

**SUMMARIES OF
GENERAL LAWS ENACTED AND
CONSTITUTIONAL AMENDMENTS PROPOSED
BY THE LEGISLATURE OF ALABAMA
AT THE
REGULAR SESSION 2007
MARCH 6 THROUGH JUNE 7, 2007**

Prepared by:
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BY THE LEGISLATURE OF ALABAMA AT THE 2007 REGULAR SESSION**

**ACTS
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| HB155 | Act 2007-285 | HB254 | Act 2007-418 | HB735 | Act 2007-469 |
| HB180 | Act 2007-455 | HB255 | Act 2007-419 | HB739 | Act 2007-366 |
| HB185 | Act 2007-364 | HB256 | Act 2007-420 | HB785 | Act 2007-472 |

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|-----------------------|------------------------------|-----------------------|------------------------------|-----------------------|------------------------------|
| HB208 | Act 2007-282 | HB257 | Act 2007-594 | HB793 | Act 2007-313 |
| HB209 | Act 2007-246 | HB283 | Act 2007-293 | HB806 | Act 2007-314 |
| HB210 | Act 2007-247 | HB292 | Act 2007-379 | HB822 | Act 2007-362 |
| HB211 | Act 2007-456 | HB310 | Act 2007-207 | HB830 | Act 2007-417 |
| HB212 | Act 2007-286 | HB318 | Act 2007-459 | HB858 | Act 2007-210 |
| HB213 | Act 2007-361 | HB344 | Act 2007-460 | HB868 | Act 2007-315 |
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| HB217 | Act 2007-289 | HB373 | Act 2007-205 | HB890 | Act 2007-317 |
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| HB229 | Act 2007-191 | HB387 | Act 2007-297 | HB892 | Act 2007-319 |
| HB230 | Act 2007-192 | HB395 | Act 2007-462 | HB899 | Act 2007-487 |
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**SENATE BILLS
2007 REGULAR SESSION**

| SENATE BILL | ACT | SENATE BILL | ACT | SENATE BILL | ACT |
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| SB62 | Act 2007-196 | SB265 | Act 2007-391 | SB460 | Act 2007-357 |
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Act 2007-133, HB141, makes a supplemental appropriation of \$32,000,000 from the Education Trust Fund to the Enterprise City School System for the fiscal year ending September 30, 2007, to cover expenses incurred by the system as a result of tornado damage. The act also provides for the repayment of the anticipated bond issue by the Alabama Public School and College Authority.

EFFECTIVE DATE: April 5, 2007.

Act 2007-147, HB68, is the annual codification bill. The act adopts and incorporates into the Code of Alabama 1975, those general and permanent laws of the state enacted during the 2006 Regular Session as contained in the 2006 Cumulative Supplement and 2006 Replacement Volume to certain volumes of the code. The act specifies that this adoption and incorporation constitute a continuous systematic codification of the entire Code of Alabama 1975 and that the act is a law that adopts a code, declares that the code publisher has discharged its duties regarding the replacement volume, and specifies the duties of the Secretary of State regarding the custody of the cumulative supplements and replacement volume. The act also corrects language regarding returning officers in Section 17-13-12, Code of Alabama 1975, and restores the deletion of "10" in subsection (d) of Section 40-18-25.2, Code of Alabama 1975, relating to tax years and deductions from gross income of net operating loss for certain trusts.

EFFECTIVE DATE: April 6, 2007.

Act 2007-189, HB240, continues the existence and functioning of the Alabama State Board of Registration for Interior Design pursuant to the Alabama Sunset Law until October 1, 2008.

EFFECTIVE DATE: May 7, 2007.

Act 2007-190, HB236, continues the existence and functioning of the State Board for Registration of Architects pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 7, 2007.

Act 2007-191, HB229, continues the existence and functioning of the Board of Examiners on Admission to the State Bar pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 7, 2007.

Act 2007-192, HB230, continues the existence and functioning of the Elevator Safety Review Board pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 7, 2007.

Act 2007-193, HB238, continues the existence and functioning of the Alabama Athlete Agents Commission pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 7, 2007.

Act 2007-194, HB239, continues the existence and functioning of the State Licensing Board for General Contractors pursuant to the Alabama Sunset Law until October 1, 2008.

EFFECTIVE DATE: May 7, 2007.

Act 2007-195, HB241, continues the existence and functioning of the Alabama Historical Commission pursuant to the Alabama Sunset Law until October 1, 2008. The act also amends Section 41-9-243, Code of Alabama 1975, to provide for diversity in the membership of the commission.

EFFECTIVE DATE: May 7, 2007.

Act 2007-196, SB62, amends Section 13A-11-58, Code of Alabama 1975, relating to the sale of rifles, shotguns, and ammunition, to expand the area to which a resident of this state may sell or deliver and from which a resident of this state may purchase or take delivery from those states adjoining Alabama to any state where the purchase or sale of rifles, shotguns, and ammunition is legal.

EFFECTIVE DATE: August 1, 2007.

Act 2007-199, HB664, is the Economic Incentive Enhancement Act. The act adds Chapter 9D to Title 40 of the Code of Alabama 1975, to authorize an abatement of ad valorem taxes, construction related transaction taxes, utility taxes, and an enhanced capital credit for qualifying entities that invest in very large projects in the state that have the potential for producing substantial economic benefits to the entire state. The abatements and credits enhance current abatements and credits provided by law. The act also amends Sections 40-18-70 and 40-18-73, Code of Alabama 1975, to strengthen income tax withholding and reporting requirements for provisional construction employers and creates the Provisional Employer Withholding Act for

enforcing compliance with registration and bond requirements of the State Department of Revenue.

EFFECTIVE DATE: July 1, 2007.

Act 2007-200, HB231, continues the existence and functioning of the Alabama Onsite Wastewater Board pursuant to the Alabama Sunset Law. The act also amends Section 34-21A-15, Code of Alabama 1975, to delete the requirement that written notice be provided 30 days before examination dates.

EFFECTIVE DATE: May 10, 2007.

Act 2007-201, HB232, continues the existence and functioning of the Alabama Board of Massage Therapy pursuant to the Alabama Sunset Law until October 1, 2008. The act also amends Section 34-43-6, Code of Alabama 1975, to provide for diversity in the membership of the board.

EFFECTIVE DATE: May 10, 2007.

Act 2007-202, HB233, continues the existence and functioning of the Alabama State Board of Occupational Therapy pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 10, 2007.

Act 2007-203, HB234, continues the existence and functioning of the Polygraph Examiners Board pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 10, 2007.

Act 2007-204, HB372, amends Section 11-99-4, Code of Alabama 1975, relating to limitations of equalized taxable property in certain tax increment districts, to exclude from the aggregate value equalized taxable property located within the boundaries of a military reservation, jurisdiction of which has been ceded to the United States.

EFFECTIVE DATE: May 23, 2007.

Act 2007-205, HB373, amends Section 11-99-6, Code of Alabama 1975, relating to expenditures of tax increment districts, to allow expenditures for districts created by Class 3 municipalities to be made no more than 10 years after the district is created, if so provided for in the district plan.

EFFECTIVE DATE: May 23, 2007.

Act 2007-206, HB630, proposes an amendment to Amendment 572 to the Constitution of Alabama of 1901 (Section 2, Local Amendments, Tallapoosa County, Official Recompilation of the Constitution of Alabama of 1901), pertaining only to Tallapoosa

County, to authorize a district formed for fire fighting and emergency medical services to levy an ad valorem tax to be collected by the revenue commissioner of the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-207, HB310, proposes an amendment to Amendment 680 to the Constitution of Alabama of 1901 (Section 5, Local Amendments, Chilton County, Official Recompilation of the Constitution of Alabama of 1901), pertaining only to Chilton County, to revise the distribution formula used by the Chilton County Commission in distributing the proceeds of the special property tax levied on property located outside of the corporate limits of municipalities for emergency services.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-208, HB509, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Henry County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-209, HB565, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Macon County, to provide for the election of the five members of the county board of education from four single-member districts and the county at large, and to provide for staggered six-year terms of office.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-210, HB858, proposes an amendment to Amendment 782 to the Constitution of Alabama of 1901 (Section 15, Local Amendments, Baldwin County, Official Recompilation of the Constitution of Alabama of 1901), pertaining only to Baldwin County, to provide a senior property tax appraisal in lieu of a senior discount to allow taxpayers age 65 and older to freeze the assessed value of their principal place of residence.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-211, HB451, proposes an amendment to Amendment 235 to the Constitution of Alabama of 1901 (Section 3, Etowah County, Local Amendments, Official Recompilation of the Constitution of Alabama of 1901), pertaining only to Etowah County, to expand the purposes for which the Legislature may increase court costs in the county to include any lawful purpose.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-217, HB235, continues the existence and functioning of the Alabama Board of Examiners of Landscape Architects pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 31, 2007.

Act 2007-218, HB237, continues the existence and functioning of the State Board of Licensure for Professional Engineers and Land Surveyors pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: May 31, 2007.

Act 2007-222, HB589, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lauderdale County, to create the Lauderdale County Judicial Commission for the purpose of nominating to the Governor persons for appointment to fill judicial vacancies in the circuit and district courts in the Eleventh Judicial Circuit.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-224, HB60, amends Sections 5-1A-3, 5-2A-12, 5-2A-14, 5-2A-20, 5-2A-41, 5-3A-3, 5-3A-6, 5-5A-18.1, 5-5A-20, 5-5A-22, 5-5A-28, 5-5A-47, 5-11A-4, 5-13B-2, 5-13B-11, 5-13B-22, 5-13B-23, and 10-2B-15.43, Code of Alabama 1975, and adds Section 5-11A-1.1 to the Code of Alabama 1975, relating to the State Banking Department. The act further restricts the use of the words bank, banker, and banking in the names of partnerships, limited liability companies, corporations, and other entities, and provides penalties for violations. The act requires every bank and its officers to correct any matter determined to be unsafe and unsound by the Superintendent of Banks, provides for confidentiality, and provides civil monetary penalties for violations. The act permits the superintendent to testify in criminal cases, if subpoenaed, and provides for the deposit of penalties collected into a special fund of the State Banking Department. The act specifies the instances wherein the Banking Board may conduct an executive session, permits the superintendent and the board to disclose protected information in certain limited enforcement or supervisory actions and provides further for the confidentiality of reports, agreements, and other documents. The act provides for the authorization by the superintendent of banking powers and activities of banks or trust companies chartered in this state or in another state and for the temporary waiver of banking law requirements in the event of emergencies. The act prevents state banks and out-of-state banks from establishing branches or offices on the same property as a commercial affiliate. The act limits the amount of loans that may be made to any one person. The act also restricts banks from pledging assets to secure deposits, provides for the liabilities of directors and officers for knowing and willful violations of banking laws, restricts the use of the word trust, and provides standing for the superintendent to intervene in court actions to protect the interests of the superintendent, a bank, or bank shareholders. The act also provides for de novo interstate branching and the establishment of trust offices on a reciprocal basis.

EFFECTIVE DATE: May 31, 2007.

Act 2007-225, HB103, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Shelby County, to create the Shelby County Judicial Commission for

the purpose of nominating to the Governor persons for appointment to fill judicial vacancies in the circuit and district courts in the Eighteenth Judicial Circuit.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-226, SB32, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Jackson County, to prohibit the levy of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-227, SB33, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to DeKalb County, to prohibit the levy of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-246, HB209, appropriates \$550,000 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-247, HB210, appropriates \$1,101,348 from the State General Fund to the Children's Advocacy Centers and the Alabama Network of Children's Advocacy Center, Inc., of which \$25,000 is to be distributed to each of the two child advocacy pilot programs operating in the state, for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-257, HB520, provides a one-time lump-sum payment by December 17, 2007, for certain retirees and beneficiaries of the Employees' Retirement System for the 2007-2008 fiscal year, equal to \$1 per month for each year of service.

EFFECTIVE DATE: October 1, 2007.

Act 2007-279, SB244, amends Section 11-85-106, Code of Alabama 1975, relating to the Revolving Loan Fund Authority, to increase the aggregate amount of bonds the authority is authorized to sell from \$12,000,000 to \$24,000,000.

EFFECTIVE DATE: June 6, 2007.

Act 2007-280, SB286, amends Section 33-2-189, Code of Alabama 1975, relating to the Alabama State Port Authority, to authorize the authority to issue special purpose obligations to finance facilities for commercial enterprises payable solely from and secured solely by a pledge of rentals or other payments by the commercial enterprises for the right to use the facilities, to authorize the authority to issue short-term obligations

payable solely from its docks facilities revenues and to pledge its docks facilities revenues as security for repayment of the obligations, and to authorize the authority to invest proceeds of its revenue bonds in investments other than government securities. The act also authorizes the authority to pledge its docks facilities revenues as security for the payment of its obligations under any swap agreements and authorizes the authority to provide for payment of the principal and interest on its revenue bonds without depositing the payments with the State Treasurer. The act repeals Section 33-2-195, Code of Alabama 1975, which created the State Docks Facilities Debt Service Fund.

EFFECTIVE DATE: September 1, 2007.

Act 2007-281, HB51, relates to the Small Loan Act. The act increases the amount a licensee may charge when a scheduled payment is in default or delinquent for 10 days or more.

EFFECTIVE DATE: June 7, 2007.

Act 2007-282, HB208, is the General Fund Budget. The act makes appropriations for the ordinary expenses of the executive, legislative, and judicial agencies of the state for capital outlay for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-283, HB56, is the Alabama Uniform Estate Tax Apportionment Act. The act provides, under certain conditions, for the apportionment of estate taxes to persons receiving an interest in property upon the death of a decedent and amends Section 40-15-18, Code of Alabama 1975, relating to the payment of estate taxes from an estate, to limit the application of its provisions after December 31, 2007.

EFFECTIVE DATE: October 1, 2007.

Act 2007-284, HB140, amends Section 16-13-232, Code of Alabama 1975, relating to the determining of teacher units, instructional support units, and grade level divisors under the Foundation Program. Beginning October 1, 2009, the act increases the factors for calculating earned instructional support units and establishes such factors as a minimum for salary supplement factors for instructional support units. The act requires the State Board of Education to annually recommend those factors, weights for funding special and vocational education, and teacher unit divisors to the Legislature, in addition to the Governor.

EFFECTIVE DATE: June 7, 2007.

Act 2007-285, HB155, amends Sections 11-94-1 and 11-94-4, Code of Alabama 1975, relating to the incorporation of public port authorities for the development of waterfront property, to narrow the definition of county to only those counties in the state that abut a

navigable river or through which a navigable river runs and to prescribe the geographical boundaries of an authority for purposes of the certificate of incorporation.

EFFECTIVE DATE: September 1, 2007.

Act 2007-286, HB212, makes the following supplemental appropriations for the fiscal year ending September 30, 2007: \$1,250,000 from the Home Builder's Property Acquisition Fund to the Home Builder's Licensure Board; \$1,250,622 from the Veterans Assistance Fund to the Alabama Department of Veterans Affairs; \$80,000 from the Professional Employer Organization Registration Fund to the Department of Industrial Relations; \$2,000,000 from the Alabama Capital Improvement Trust Fund to the State Industrial Development Authority; and \$500,000 from the Alabama Children's Policy Council Fund to the Department of Children's Affairs. The act makes the following supplemental appropriations from the State General Fund for the fiscal year ending September 30, 2007: \$1,815,000 to the Department of Agriculture and Industries; \$1,760,000 to the Alabama Forestry Commission; \$326,000 to the Unified Judicial System; \$300,000 to the Surface Mining Commission; \$50,000 to the Office of State Auditor; \$75,000 to the Alabama Historical Commission; \$50,000 to the Alabama Department of Economic and Community Affairs; and \$100,000 to the Alabama Bureau of Tourism and Travel. The act also authorizes the Department of Corrections and requires the Alabama Historical Commission to expend certain appropriations from the State General Fund pursuant to Act 06-335 for certain purposes.

EFFECTIVE DATE: June 7, 2007.

Act 2007-287, HB215, appropriates \$1,000,000 from the Education Trust Fund to Talladega College for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-288, HB216, appropriates \$300,000 from the Education Trust Fund to the Lyman Ward Military Academy for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-289, HB217, appropriates \$13,581,285 from the Education Trust Fund to Tuskegee University for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-290, HB218, transfers to the State General Fund the Children First Trust Fund receipts allocated for the State Board of Education during the fiscal year ending September 30, 2008.

EFFECTIVE DATE: June 7, 2007.

Act 2007-291, HB244, appropriates \$13,800,000 from the Education Trust Fund to the Executive Commission on Community Services Grants for the fiscal year ending September 30, 2007, in lieu of the appropriation made in Act 2006-282.

EFFECTIVE DATE: June 7, 2007.

Act 2007-293, HB283, amends Section 36-26-35.2, Code of Alabama 1975, relating to state employees, to permit the donation of an unlimited amount of unused annual, sick, or compensatory leave to and from employees of any pay grade.

EFFECTIVE DATE: June 7, 2007.

Act 2007-296, HB385, relates to public education employees and retirees under the Teachers' Retirement System. The act provides a seven percent cost-of-living salary increase for certain public education employees and a seven percent cost-of-living salary increase or \$1,000, whichever is greater, for full-time support employees for the fiscal year beginning October 1, 2007. The act also provides a one-time lump-sum payment for certain retirees and beneficiaries of the Teachers' Retirement System for the 2007-2008 fiscal year, by December 17, 2007, equal to \$2 per month for each year of service.

EFFECTIVE DATE: June 7, 2007.

Act 2007-297, HB387, provides a three and one-half percent cost-of-living salary increase for certain state employees for the fiscal year beginning October 1, 2007, and for the fiscal year beginning October 1, 2008.

EFFECTIVE DATE: June 7, 2007.

Act 2007-298, HB432, amends Section 32-9A-2, Code of Alabama 1975, relating to compliance with federal motor carrier safety regulations, to exempt certain motor vehicles used in interstate commerce for agricultural or noncommercial purposes by a person or employee or agent of that person and certain motor vehicles operated solely in intrastate commerce with a gross vehicle weight rating or combination weight rating of 26,001 pounds or less from marking requirements and certain other federal regulations. The act provides that in the state, every day is counted as a part of the planting and harvesting season for purposes of exemptions from federal hour and service requirements relating to the transportation of agricultural commodities. The act also requires the Governor to notify the Legislature if the exemptions will result in a loss of federal funds.

EFFECTIVE DATE: September 1, 2007.

Act 2007-299, HB448, establishes a statewide trauma system, administered by the State Board of Health. The act provides for the voluntary designation of certain hospitals as trauma centers and for certain hospitals, satisfying standards adopted by the board,

to be certified as designated trauma centers. The act also creates a Statewide Trauma Advisory Council, a statewide trauma registry, and regional trauma advisory councils and provides funding through the State Board of Health.

EFFECTIVE DATE: September 1, 2007.

Act 2007-300, HB550, relates to the State Industrial Development Authority. The act is retroactive to October 1, 2005, and deletes the \$25,000,000 maximum capital costs amount for those qualifying projects with capital costs of not less than \$10,000,000.

EFFECTIVE DATE: June 7, 2007.

Act 2007-313, HB793, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lamar County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-314, HB806, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Pike County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-315, HB868, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lee County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-316, HB889, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Pickens County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-317, HB890, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Jackson County, to prohibit the levy of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-318, HB891, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to DeKalb County, to prohibit the levy of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-319, HB892, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Tallapoosa County, to authorize the Legislature, by local law, to authorize the enforcement of motor vehicle and traffic laws in private gated communities.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-353, HB902, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to authorize the levy of an additional ad valorem tax, not exceeding 4 mills, and the issuance of bonds, not exceeding five percent, for the construction and improvement of roads, bridges, and surface water drainage facilities.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-354, HB916, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Fayette County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-355, SB501, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Franklin County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-356, SB499, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lamar County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-357, SB460, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to DeKalb County, to prohibit the establishment or continued operation of a methadone clinic without prior approval of electors.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-358, SB374, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lee County, to authorize the Legislature, by general or local law, to fix, alter, and regulate court costs in the county and to ratify and confirm additional court costs enacted previously.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-359, SB488, proposes an amendment to Amendment 572 to the Constitution of Alabama of 1901 (Section 2, Local Amendments, Tallapoosa County, Official Recompilation of the Constitution of Alabama of 1901), pertaining only to Tallapoosa County, to authorize a district formed for fire fighting and emergency medical services to levy an ad valorem tax to be collected by the revenue commissioner of the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-360, SB145, proposes an amendment to the Constitution of Alabama of 191, pertaining only to the City of Madison in Limestone County, to equalize the rate of ad valorem taxation in those portions of the City of Madison located in Limestone County with those portions of the city located in Madison County and to provide for the manner of conducting elections with respect to the tax.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-361, HB213, is the Education Trust Fund Budget. The act makes appropriations for the support, maintenance, and development of public education, for debt service, and for capital outlay for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-362, HB822, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Jefferson County, to provide that any tenant who receives sewer service in his or her name is responsible for payment for that service and failure of the tenant to pay does not constitute a lien on the property where the service is received.

EFFECTIVE DATE: Contingent upon ratification.

Act 2007-364, HB185, adds Section 34-27-30.1 to the Code of Alabama 1975, relating to the licensing of real estate companies, to prohibit a municipality from levying a business privilege tax on companies, salespersons, or brokers operating a business within the municipality.

EFFECTIVE DATE: June 8, 2007.

Act 2007-365, HB242, amends Section 34-11-1, Code of Alabama 1975, relating to professional engineers and land surveyors, to delete the requirement that a professional engineer be licensed in Alabama in order to provide an expert opinion in legal proceedings.

EFFECTIVE DATE: June 8, 2007.

Act 2007-366, HB739, amends Section 40-18-21, Code of Alabama 1975, relating to tax credits paid on income from sources without the state, to provide an income tax credit for certain income taxes paid to a foreign country with respect to the business income attributable to the foreign country.

EFFECTIVE DATE: June 8, 2007, for tax years beginning January 1, 2007.

Act 2007-379, HB292, provides for the issuance of a new, distinctive "Barber Vintage Motorsports Museum" motorcycle license plate.

EFFECTIVE DATE: January 1, 2008.

Act 2007-381, SB4, amends Sections 40-2-18, 40-3-16, 40-3-19, 40-3-20, and 40-7-25, Code of Alabama 1975, relating to ad valorem tax assessments, to extend the time period for filing objections to assessments and for filing objections to notice of valuation of property from 10 to 30 days.

EFFECTIVE DATE: September 1, 2007.

Act 2007-382, SB49, creates an additional district judgeship in the Thirtieth Judicial Circuit, consisting of St. Clair County, to provide that the initial election to fill the judgeship will be held at the general election in 2008, and to appropriate sufficient funds from the State General Fund to fund the additional judgeship.

EFFECTIVE DATE: June 13, 2007.

Act 2007-383, SB108, amends Sections 32-6-130 and 32-6-133, Code of Alabama 1975, relating to distinctive license tags for disabled veterans, to provide for the designation of the branch of service on the tag.

EFFECTIVE DATE: January 1, 2008.

Act 2007-384, SB287, amends Sections 33-1-3, 33-1-5, and 33-1-8, Code of Alabama 1975, relating to the State Port Authority, to increase the number of executive level employees, to authorize the director to appoint from five to nine executive level employees, to authorize the board of directors to adopt and implement an employee compensation plan, to authorize the board of directors to authorize the director to make changes to orders authorizing the issuance and sale of revenue bonds, and to provide for the removal of members of the board of directors who change residence or fail to

satisfactorily participate in meetings of the board. The act repeals Section 33-2-195, Code of Alabama 1975, which created the State Docks Facilities Debt Service Fund.

EFFECTIVE DATE: September 1, 2007.

Act 2007-385, SB149, amends Section 11-41-8, Code of Alabama 1975, relating to the validation of prior attempted municipal incorporations, to extend the date of prior validation from May 1, 1998 to June 13, 2007.

EFFECTIVE DATE: June 13, 2007.

Act 2007-386, SB178, amends Sections 34-24-193 and 34-24-217, Code of Alabama 1975, relating to the Board of Physical Therapy, to prohibit the board from promulgating rules regarding employment of licensees by physicians.

EFFECTIVE DATE: June 13, 2007.

Act 2007-388, SB222, authorizes certain active and contributing members of the Employees' Retirement System who are employed by a participating municipality to purchase prior service credit for full-time employment as a firefighter with another municipality that was not participating at the time and has since been annexed into the participating municipality.

EFFECTIVE DATE: July 1, 2007.

Act 2007-389, SB255, amends Sections 10-4-115 and 27-21A-23, Code of Alabama 1975, relating to insurance companies, health maintenance organizations, and health benefit plans, to require coverage for prostate cancer screening.

EFFECTIVE DATE: October 1, 2007.

Act 2007-391, SB265, amends Sections 15-25-2 and 15-25-3, Code of Alabama 1975, relating to child victims and witnesses in prosecutions for sexual offenses and exploitation. The act permits the videotaped deposition and closed circuit testimony of any victim or witness under the age of 16 out of the presence of the defendant, unless the defendant is an attorney pro se, limits who may question the child, and limits who may be present in the room during the deposition or testimony of the child to the prosecuting attorney, the attorney for the defendant, a person who the judge determines contributes to the well-being of the child, and, in the discretion of the court, the parent or legal guardian of the child.

EFFECTIVE DATE: September 1, 2007.

Act 2007-392, SB271, authorizes the Commissioner of the Department of Agriculture and Industries, or a designee, to expend department funds to entertain economic

development prospects, promote public relations with those prospects, and for other public purposes.

EFFECTIVE DATE: September 1, 2007.

Act 2007-395, SB313, permits a person who is 17 years of age or older to donate blood without the permission of a parent or guardian and permits a person who is 16 years of age to donate blood with the written permission of a parent or guardian.

EFFECTIVE DATE: September 1, 2007.

Act 2007-397, SB337, is the Linked Deposit Program of 2007. The act adds Article 3, commencing with Section 41-14-50, to Chapter 14, Title 41, Code of Alabama 1975, to authorize the State Treasurer to invest a portion of the portfolio of the state with participating eligible lending institutions in a below market rate deposit which links the deposit to reduced rate loans for agriculture, small business, and disaster recovery to eligible borrowers. The act provides for the administration of the program by the State Treasurer and requires annual reporting on the State Treasury website. The act also repeals Chapter 21 of Title 5, Code of Alabama 1975, which established the George Wallace, Jr., Plan for Linked Deposits of 1988.

EFFECTIVE DATE: January 1, 2008.

Act 2007-402, SB382, amends Sections 34-24-51, 34-24-70, 34-24-332, 34-24-337, 34-24-340, 34-24-360, 34-24-361, 34-24-380, and 34-24-381, Code of Alabama 1975, relating to the State Board of Medical Examiners and the Medical Licensure Commission. The act increases the offense of practicing medicine or osteopathy without a license from a misdemeanor to a Class C felony, limits the number of times a candidate may attempt to pass the Special Purpose Examination to three, and authorizes the board to issue a non-disciplinary citation with an administrative fine under certain circumstances. The act provides for the issuance of a replacement license, for the late renewal of a license upon payment of a late renewal fee, and for an inactive license. The act establishes a fee for physicians practicing with certified registered nurse practitioners and midwives, provides that failure to comply with any rule of the board is grounds for the suspension or revocation of a license, provides for reinstatement of a certificate of qualification after voluntary surrender, and provides further for the assessment of fees and related expenses by the board to licensees for certain violations of the Alabama Uniform Controlled Substances Act.

EFFECTIVE DATE: September 1, 2007.

Act 2007-403, SB413, amends Sections 16-25-26 and 36-27-8.2, Code of Alabama 1975, relating to the Teachers' Retirement System and the Employees' Retirement System, to allow certain retirees to receive compensation for an elected position without suspension of retirement benefits if the retiree does not participate in or accrue

additional benefits under either retirement system and to delete antiquated language regarding waiver and suspension of benefits by elected officials.

EFFECTIVE DATE: September 1, 2007.

Act 2007-404, SB425, amends Section 7-9A-320, Code of Alabama 1975, relating to secured transactions, to provide for the contents and form of effective financing statements filed to protect a security interest in farm products with the Secretary of State.

EFFECTIVE DATE: September 1, 2007.

Act 2007-408, SB464, relates to cemeteries located on private property. The act requires the owners and lessees of the property to allow family members, friends, or descendants of deceased persons buried there, cemetery plot owners, and any person engaged in genealogical, historical, or cultural research access to the cemetery, graves, or burial sites. The act also provides for the establishment of county and municipal cemetery rehabilitation authorities and oversight boards to provide for the registration and maintenance of neglected cemeteries.

EFFECTIVE DATE: September 1, 2007.

Act 2007-415, HB21, is the Education Facilities Excellence Act of 2007. The act authorizes the Alabama Public School and College Authority to sell and issue additional bonds for capital improvements for the support of public education in an aggregate principal amount of \$1,070,585,022, creates the Alabama Public School and College Education Incentive Fund and the Alabama Public School and College Education Incentive Fund Council, and appropriates \$55,000,000 from the first bond issue under the act into the incentive fund.

EFFECTIVE DATE: June 13, 2007.

Act 2007-416, SB182, amends Section 28-1-6, Code of Alabama 1975, relating to the issuance of liquor licenses in Class 1 and Class 2 municipalities, to include a prior conviction involving the use or illegal sale of alcohol or a controlled substance, close proximity to a school or child care facility, traffic congestion, and any other risk to public health, safety, or welfare as reasons for denying a liquor license in Class 2 municipalities. The act also removes the requirement that a circuit court judge reviewing the denial consider any new evidence.

EFFECTIVE DATE: June 13, 2007.

Act 2007-417, HB830, amends Sections 35-8B-1 and 35-8B-2, Code of Alabama 1975, relating to community development districts, to provide an additional definition of a community development district, to provide for the establishment and operation of the

district, to provide for the sale of alcoholic beverages in the district, and to provide for the distribution of any related taxes and license fees generated by the districts.

EFFECTIVE DATE: September 1, 2007.

Act 2007-418, HB254, is the Wildlife Heritage Act of 2007. The act amends Sections 9-11-32, 9-11-44, 9-11-44.1, 9-11-45, 9-11-46, 9-11-47, 9-11-48, 9-11-49, 9-11-51, 9-11-53, 9-11-55, 9-11-56, 9-11-65, and 9-11-65.2, Code of Alabama 1975, relating to hunting and fishing licenses issued by the Department of Conservation and Natural Resources, to revise and increase the fees for various licenses and, beginning with the license year October 1, 2010, to authorize the department to increase license and issuance fees through cost adjustments based upon the Consumer Price Index. The act prohibits any person from hunting, fishing, or trapping without a license or with a revoked or suspended license and provides penalties for certain violations. The act establishes a supervision required license and a wildlife heritage license, which require hunting under supervision and provide lifetime hunting and fishing privileges, respectively, within the Division of Wildlife and Freshwater Fisheries areas of the state. The act also provides an appropriation of the fees to the department and repeals Sections 9-11-53.2, 9-11-53.4, 9-11-56.3, 9-11-57, 9-11-65.1, and 9-11-67, Code of Alabama 1975.

EFFECTIVE DATE: September 1, 2007.

Act 2007-419, HB255, amends Sections 9-11-53.1, 9-11-53.5, 9-11-55.2, and 9-12-4, Code of Alabama 1975, relating to saltwater fishing licenses issued by the Department of Conservation and Natural Resources, to revise and increase the fees for resident saltwater, resident seven-day trip saltwater, and nonresident saltwater fishing licenses and, beginning with the license year October 1, 2010, to authorize the department to increase license and issuance fees through cost adjustments based upon the Consumer Price Index. The act establishes a centerline in the Mobile Ship Cannel for determining whether Baldwin or Mobile County has jurisdiction over alleged violations of the marine resources law in the Gulf of Mexico. The act also repeals Section 9-11-56.3, Code of Alabama 1975, providing for public fishing pier licenses and saltwater pier fishing licenses.

EFFECTIVE DATE: September 1, 2007.

Act 2007-420, HB256, amends Sections 33-5-10, 33-5-15, 33-5-16, 33-5-17, and 33-5-20, Code of Alabama 1975, relating to the Department of Conservation and Natural Resources, to increase the licensing fees for boats and vessels and to appropriate the revenue to the department.

EFFECTIVE DATE: September 1, 2007.

Act 2007-450, HB54, prohibits more than one adult or unrelated juvenile criminal sex offender, whose names appear on the Jefferson County Sheriff's official published sex

offender list, from residing in the same residence in a Class 1 municipality. The act also provides a \$5,000 fine for each violation for an owner or lessee of the property who knowingly permits a violation, unless the offender is the owner or lessee, the child or spouse of the owner or lessee, or the lessee has signed a statement declaring that he or she is not a convicted sex offender.

EFFECTIVE DATE: September 1, 2007.

Act 2007-451, HB94, relating to secondary metal recyclers, requires secondary metal recyclers to maintain a record of purchases, provides a procedure by which records are maintained and may be inspected, authorizes a hold by law enforcement on certain sales of metals by secondary metal recyclers, provides criminal penalties for violations, and provides exemptions.

EFFECTIVE DATE: September 1, 2007.

Act 2007-452, HB123, creates the Center for Alternative Fuels within the Department of Agriculture and Industries. The act authorizes the center to act as an information clearinghouse for available federal grant funds, defines alternative fuels, and requires that alternative fuels sold in Alabama meet certain standards. The act specifies the duties of the center and authorizes the department to promulgate rules relating to the operation of the center.

EFFECTIVE DATE: September 1, 2007.

Act 2007-453, HB138, exempts any food bank that is an affiliate of the America's Second Harvest national food bank network, or a subsidiary distribution organization, from state, county, and municipal sales and use taxes.

EFFECTIVE DATE: June 14, 2007.

Act 2007-455, HB180, authorizes the Judicial Building Authority to issue additional bonds, not exceeding an aggregate principal amount of \$10,000,000, for capital expenditures and for the repair of the roof and other structural damage to the Judicial Building.

EFFECTIVE DATE: June 14, 2007.

Act 2007-456, HB211, appropriates \$48,862,772 from the Children First Trust Fund to the entities and for the purposes designated in Section 41-15B-2.2, Code of Alabama 1975, for the fiscal year ending September 30, 2008. The act provides for the deposit of tobacco settlement revenues into the Children First Trust Fund, requires written notification of anticipated agency allocations by the State Director of Finance, requires quarterly allocations, and conditions allocations on the receipt of tobacco revenues. The act also appropriates \$50,364,041 from additional tobacco settlement funds in varying amounts to the Department of Children's Affairs, 21st Century Debt Service, Senior

Services Trust Fund, Alabama Medicaid Agency, and the Department of Senior Services-Medicaid Waiver for the fiscal year ending September 30, 2008. The act conditionally appropriates and allocates additional tobacco revenues upon the recommendation of the Director of Finance, the Chair of the House Government Appropriations Committee, and the Chair of the Senate Finance and Taxation-General Fund Committee and the approval of the Governor.

EFFECTIVE DATE: June 14, 2007.

Act 2007-457, HB223, amends Section 13A-5-9.1, Code of Alabama 1975, relating to the resentencing of nonviolent offenders who were originally sentenced under the Habitual Offender Act, to authorize retroactive application by any circuit judge appointed by the presiding judge if the sentencing judge is no longer in office.

EFFECTIVE DATE: June 14, 2007.

Act 2007-458, HB250, amends Sections 11-50-15 and 11-50-313, Code of Alabama 1975, relating to municipal corporations providing water and sewer services, to increase the compensation of the members and chairs of the corporate boards of directors, excluding the Cities of Montgomery and Birmingham.

EFFECTIVE DATE: June 14, 2007.

Act 2007-459, HB318, amends Sections 11-98-6, 11-98-7, and 11-98-8, Code of Alabama 1975, relating to service charges for emergency telephone service (E-911) on commercial mobile radio service, and adds Sections 11-98-7.1 and 11-98-7.2 to the Code of Alabama 1975, to provide the procedures for collecting the service charge, to enumerate the powers of the board, to provide for one bank account for the board rather than separate bank accounts for each district, and to establish a commission to study the collection and distribution of 911 fees and report its findings to the Legislature.

EFFECTIVE DATE: June 14, 2007.

Act 2007-460, HB344, amends Sections 16-47-76, 16-47-78, and 16-47-79, Code of Alabama 1975, relating to scholarships awarded by the Board of Dental Scholarship Awards, to authorize the board to establish the Rural Dental Health Scholars Program for certain high school students who are interested in the practice of dentistry in rural areas of the state and to award dental scholarships and educational loans to certain dental students interested in serving in rural areas.

EFFECTIVE DATE: June 14, 2007.

Act 2007-461, HB358, amends Section 17-13-100, Code of Alabama 1975, relating to presidential preference primary elections, to provide additional provisions when the election is on Mardi Gras. The act also repeals Section 17-13-3, Code of Alabama 1975, and adds a new Section 17-13-3 to the Code of Alabama 1975, without

substantive change, to establish the date of primary elections, except special or presidential preference primary elections.

EFFECTIVE DATE: June 14, 2007.

Act 2007-462, HB395, provides minimum standards and establishes certification and continuing education programs for local emergency management directors and provides a state supplement for local emergency management agencies that employ a certified local emergency management director.

EFFECTIVE DATE: June 14, 2007.

Act 2007-463, HB423, amends Section 16-1-39, Code of Alabama 1975, relating to the self-administration of asthma medication by public and nonpublic K-12 school students, to authorize the self-administration of additional medications in compliance with State Department of Education and Board of Nursing Medication Curriculum commencing with the 2007-2008 school year. The act specifically prohibits the possession of a controlled substance on school property.

EFFECTIVE DATE: June 14, 2007.

Act 2007-464, HB426, is the Alabama Uniform Environmental Covenants Act. The act provides rights in real property to certain holders of environmental covenants, establishes rules regarding the priority of environmental covenants as they relate to other legal interests in real property, provides use restrictions and requirements for information contained in a covenant, and provides for enforcement of a covenant and amending a covenant by the covenant holders.

EFFECTIVE DATE: January 1, 2008.

Act 2007-465, HB456, appropriates \$250,000 from the State General Fund to the Alabama Kidney Foundation, Inc., for the fiscal year ending September 30, 2008.

EFFECTIVE DATE: October 1, 2007.

Act 2007-467, HB669, amends Section 16-24B-3, Code of Alabama 1975, relating to the employment of probationary and contract principals, to provide for a recommendation by the chief executive officer to the employing board regarding the employment of probationary principals and to allow the continued employment of principals upon a written recommendation by the officer to the board. The act further provides that failure of the officer to make such a recommendation does not prejudice the principal.

EFFECTIVE DATE: July 1, 2007.

Act 2007-468, HB704, authorizes joint action between certain Class 8 municipalities of the state and certain municipalities of other states when the other state also authorizes such joint action for the operation of public transportation systems, fire fighting, law enforcement, and public works, to include, but not be limited to, personnel and fringe benefits costs.

EFFECTIVE DATE: September 1, 2007.

Act 2007-469, HB735, amends Section 22-6-7, Code of Alabama 1975, relating to the Medicaid Agency, to extend the time period for contracts with one or more fiscal intermediaries for the purpose of receiving, processing, and paying claims and allowing for the extension of any existing contract for an additional two years.

EFFECTIVE DATE: September 1, 2007.

Act 2007-472, HB785, amends Section 40-14B-22, Code of Alabama 1975, relating to tax credits for certified capital companies, to extend the certified capital company program and to allocate additional tax credits.

EFFECTIVE DATE: June 14, 2007.

Act 2007-479, HB875, amends Sections 11-54B-2, 11-54B-8, 11-54B-9, and 11-54B-10, Code of Alabama 1975, and adds Sections 11-54B-21 and 11-54B-22 to the Code of Alabama 1975, relating to self-help improvement districts. The act provides that different classes of property may be made subject to different assessment rates, provides a means by which different classes may be established, provides that the assessment of condominium properties, at the option of the district management corporation, would be separately assessed against and collected on each unit as a single parcel or may be assessed against and collected on the condominium property as a whole and treated as a common expense. The act also clarifies the exemption from assessment for property owned by a governmental entity, the procedures for collections of delinquent assessments, and the powers of district management corporations to charge interest, penalties, and fees upon the delinquency of an assessment. The act further amends the procedures for the amendment of a self-help business improvement district ordinance and establishes special procedures for the reduction and expansion of the geographical area comprising the district. The act provides that the self-help business improvement districts need not be geographically contiguous, provides that the board of directors of a district management corporation may contract with other district management corporations to provide for the operation and management of such district management corporations, and provides the manner in which business improvement districts may merge.

EFFECTIVE DATE: June 14, 2007.

Act 2007-487, HB899, creates the Legislative Building Authority and directs the Alabama Building Renovation Finance Authority to convey the State House property to

the Legislative Building Authority. The act also provides that in consideration of the conveyance and to secure certain bonds issued by the Alabama Building Renovation Finance Authority, a certain amount shall be continuously appropriated to the Alabama Building Renovation Finance Authority. The act abolishes a statutorily created right of reverter and lien and vests the Legislative Building Authority with absolute title and control of the State House property.

EFFECTIVE DATE: June 14, 2007.

Act 2007-488, HB139, amends Sections 11-1-8, 11-3-1, 11-3-2, 11-3-3, 11-3-7, 11-3-8, 11-3-18, 11-3-20, 11-3-21, 11-3-22, 11-8-3, 11-8-9, and 11-8-10, Code of Alabama 1975, relating to the creation and operation of county commissions. The act provides further for the election and appointment of county commissioners, clarifies existing provisions related to the term of office and first meeting of county commissions following an election, establishes a quorum for county commissions, provides for the duties of the chair and for the election and duties of a vice chair, provides for the employment and duties of a chief administrative officer, provides procedures for adopting the county budget, and makes technical changes regarding the duties and procedures of county commissions. The act also repeals Sections 11-3-6, 11-3-13, 11-3-19, 11-3-23, 11-3-24, 11-3-26, 11-8-7, 11-8-8, 11-8-13, and 11-8-14, Code of Alabama 1975.

EFFECTIVE DATE: September 1, 2007.

Act 2007-504, SB412, amends Sections 40-2A-7 and 40-2A-9, Code of Alabama 1975, relating to the Alabama Taxpayers' Bill of Rights and Uniform Revenue Procedures Act. The act lowers the supersedeas bond amount required to be filed by taxpayers from double to 125 percent of the amount of the final assessment or judgment, provides alternatives to filing the supersedeas bond, raises the monetary limit for taxpayers who are not required to file a supersedeas bond from \$20,000 to \$100,000 net worth, and permits a taxpayer who fails to satisfy the requirements to cure the deficiency within 30 days.

EFFECTIVE DATE: June 15, 2007.

Act 2007-594 HB257, amends Section 22-30B-2, Code of Alabama 1975, relating to operator fees for the disposal of hazardous waste, to decrease the base fee from \$41.60 to \$21.60 for the commercial facility located in Emelle.

EFFECTIVE DATE: June 15, 2007.