

1 HB402
2 156803-1
3 By Representative Gaston
4 RFD: State Government
5 First Read: 04-FEB-14

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8 SYNOPSIS: Under existing laws, the general and
9 permanent laws of the State of Alabama enacted
10 subsequent to the adoption and enactment of the
11 Code of Alabama 1975, including acts of the 1976
12 Regular Session of the Legislature through the 2012
13 Regular Session as contained in the respective
14 annual cumulative supplements and Replacement
15 Volumes to the Code, have been adopted and
16 incorporated in a continuous and systematic manner
17 into the Code of Alabama 1975.

18 This bill would adopt and incorporate into
19 the Code of Alabama 1975, those general and
20 permanent laws of the state enacted during the 2013
21 Regular Session as contained in the 2013 Cumulative
22 Supplement to certain volumes of the code and 2013
23 Replacement Volumes 16A, 19A, and 22.

24 This bill would initially adopt and
25 incorporate into the Code of Alabama 1975, 2013
26 Volume 22H (Local Laws Greene to Jackson Counties)
27 and would adopt and incorporate into the Code of

1 Alabama 1975, the 2013 supplements to local law
2 volumes.

3 This bill would make certain corrections to
4 the replacement volumes and volumes of the
5 cumulative supplement.

6 This bill would specify that this adoption
7 and incorporation constitutes a continuous
8 systematic codification of the entire Code of
9 Alabama 1975, and would expressly provide that this
10 act does not affect other 2014 session statutes.

11 This bill would also specify the duties of
12 the Secretary of State regarding the custody of
13 these cumulative supplements, replacement volumes,
14 and initial volume.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 To adopt and incorporate into the Code of Alabama
21 1975, those general and permanent laws of the state enacted
22 during the 2013 Regular Session as contained in the 2013
23 Cumulative Supplement to certain volumes of the code and 2013
24 Replacement Volumes 16A, 19A, and 22; to initially adopt and
25 incorporate into the Code of Alabama 1975, 2013 Volume 22H
26 (Local Laws Greene - Jackson Counties) and to adopt and
27 incorporate into the Code of Alabama 1975, 2013 Cumulative

1 Supplements to local law volumes; to make certain corrections
2 in the replacement volumes and certain volumes of the
3 cumulative supplement; to specify that this adoption and
4 incorporation constitute a continuous systematic codification
5 of the entire Code of Alabama 1975, and that this act is a law
6 that adopts a code; to declare that the Code Publisher has
7 certified it has discharged its duties regarding the
8 replacement volumes; to expressly provide that this act does
9 not affect any other 2014 session statutes; and to specify the
10 duties of the Secretary of State regarding the custody of
11 these cumulative supplements, replacement volumes, and initial
12 volume.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. (a) Those general and permanent laws of
15 the state enacted during the 2013 Regular Session as contained
16 in the 2013 Cumulative Supplements to Volumes 3 to 16,
17 inclusive, Volumes 17 to 19, inclusive, Volumes 20 to 21A,
18 inclusive, and Volume 22A and the 2013 Replacement Volumes
19 16A, 19A, and 22 and the additions and deletions made by the
20 Code Commissioner for editorial purposes, as edited and
21 published by West Group, as the Code Publisher, which volumes
22 of the 2013 Cumulative Supplement and 2013 Replacement Volumes
23 are identified and authenticated by the Great Seal of the
24 State of Alabama placed upon the front and back of each of the
25 volumes of the cumulative supplement and upon the first inside
26 page and the last inside page of the replacement volume, are
27 adopted and incorporated into the Code of Alabama 1975.

1 (b) The following corrections are made to the 2013
2 Cumulative Supplements:

3 (1) Section 6-5-752, 2013 Cumulative Supplement to
4 Volume 5, page 160. To correct a publishing misprint in
5 subdivision (7), delete the words "RESPONSE PERIOD." in the
6 definition and replace it with "REPOSE PERIOD."

7 (2) Section 12-19-91, 2012 Replacement Volume 11A,
8 page 198, to correct a publishing error which resulted in the
9 inadvertent deletion of language in subdivision (1) of
10 subsection (c), at the end of the subdivision after "notice of
11 appeal" restore the following:

12\$100.00

13 (3) Section 12-25-32, 2012 Replacement Volume 11A,
14 page 707, to correct an internal reference in subdivision (7),
15 to reflect the renumbering of the subdivisions in this section
16 in Act 2012-473, after the word "subdivision" delete "(12)"
17 and insert the following:

18 (13)

19 (4) Section 23-1-181, 2013 Cumulative Supplement to
20 Volume 15, pages 19 and 20, to renumber various internal
21 citations to code sections that have been renumbered and to
22 delete references to sections that have been repealed to
23 conform with the repeal and replacement of various sections in
24 Title 40 of the code in Act 2011-565:

25 In subdivision (4) of subsection (a), delete
26 "Division 2 of Article 2 of Chapter 17 of Title 40" and
27 replace it with "Section 40-17-359"

1 In paragraph a. of subdivision (5) of subsection
2 (a), delete "Section 40-17-31, as amended," and replace it
3 with "subdivision (1) of subsection (a) of Section 40-17-325"

4 In subdivision (6) of subsection (a) after "less any
5 refunds of proceeds pursuant to the provisions of" delete
6 "Article 3 of" and after "Title 40" delete ", or pursuant to
7 the provisions of either of Divisions 3 and 4 of Article 2 of
8 Chapter 17"

9 In subdivision (7) of subsection (a), delete
10 "Section 40-17-72" and replace it with "subsection (c) of
11 Section 40-17-359"

12 In paragraph a. of subdivision (3) of subsection
13 (b), delete "Article 1 of Chapter 17 of Title 40" and replace
14 it with "subdivision (2) of subsection (a) of Section
15 40-17-325"

16 (5) In Section 27-4-2, 2013 Cumulative Supplement to
17 Volume 16, page 17, to correct a publishing error which
18 resulted in the inadvertent deletion of paragraph d. of
19 subdivision (1) of subsection (a), on the line after paragraph
20 c., restore the following language:

21 d. Reinstatement fee.....500

22 (6) Section 27-44-13, 2007 Replacement Volume 16,
23 page 896, to renumber an internal citation to reflect the
24 relettering of Section 27-44-9 in Act 2012-319, in subsection
25 (a) replace "Section 27-44-9(g)" with "Section 27-44-9(h)".

26 (7) In Chapter 9E of Title 38 comprised of Sections
27 38-9E-1 to 38-9E-12, inclusive, 2013 Cumulative Supplement,

1 pages 13 to 18, inclusive, to redesignate Chapter 9E as
2 Article 9 of Chapter 6 of Title 13A and to renumber Sections
3 38-9E-1 to 38-9E-12, inclusive, as follows: Section 38-9E-1 as
4 13A-6-190; Section 38-9E-2 as 13A-6-191; Section 38-9E-3, as
5 13A-6-192; Section 38-9E-4 as 13A-6-193; Section 38-9E-5 as
6 13A-6-194; Section 38-9E-6 as 13A-6-195; Section 38-9E-7 as
7 13A-6-196; Section 38-9E-8 as 13A-6-197; Section 38-9E-9 as
8 13A-6-198; Section 38-9E-10 as 13A-6-199; Section 38-9E-11 as
9 13A-6-200; and Section 38-9E-12 as 13A-6-201.

10 (8) Section 40-13-6, 2013 Cumulative Supplement to
11 Volume 21, page 155, to correct a clerical error and reference
12 the intended subsection and subdivision, in the first sentence
13 of subdivision (2) of subsection (e), replace the language
14 "subsection (c)(1)" with "subdivision (1)".

15 Section 2. Those local and permanent laws of the
16 state previously enacted and contained in initial 2013 Volume
17 22H (Local Laws Greene - Jackson Counties) and the local and
18 permanent laws pertaining to various counties enacted during
19 the 2013 Regular Session as contained in the 2013 Cumulative
20 Supplement to Volumes 22B, 22C, 22D, 22E, 22F, and 22G and the
21 additions and deletions made by the Code Commissioner for
22 editorial purposes, as edited and published by West Group, as
23 the Code Publisher, which volumes of the 2013 Cumulative
24 Supplement are identified and authenticated by the Great Seal
25 of the State of Alabama placed upon the front and back of each
26 of the volumes of the cumulative supplement, are adopted and
27 incorporated into the Code of Alabama 1975.

1 Section 3. The adoption and incorporation of the
2 supplements and replacement volumes specified in this act
3 shall constitute a continuous systematic codification of the
4 entire Code of Alabama 1975, for purposes of Section 85 of the
5 Official Recompilation of the Constitution of Alabama of 1901,
6 as amended. This act is a law that adopts a code for the
7 purposes of Section 45 of the Official Recompilation of the
8 Constitution of Alabama of 1901, as amended.

9 Section 4. It is declared that West Group, as the
10 Code Publisher, has certified that it has discharged its
11 duties and responsibilities to edit and publish 2013
12 Replacement Volumes 16A, 19A, and 22 of the Code of Alabama
13 1975, by combining the material in the previous bound volumes
14 with the material contained in the cumulative supplement
15 without making substantive changes, but making, under the
16 supervision and pursuant to the direction of the Code
17 Commissioner, nonsubstantive changes and corrections as may
18 have resulted from changes in reference numbers, changes of
19 names and titles of governmental departments, agencies, and
20 officers, typographical errors, grammatical changes, and
21 misspellings.

22 Section 5. The adoption of this act shall not
23 repeal, supersede, amend, or in any other way affect any
24 statute enacted into law during any 2014 session of the
25 Legislature.

26 Section 6. Upon passage and approval of this act,
27 the duly authenticated volumes of the 2013 Cumulative

1 Supplements and the 2013 Replacement Volumes shall be
2 transmitted to the Secretary of State, who shall file the
3 volumes of the supplements and the replacement volumes in that
4 office. The volumes of the supplements and replacement volumes
5 shall not be removed from the office of the Secretary of
6 State, but the Secretary of State, upon request, under proper
7 certificate and seal of that office, shall certify any part or
8 parts thereof upon payment of the fee specified by law for
9 similar services.

10 Section 7. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.