

HB343 ENROLLED



1 HB343
2 LD3VAYW-2
3 By Representative Holk-Jones (Constitutional Amendment)
4 RFD: Baldwin County Legislation
5 First Read: 19-Mar-24



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1 Enrolled, An Act,

2 To propose an amendment to the Constitution of Alabama
3 of 2022, relating to Baldwin County, to define the Bon Secour
4 Landmark District within the county and to prohibit the
5 annexation by local law of any property within the district
6 into any municipality except under certain conditions.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. The following amendment to the Constitution
9 of Alabama of 2022, is proposed:

10 PROPOSED AMENDMENT

11 (a) For the purposes of this amendment, the "Bon Secour
12 Landmark District" in Baldwin County is defined as follows:
13 Beginning at the intersection of the centerline of County Road
14 12 S and the centerline County Road 49; thence run Easterly
15 along the centerline of County Road 12 S to the intersection
16 of the centerline of County Road 12 S and the centerline of
17 County Road 65; thence run Southerly along the centerline of
18 County Road 65 a distance of 3,192 feet, more or less, to a
19 point; thence run Easterly 30 feet, more or less, to the
20 projected west boundary line of parcel
21 05-61-04-39-0-000-001.000; thence run Easterly along the north
22 line of said parcel to the centerline of Bon Secour River;
23 thence run Southwesterly following the meanderings along the
24 centerline and of Bon Secour River approximately 2,500 feet,
25 more of less, to the intersection of Keller Road; thence run
26 Easterly along the centerline of Keller Rd to the intersection
27 of the centerline of Keller Road and the centerline of Helton
28 Drive; thence run Southerly along the centerline of Helton



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29 Drive to the intersection of the centerline of Helton Drive
30 and the centerline of County Road 10; thence run Westerly
31 along the centerline of County Road 10 a distance of 170 feet,
32 more or less, to a point; thence run Southerly 40 feet, more
33 or less, to the projected northeast corner of parcel
34 05-61-04-19-0-000-042.002; thence run Southerly along a
35 boundary line of said parcel 90 feet, more or less, to a
36 corner of said parcel; thence run Easterly along a boundary
37 line of said parcel 9 feet, more or less, to a corner of said
38 parcel; thence run Southerly along a boundary line of said
39 parcel 66 feet, more or less, to a corner of said parcel;
40 thence run Easterly along a boundary line of said parcel 42
41 feet, more or less to a corner of said parcel; thence run
42 along the eastern boundary of parcel 05-61-04-19-0-000-042.002
43 Southerly 44 feet, more or less, to the southeast corner of
44 said parcel; thence run Westerly along the north boundary line
45 of parcel 05-61-04-19-0-000-043.000 223 feet, more or less, to
46 the northwest corner of said parcel; thence run Southerly
47 along the west boundary lines of parcels
48 05-61-04-19-0-000-043.000 and 05-61-04-19-0-000-043.001 a
49 distance of 200 feet, more or less, to the southwest corner of
50 parcel 05-61-04-19-0-000-043.001; thence run Westerly along
51 the north boundary of parcel 05-61-04-19-0-000-045.000 a
52 distance of 322 feet, more or less, to the northwest corner of
53 said parcel; thence run Southerly along the west boundary
54 lines of parcels 05-61-04-19-0-000-045.000,
55 05-61-04-19-0-000-046.000, 05-61-04-19-0-000-047.001, and
56 05-61-04-19-0-000-048.000 a distance of 860 feet, more or



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57 less, to the southwest corner of parcel
58 05-61-04-19-0-000-048.000; thence run Easterly along the
59 projected southern boundary of said parcel 668 feet, more of
60 less, to the centerline of Helton Drive; thence run Southerly
61 along the centerline of Helton Drive to the intersection of
62 the centerline of Helton Drive and the centerline of Helton
63 Lane; thence run Easterly along the centerline of Helton Lane
64 to the intersection of the centerline of Helton Lane and the
65 centerline of Fairmont Drive; thence run Southerly to the
66 centerline of Boggy Branch; thence run Westerly following the
67 meanderings along the centerline and of Boggy Branch to the
68 intersection of the centerline of Boggy Branch and the
69 centerline of the Bon Secour River; thence run Southwesterly
70 following the meanderings of the centerline of Bon Secour
71 River to the eastern margin of Bon Secour Bay; thence run
72 Northwesterly following the meanderings of the eastern margin
73 of Bon Secour Bay to the intersection of the eastern margin of
74 Bon Secour Bay and the eastern of boundary of Section 33
75 Township 8 South Range 3 East; thence run Northerly to the
76 intersection of the eastern boundary of Section 28 Township 8
77 South Range 3 East and the intersection of the centerline of
78 County Road 49; thence run Northerly 18,170 feet more or less,
79 to the Point of Beginning.

80 (b) No property within the Bon Secour Landmark District
81 may be annexed into any municipality by local law.

82 (c) Subsection (b) shall not apply to any municipality
83 incorporated after the ratification of this amendment which
84 includes any part of the Bon Secour Landmark District.



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85 (d) The Bon Secour Landmark District shall not be
86 considered a legal entity and shall not have any of the
87 following powers or authority:

88 (1) Standing to sue or be sued.

89 (2) Taxing authority.

90 (3) Zoning authority.

91 (4) Police power and public safety authority.

92 (5) Authority to adopt ordinances, rules, or
93 regulations within its boundaries.

94 (6) Any other authority or power commonly associated
95 with a legal entity.

96 Upon ratification of this constitutional amendment, the
97 Code Commissioner shall number and place this amendment as
98 appropriate in the constitution omitting this instructional
99 paragraph and may make the following nonsubstantive revisions:
100 change capitalization, hierarchy, spelling, and punctuation
101 for purposes of style and uniformity; correct manifest
102 grammatical, clerical, and typographical errors; revise
103 internal or external citations and cross-references; and
104 translate effective dates.

105 END PROPOSED AMENDMENT

106 Section 2. An election upon the proposed amendment
107 shall be held in accordance with Sections 284, 284.01, and 285
108 of the Constitution of Alabama of 2022, and the election laws
109 of this state. The appropriate election official shall assign
110 a ballot number for the proposed constitutional amendment on
111 the election ballot and shall set forth the following
112 description of the substance or subject matter of the proposed



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113 constitutional amendment:

114 "Relating to Baldwin County, proposing an amendment to
115 the Constitution of Alabama of 2022, to define the Bon Secour
116 Landmark District within the county and to prohibit the
117 annexation by local law of any property within the district
118 into any municipality except under certain conditions.

119 Proposed by Act ____."

120 This description shall be followed by the following
121 language:

122 "Yes() No()."

123 Section 3. The proposed amendment shall become valid as
124 part of the Constitution of Alabama of 2022, when approved by
125 a majority of the qualified electors voting thereon.

