

1 HB159
2 135492-2
3 By Representative Mask (Constitutional Amendment)
4 RFD: Economic Development and Tourism
5 First Read: 07-FEB-12
6 PFD: 02/06/2012

ENGROSSED

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 1901, as amended, to authorize an incentive program which the state may use for the purpose of creating and retaining jobs and promoting economic and industrial development in the state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Part 1. The Legislature makes the following findings:

(1) The economic well-being of the citizens of the state will be enhanced by the increased development and growth of industry within the state and it is in the best interests of the state to provide for certain incentives to allow the state to promote such economic development through the

1 recruitment, retention, and expansion of quality projects
2 within the state.

3 (2) The incentives provided in House Bill ~~_____ or~~
4 ~~Senate Bill _____~~ 160 of the Regular Session of 2012 of the
5 Alabama Legislature will assist the state in encouraging the
6 retention of existing jobs that may otherwise be terminated or
7 displaced, and the creation of new jobs which may not
8 otherwise exist within the state, and the incentives will help
9 retain and create sources of tax revenues for the state and
10 its political subdivisions.

11 (3) The powers to be granted and the purposes to be
12 accomplished by House Bill ~~_____ or Senate Bill _____~~ 160 of the
13 Regular Session of 2012 of the Alabama Legislature are proper
14 governmental and public purposes and the inducement of the
15 recruitment, retention, or expansion of quality projects
16 within the state is of paramount importance.

17 Part II. Notwithstanding any other provision of this
18 Constitution, the provisions of House Bill ~~_____ or Senate Bill~~
19 ~~_____~~ 160 [Act No. 2012-] of the Regular Session of 2012 of the
20 Alabama Legislature are hereby authorized, validated, enabled,
21 confirmed, and ratified in all respects and, as such, shall be
22 immune from any challenge based on either this Constitution or
23 any other law of the State of Alabama.

24 Section 2. Upon enactment of either House Bill ~~_____~~
25 ~~or Senate Bill _____~~ 160 of the Regular Session of 2012 of the
26 Alabama Legislature, an election upon the proposed amendment
27 shall be held in accordance with Sections 284 and 285 of the

1 Constitution of Alabama of 1901, now appearing as Sections 284
2 and 285 of the Official Recompilation of the Constitution of
3 Alabama of 1901, as amended, and the election laws of this
4 state.

5 Section 3. The appropriate election official shall
6 assign a ballot number for the proposed constitutional
7 amendment on the election ballot and shall set forth the
8 following description of the substance or subject matter of
9 the proposed constitutional amendment:

10 "Proposing an amendment to the Constitution of
11 Alabama of 1901, to authorize an incentive program which the
12 state may use for the purpose of creating and retaining jobs
13 and promoting economic and industrial development in the
14 state.

15 "Proposed by Act _____."

16 This description shall be followed by the following
17 language:

18 "Yes () No ()."

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House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Economic Devel-
opment and Tourism..... 07-FEB-12

Read for the second time and placed
on the calendar..... 08-FEB-12

Read for the third time and passed
as amended..... 16-FEB-12

Yeas 65, Nays 22, Abstains 2

Greg Pappas
Clerk