & Utilities Committee.*

**SB428** (Sanford) – Proposes to allow new teachers and state employees to decline membership in the Teachers' Retirement System (TRS) or Employees' Retirement System (ERS), and to allow current teachers and state employees to end their TRS or ERS membership and withdraw contributions and interest upon job departure. *SB428 was indefinitely postponed in the Senate.*

**SB438** (Marsh) – Proposes to impose a single statewide E-911 charge on all telephone services, including retail sales of prepaid wireless services, and to create the Permanent Oversight Commission on 911 to recommend future charge adjustments. *SB438 was indefinitely postponed in the Senate.*

**SB491** (Keahey) – Proposes a constitutional amendment, similar to SB495, to allow for the recall of elected state officials. *SB491 died in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

**SB495** (Bedford) – Proposes a constitutional amendment, similar to SB491, to allow for the recall of elected state officials. *SB495 died in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

**SB496** (Beason) – Proposes to require drug tests for TANF applicants and to disqualify applicants who fail the tests from receiving benefits for one year unless they complete a substance abuse program. *SB496 died in the Senate Children, Youth Affairs & Human Resources Committee.*

**SB499** (Beason) – Proposes to prohibit discrimination or preferential treatment based on race or sex in public employment, education or contracting. *SB499 died in the Senate Judiciary Committee.*

**SB513** (Coleman) – Proposes to amend the Landlord and Tenant Act to extend the deadline for tenants to terminate leases on dwellings left uninhabitable by a tornado in April 2011. *SB513 died in the Senate Judiciary 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>**