Arise Bills of Interest
2013 Regular Session

March 1, 2013

The Alabama Legislature convened for the 2013 regular session on Feb. 5. During the session's first nine days, 842 bills and resolutions were introduced. A maximum of 21 meeting days remain. Arise will follow legislation related to our annual legislative priorities and endorsements throughout the session. Measures highlighted in yellow have been enacted.

Adequate state budgets

ETF and GF budget bills:

HB158/SB143 (Clouse/Orr) – FY 2014 General Fund budget to provide appropriations for ordinary expenses of executive, legislative and judicial departments. *HB158 is in the House Ways & Means General Fund Committee, and SB143 is in the Senate Finance & Taxation General Fund Committee.*

HB166/SB137 (Love/Pittman) – FY 2014 Education Trust Fund budget to provide appropriations for the support, maintenance and development of public education. *HB166 is in the House Ways & Means Education Committee, and SB137 is in the Senate Finance & Taxation Education Committee.*

Other budget measures:

HB6 & HB94/SB13 (Love/Taylor) – Proposes to require the General Fund to repay the Alabama Trust Fund by 2026 for the amount transferred to the General Fund by the constitutional amendment approved on Sept. 18, 2012. ***HB94 was enacted as Act 2013-6.*** *HB6 and SB13 are no longer significant.*

HB102 (Buttram) – Proposes to authorize the state to sell up to $50 million in bonds to buy career and technical education equipment for K-12 schools. *HB102 passed in the House and is in the Senate Finance & Taxation Education Committee.*

HB153 (Clouse) – Proposes to transfer to the General Fund up to $50 million of any funds that may result from negotiations in the tobacco settlement. *HB153 is in the House Ways & Means General Fund Committee.*

HB154 (Clouse) – Proposes to transfer to the General Fund in FY 2014 certain funds that otherwise would be earmarked for the Department of Conservation and Natural Resources. *HB154 is in the House Ways & Means General Fund Committee.*

HB155 (Clouse) – Proposes a supplemental FY 2013 appropriation of $42 million for Medicaid from the Alabama Health Care Trust Fund. *HB155 passed in the House and is in the Senate Finance & Taxation General Fund Committee.*

HB156/SB152 (Clouse/Coleman) – Proposes an FY 2014 General Fund appropriation for the Alabama Coalition Against Domestic Violence. *HB156 is in the House Ways & Means General Fund Committee, and SB152 passed in the Senate and is in the House Ways & Means General Fund Committee.*

HB157 (Clouse) – FY 2014 Children First Trust Fund budget to provide appropriations for certain agencies from tobacco settlement funds. *HB157 is in the House Ways & Means General Fund Committee.*

HB170/SB138 (Love/Pittman) – Proposes supplemental FY 2013 Education Trust Fund appropriations to the Departments of Commerce and Veterans' Affairs. *HB170 received a favorable report from the House Ways & Means Education Committee, and SB138 passed in the Senate and received a favorable report from the House Ways & Means Education Committee.*

HB171 (Ford) – Proposes to distribute most Prepaid Affordable College Tuition (PACT) program assets to Alabama's public universities and to require those institutions to waive tuition for eligible PACT beneficiaries. *HB171 is in the House Ways & Means Education Committee.*

HB173 (Ford) – Proposes to provide pay raises and cost-of-living adjustments for public education employees and retirees. *HB173 is in the House Ways & Means Education Committee.*

HB182 (Coleman-Evans) – Proposes to appropriate funds to hire, train and equip school resource officers, contingent on voter approval of a state lottery. *HB182 is in the House Ways & Means Education Committee.*

HB200 (Hubbard, J.) – Proposes to provide cost-of-living adjustments for state retirees. *HB200 is in the House Ways & Means General Fund Committee.*

HB201 (Hubbard, J.) – Proposes to provide cost-of-living raises for state employees. *HB201 is in the House Ways & Means General Fund Committee.*

HB209 (Coleman-Evans) – Proposes to set K-12 class size limits by the 2017-18 school year and to require the state to cover any costs required to satisfy those limits. *HB209 is in the House Education Policy Committee.*

HB278 (Ford) – Proposes to re-establish the Deferred Retirement Option Program (DROP) for teachers and state employees earning $99,000 or less annually. *HB278 is in the House Ways & Means Education Committee.*

HB293/SB224 (McClendon/Dial) – Proposes to require local school boards that opt to participate in the Alabama Ahead electronic textbook program to contribute 25 percent of the funding. *HB293 is in the House Ways & Means Education Committee, and SB224 is in the Senate Finance & Taxation Education Committee.*

HB328/SB209 (Wren/Brewbaker) – Proposes to provide cost-of-living raises for state employees. *HB328 is in the House Ways & Means General Fund Committee, and SB209 is in the Senate Finance & Taxation General Fund Committee.*

HB340 (Bracy) – Proposes to authorize the state to sell up to $35 million in bonds to rebuild schools damaged by tornadoes in April 2011 and December 2012. *HB340 is in the House Ways & Means Education Committee.*

HJR7 (Williams, J.) – Proposes to urge state agencies receiving Children First Trust Fund money to provide plans to ensure their economic viability after tobacco settlement funds end in 2024. *HJR7 passed in the House and is in the Senate Rules Committee.*

HJR81 (McCutcheon) – Proposes to urge Congress to reach a bipartisan deal to avert federal budget cuts under sequestration. *HJR81 passed in the House and is in the Senate Rules Committee.*

SB47 & SB67 (Brewbaker) – Proposes a constitutional amendment to prohibit unfunded mandates for local school boards without a 2/3 vote of the Legislature. *SB47 is in the Senate Governmental Affairs Committee, and SB67 received a favorable report from the Senate Education Committee.*

SB90 (Sanford) – Proposes to establish the Alabama Recurring Revenue Fund and to provide 78 percent of recurring state revenues to the Education Trust Fund and 22 percent to the General Fund. *SB90 is in the Senate Finance & Taxation Education Committee.*

SB100 (Orr) – Proposes to transfer funds from certain state agencies to the General Fund. *SB100 passed in the Senate and received a favorable report from the House Ways & Means General Fund Committee.*

SB101 (Orr) – Proposes to award scholarships to high school students who graduate early and attend an in-state vocational school, two-year college or four-year university. *SB101 is in the Senate Finance & Taxation Education Committee.*

SB107 (Orr) – Proposes to create the Alabama Transportation Infrastructure Bank to provide loans and other financial assistance to local governments to build or improve roads and bridges for public purposes, including economic development. *SB107 is in the Senate Finance & Taxation General Fund Committee.*

SB167 (Sanford) – Proposes to use proceeds from any settlement resulting from the 2010 BP oil spill to repay the Alabama Trust Fund for the amount transferred to the General Fund by the constitutional amendment approved on Sept. 18, 2012. *SB167 is in the Senate Finance & Taxation General Fund Committee.*

SB213 (Keahey) – Proposes to provide annual cost-of-living raises for public education employees and state employees. *SB213 is in the Senate Finance & Taxation General Fund Committee.*

SJR6 (Brewbaker) – Proposes to urge the governor to end the freeze on state employees' merit raises. ***SJR6 was enacted as Act 2013-11.***

Taxes & tax reform

State grocery tax repeal:

HB202 (Knight) – Proposes a constitutional amendment to eliminate the state sales tax on groceries and over-the-counter medications and to eliminate the state income tax deduction for federal income taxes. *HB202 is in the House Ways & Means Education Committee.*

SB279 (Dial) – Proposes to phase out the state sales tax on groceries over four years and to increase the state sales tax on all other items from 4 percent to 5 percent over four years. *SB279 is in the Senate Finance & Taxation Education Committee.*

Other tax measures:

HB15 (Todd) – Proposes to increase the state cigarette tax from 42.5 cents per pack to 75 cents per pack. *HB15 is in the House Ways & Means General Fund Committee.*

HB16 (Todd) – Proposes to require the Revenue Department to report annually to the Legislature on economic development subsidies and to require subsidy recipients to detail their progress in meeting certain job creation and wage standards. *HB16 is in the House Economic Development & Tourism Committee.*

HB19/SB244 (Williams, J./Dial) – Proposes, similar to HB52 and SB27, to allow disabled people to receive a full state property tax exemption regardless of income and to allow seniors with adjusted gross incomes of $12,000 or less to claim a larger homestead exemption from county property tax. *HB19 is in the House County & Municipal Government Committee, and SB244 is in the Senate Finance & Taxation General Fund Committee.*

HB40/SB119 (Williams, J./Blackwell) – Proposes to create a refundable tax credit for investments in certain entrepreneurial businesses in Alabama. *HB40 received a favorable report from the House Commerce & Small Business Committee, and SB119 is in the Senate Finance & Taxation Education Committee.*

HB52/SB27 (Beech/Keahey) – Proposes, similar to HB19 and SB244, to allow disabled people to receive a full state property tax exemption regardless of income and to allow seniors with adjusted gross incomes of $12,000 or less to claim a larger homestead exemption from county property tax. *HB52 is in the House County & Municipal Government Committee, and SB27 is in the Senate Finance & Taxation General Fund Committee.*

HB84 (Fincher) – Proposes to create a state income tax credit to reimburse certain parents of children zoned for a "failing school" for the cost of transferring to another public or private school, to create state income tax credits for businesses and individuals for contributions to scholarship funds for qualifying schools, to authorize certain innovative K-12 public schools, and to allow local school boards to apply for programmatic and budgetary flexibility from certain state laws and regulations. *HB84 passed in the House and Senate after being rewritten significantly in a conference committee and awaits delivery to the governor.*

HB140/SB123 & SB131 (Gaston/Blackwell) – Proposes to create a state income tax credit for rehabilitation, preservation or development of historic structures. *HB140 received a favorable report from the House Ways & Means Education Committee, and SB123 and SB131 are in the Senate Finance & Taxation Education Committee.*

HB143 (Hill) – Proposes to make permanent the bail bond fees enacted in 2012 and to allow municipal courts to impose a contempt fine of up to $500 for failure to pay the bail bond fee. *HB143 is in the House Ways & Means General Fund Committee.*

HB164/SB96 (Ball/Orr) – Proposes to authorize cities to designate Major 21st Century Manufacturing Zones to provide certain tax incentives to automotive, electronics, medical and certain other manufacturers that locate or expand in the zones. *HB164 was indefinitely postponed in the House, and SB96 passed in the Senate and House and was delivered to the governor.*

HB172 (Ford) – Proposes a constitutional amendment to create a state lottery to fund college scholarships and other educational functions. *HB172 is in the House Ways & Means General Fund Committee.*

HB175 (McClendon) – Proposes to apply the state sales tax to sales of ophthalmic materials by licensed ophthalmologists. *HB175 received a favorable report from the House Health Committee.*

HB177 (Hubbard, J.) – Proposes a constitutional amendment to increase the state cigarette tax by 5 cents per cigarette, to devote the revenue to repaying the Alabama Trust Fund for the amount transferred to the General Fund by the amendment approved on Sept. 18, 2012, and to devote the revenue to Medicaid thereafter. *HB177 is in the House Ways & Means General Fund Committee.*

HB190 (Wren) – Proposes to create a state income tax credit for installation of energy efficiency equipment in homes and businesses. *HB190 is in the House Ways & Means Education Committee.*

HB191 (Wren) – Proposes to exempt certain energy-efficient products from sales tax during the state's annual sales tax holiday. *HB191 is in the House Ways & Means Education Committee.*

HB193 (Roberts) – Proposes to repeal the state privilege tax on mining of iron ore. *HB193 received a favorable report from the House Ways & Means General Fund Committee.*

HB198 (Greeson) – Proposes to limit property tax reappraisals in most counties to no more than once every four years. *HB198 is in the House County & Municipal Government Committee.*

HB203 (Lindsey) – Proposes to require combined reporting of taxable income from businesses that consist of multiple entities. *HB203 is in the House Ways & Means Education Committee.*

HB206 (Boyd) – Proposes to limit the oil and gas depletion allowance on the state corporate income tax to the amount of the federal depletion allowance. *HB206 is in the House Ways & Means Education Committee.*

HB207 & HB224 (Jackson & Melton) – Proposes to limit the state corporate income tax deduction for domestic production activities to the amount of the federal deduction. *HB207 and HB224 are in the House Ways & Means Education Committee.*

HB216 (Lee) – Proposes to exempt from state use tax any parts, components and systems used to convert, reconfigure or maintain certain aircraft. *HB216 received a favorable report from the House Commerce & Small Business Committee.*

HB221/SB211 (Collins/Figures) – Proposes to exempt sales of original works of art in certain cities' cultural districts from sales tax. *HB221 is in the House Ways & Means Education Committee, and SB211 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

HB242/SB59 (Wren/Ward) – Proposes to create a state income tax credit for sales taxes paid on qualified hybrid vehicles. *HB242 is in the House Ways & Means Education Committee, and SB59 is in the Senate Finance & Taxation Education Committee.*

HB243/SB58 (Wren/Ward) – Proposes to create state income tax credits for the cost of converting vehicles to use compressed natural gas and for the incremental cost of buying such vehicles. *HB242 is in the House Ways & Means Education Committee, and SB58 is in the Senate Finance & Taxation Education Committee.*

HB245/SB226 (Wren/Brewbaker) – Proposes to allow only the Legislature to levy new occupational taxes in Class 3, 4 or 5 municipalities. *HB245 is in the House County & Municipal Government Committee, and SB226 is in the Senate Governmental Affairs Committee.*

HB252 (McCutcheon) – Proposes to impose an additional $50 fee on divorce petitions to fund domestic violence shelters and to remove the $250,000 limit on state funding per domestic violence shelter. *HB252 is in the House Public Safety & Homeland Security Committee.*

HB257/SB217 (Moore, B./Figures) – Proposes a constitutional amendment to forbid new local per-unit business license taxes on residential rental property. *HB257 received a favorable report from the House County & Municipal Government Committee, and SB217 is in the Senate Judiciary Committee.*

HB261 (Baker) – Proposes to exempt certain exported oil, fuel mixtures and kerosene from certain state license or excise taxes. *HB261 received a favorable report from the House Transportation, Utilities & Infrastructure Committee.*

HB277 (Bracy) – Proposes to require disclosure of reportable tax avoidance transactions and to impose penalties for failure to report such transactions. *HB277 is in the House Ways & Means Education Committee.*

HB279 (McCutcheon) – Proposes to exempt international cargo carriers from sales and use taxes on jet fuel and to refund those carriers for excise tax paid on jet fuel purchases. *HB279 received a favorable report from the House Transportation, Utilities & Infrastructure Committee.*

HB280 (Mask) – Proposes to expand the definitions of industrial development property and major additions eligible for state tax incentives. *HB280 is in the House Economic Development & Tourism Committee.*

HB289/SB204 (Boothe/Orr) – Proposes to allow taxpayers to carry forward state income tax credits for the installation of irrigation systems for up to five years and to allow credits to pass proportionally to owners of certain business entities. *HB289 received a favorable report from the House Ways & Means Education Committee, and SB204 passed in the Senate and is in the House Ways & Means Education Committee.*

HB298 (Long) – Proposes to exempt firearm ammunition from state and local sales tax. *HB298 is in the House Ways & Means Education Committee.*

HB300/SB240 (Johnson, R./Beasley) – Proposes to exempt prosthetics, orthotics and durable medical equipment from sales and use taxes if they are billed to a third-party payer. *HB300 is in the House Ways & Means Education Committee, and SB240 is in the Senate Finance & Taxation General Fund Committee.*

HB308 (Rogers) – Proposes a constitutional amendment to create a state lottery to fund the Education Trust Fund, General Fund and prisons. *HB308 is in the House Ways & Means Education Committee.*

HB317 (Todd) – Proposes to require annual executive branch reports to the Legislature on economic incentives, job creation and salaries. *HB317 is in the House Economic Development & Tourism Committee.*

HB322 (Wren) – Proposes to create state income tax credits for new or modified motor vehicles that run on certain alternative fuels and for the installation of refueling equipment for them. *HB322 is in the House Ways & Means Education Committee.*

HB332 (Poole) – Proposes to direct to the General Fund all court costs and docket fees collected under statutory authority. *HB332 is in the House Judiciary Committee.*

HB365 (Williams, P.) – Proposes to create a state income tax credit for employers that hire certain students or graduates of in-state engineering schools for three to 12 months. *HB365 is in the House Ways & Means Education Committee.*

HB375 (Wren) – Proposes to provide state tax incentives for biofuel production and to create state income tax credits for certain alternative fuel vehicles and refueling equipment for them. *HB375 is in the House Ways & Means General Fund Committee.*

HB380/SB73 (Weaver/Dial) – Proposes to increase the state income tax credit for rural doctors. *HB380 is in the House Ways & Means Education Committee, and SB73 is in the Senate Finance & Taxation Education Committee.*

HJR17 (McCutcheon) – Proposes to extend existing capital credits and certain other state tax incentives for economic development through 2018. ***HJR17 was enacted as Act 2013-8.***

SB49 (Dial) – Proposes to allow entertainment production companies to get rebates for qualified expenses that exceed their state income tax liability. *SB49 passed in the Senate and House and was delivered to the governor.*

SB78 (Dial) – Proposes to allow certain agencies to request fee increases every five years based on changes in the Consumer Price Index. *SB78 received a favorable report from the Senate Governmental Affairs Committee.*

SB91 (Sanford) – Proposes to limit property tax reappraisals to no more than once every four years. *SB91 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

SB92 (Sanford) – Proposes a constitutional amendment to reduce the state corporate income tax rate from 6.5 percent to 5 percent. *SB92 is in the Senate Finance & Taxation Education Committee.*

SB156 (Blackwell) – Proposes to allow Alabama residents to carry forward state income tax deductions for capital losses for up to three years. *SB156 received a favorable report from the Senate Finance & Taxation Education Committee.*

SB176 (Dial) – Proposes to remove the requirement that disabled people be retired to receive a full state property tax exemption. *SB176 is in the Senate Finance & Taxation General Fund Committee.*

SB281 (McGill) – Proposes to require the Revenue Department to recalculate factors used to determine the value of business personal property. *SB281 is in the Senate Fiscal Responsibility & Accountability Committee.*

SJR22 (Allen) – Proposes to urge Congress to abolish the federal estate tax. *SJR22 passed in the Senate and is in the House Rules Committee.*

Health care

HB41 (Nordgren) – Proposes to establish a state income tax credit for doctors and dentists providing certain free services to Medicaid recipients if a similar federal income tax credit is created. *HB41 is in the House Ways & Means Education Committee.*

HB89/HB246/SB127 (McClendon/Wren/Blackwell) – Proposes to allow the State Employees' Insurance Board to offer high deductible health plans with health savings accounts and health reimbursement arrangements to eligible state employees and retirees. *HB89 received a favorable report from the House Health Committee, HB246 is in the House Health Committee, and SB127 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

HB109 (Ball) – Proposes to establish a Health Care Compact among Alabama and other states and to seek congressional consent to allow the states to bypass certain federal laws and to regulate health care pursuant to the compact. *HB109 passed in the House and is in the Senate Health Committee.*

HB110 (McClendon) – Proposes to expand the definition of Medicaid fraud and to lengthen the statute of limitations for Medicaid fraud prosecutions. *HB110 passed in the House and is in the Senate Finance & Taxation General Fund Committee.*

HB325/SB184 (Nordgren/Williams) – Proposes to prohibit denying licenses to doctors or dentists based on their refusal to participate in a health insurance plan. *HB325 is in the House Health Committee, and SB184 received a favorable report from the Senate Health Committee.*

HB370 (Wren) – Proposes to cap General Fund appropriations to Medicaid and to cap the per member per year rate for services to Medicaid recipients. *HB370 is in the House Ways & Means General Fun Committee.*

HB371 (Wren) – Proposes to require the Alabama Medicaid Agency to request a federal waiver to increase recipients' co-pays. *HB371 is in the House Ways & Means General Fund Committee.*

HB372 (Wren) – Proposes to create the Permanent Joint Medicaid Committee and the Medicaid Advisory Commission and to abolish the Medicaid Joint Interim Committee and the Permanent Joint Legislative Committee on Medicaid Policy. *HB372 is in the House Ways & Means General Fund Committee.*

HJR15 (Johnson, R.) – Proposes to urge Congress to adjust the Medicare payment formula for Alabama hospitals. ***HJR15 was enacted as Act 2013-4.***

HJR93 (Wren) – Proposes to urge Congress to repeal portions of the Affordable Care Act related to taxes on employers. *HJR93 is in the House Rules Committee.*

SB259 (Bedford) – Proposes to require Alabama to accept the Medicaid expansion under the Affordable Care Act. *SB259 is in the Senate Health Committee.*

SJR41 (Figures) – Proposes to urge the governor to accept the Medicaid expansion under the Affordable Care Act. *SJR41 is in the Senate Rules Committee.*

Predatory lending reform

HB319 (Todd) – Proposes to cap the annual percentage rate for title loans and to impose other regulations and penalties for violations. *HB319 is in the House Financial Services Committee.*

HB320/SB282 (Todd/Keahey) – Proposes to cap the annual percentage rate for payday loans, to create a statewide common database of such loans, and to impose other regulations and penalties for violations. *HB320 is in the House Financial Services Committee, and SB282 is in the Senate Banking & Insurance Committee.*

SB160 (Taylor) – Proposes to suspend or revoke payday lenders' licenses for violating federal laws protecting U.S. military members from abusive practices. *SB160 is in the Senate Veterans & Military Affairs Committee.*

Death penalty moratorium

HB210/SB33 (Coleman-Evans/Sanders) – Proposes to impose a moratorium on the imposition and execution of the death penalty for up to three years. *HB210 is in the House Judiciary Committee, and SB33 is in the Senate Judiciary Committee.*

HB262 (England) – Proposes to require the state to prove guilt beyond a reasonable doubt after a confession in capital cases only when the death penalty is to be imposed. *HB262 is in House Judiciary Committee.*

HB351/SB218 (Farley/Ward) – Proposes to limit sentences for juveniles convicted of capital crimes to a maximum of life without the possibility of parole for 40 years. *HB351 is in the House Judiciary Committee, and SB218 is in the Senate Judiciary Committee.*

HB363 (Greer) – Proposes to route automatic appeals in capital cases directly to the Alabama Supreme Court. *HB363 is in the House Judiciary Committee.*

SB30 (Sanders) – Proposes to repeal the death penalty and commute existing death sentences to life without parole. *SB30 is in the Senate Judiciary Committee.*

SB31 (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. *SB31 is in the Senate Judiciary Committee.*

SB32 (Sanders) – Proposes to prohibit a judge from overriding a jury's sentencing decision in a death penalty case. *SB32 is in the Senate Judiciary Committee.*

SB34 (Sanders) – Proposes to prohibit the death penalty for offenders who were under age 18 at the time of commission of a capital offense. *SB34 is in the Senate Judiciary Committee.*

Constitutional reform

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

Public transportation

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

Immigration

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

Other subjects

HB107 (Williams, J.) – Proposes to prohibit state and local contracts from using federal Davis-Bacon Act prevailing wage provisions. *HB107 received a favorable report from the House Commerce & Small Business Committee.*

HB131/SB191 (Rich/Pittman) – Proposes to require suspicion-based drug tests for certain applicants for public assistance. *HB131 is in the House State Government Committee, and SB191 is the Senate Fiscal Responsibility & Accountability Committee.*

HB274 (Long) – Proposes to make people ineligible for TANF if they have been convicted of any felony. *HB274 is in the House State Government Committee.*

SB7 (Orr) – Proposes to forbid the use of public assistance benefits to purchase alcohol, tobacco, tattoos, lottery tickets or psychic services and to forbid their use at strip clubs. *SB7 received a favorable report from the Senate Finance & Taxation General Fund Committee.*

SB54 (Holtzclaw) – Proposes to authorize certain innovative K-12 public schools and to allow local school boards to apply for programmatic and budgetary flexibility from certain state laws and regulations. *SB54 received a favorable report from the Senate Education Committee. SB54 was companion legislation to HB84 until that bill was rewritten significantly in a conference committee.*

SB105 (Orr) – Proposes to prohibit certain fraudulent conduct in obtaining public assistance under any state or federally funded public assistance program. *SB105 is in the Senate Finance & Taxation General Fund Committee.*

For the full text of these bills and others introduced during the Alabama Legislature's 2013 regular session, go to http://alisondb.legislature.state.al.us/acas/ACASLoginFire.asp.