

**SB222 INTRODUCED**



1 11N0LZ-1

2 By Senator Givhan

3 RFD: Fiscal Responsibility and Economic Development

4 First Read: 19-Apr-23

5



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

SYNOPSIS:

Under existing law, the Legislature convenes for its regular sessions on the first Tuesday as follows: during the first year of the quadrennium, in March; during the second and third years of the quadrennium, in February; and during the fourth year of the quadrennium, in January.

This bill would revise the date the Legislature begins the regular session during the first year of the quadrennium to the first Tuesday in February.

This bill would provide the Contract Review Permanent Legislative Oversight Committee with additional time to review a contract and provide certain exceptions with regard to certain attorney contracts.

This bill would provide further for the Legislative Council's powers.

This bill would provide for transfer of responsibilities to the President Pro Tempore of the Senate if a vacancy occurs in the office of the Lieutenant Governor.

This bill would authorize the Code Commissioner to make nonsubstantive revisions or deletions in the publication of legislative acts.

This bill would revise the membership of the



## SB222 INTRODUCED

29 Legislative Council and duties of the Legislative  
30 Council.

31 This bill would revise when members of the  
32 Legislative Committee on Public Accounts are elected.

33 This bill would repeal an obsolete provision  
34 authorizing the Code Commissioner to recompile the  
35 Constitution of Alabama of 1901, and a provision  
36 relating to duties of the Legislative Council and  
37 Legislative Reference Service.

38 This bill would repeal provisions relating to a  
39 contested election of a member of the Legislature.

40 This bill would require the Legislative Fiscal  
41 Officer to provide a tax expenditure report biennially  
42 rather than annually.

43 This bill would revise membership of the  
44 Permanent Joint Legislative Committee On Finances and  
45 Budgets to accurately reflect the standing committees  
46 in the House and Senate responsible for finance and  
47 budget matters.

48 This bill would also delete obsolete language  
49 and make nonsubstantive, technical revisions to update  
50 the existing code language to current style.

51

52

53

A BILL

54

TO BE ENTITLED

55

AN ACT

56



## SB222 INTRODUCED

57 Relating to the Legislature; to amend Section 29-1-4,  
58 29-2-41, 29-2-41.2, 29-2-80, 29-2-81, 29-2-83, 29-2-201,  
59 29-4-70, 29-5A-22, 29-5A-46, 29-6-1, 29-6-2, 29-6-3, 29-6-7,  
60 41-5A-16, 41-9-370, and 41-9-374, Code of Alabama 1975, to  
61 provide further for the date the Legislature convenes during  
62 the first year of a regular session; to provide additional  
63 time for the Contract Review Committee to review a contract  
64 and provide further for certain types of professional  
65 contracts; to provide further for property owned by the  
66 Legislative Council; to provide contingencies if a vacancy  
67 occurs in the Office of the Lieutenant Governor; to provide  
68 further for the role of the Code Commissioner and duties of  
69 the Legislative Council and Legislative Services Agency; to  
70 revise membership of the Joint Legislative Committee on  
71 Finances and Budgets; to provide further for tax expenditure  
72 reports made by the Legislative Fiscal Officer; to revise when  
73 members of the Legislative Committee on Public Accounts are  
74 elected; to repeal 29-5A-24 and 29-6-6, Code of Alabama 1975,  
75 relating to obsolete duties of the Legislative Reference  
76 Service and the Legislative Council; to repeal Sections  
77 17-16-50 through 17-16-53, Code of Alabama 1975, relating to  
78 the contested election of a legislator; and to delete obsolete  
79 language and make nonsubstantive, technical revisions to  
80 update the existing code language to current style.

81 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

82 Section 1. Sections 29-1-4, 29-2-41, 29-2-41.2,  
83 29-2-80, 29-2-81, 29-2-83, 29-2-201, 29-4-70, 29-5A-22,  
84 29-5A-46, 29-6-1, 29-6-2, 29-6-3, 29-6-7, 41-5A-16, 41-9-370,



## SB222 INTRODUCED

85 and 41-9-374, Code of Alabama 1975, are amended to read as  
86 follows:

87 "§29-1-4

88 The Legislature shall convene in organizational session  
89 on the second Tuesday in January ~~next succeeding~~following its  
90 election ~~in organizational session~~ and shall remain in session  
91 for not longer than 10 consecutive calendar days. Commencing  
92 in the year 1999, the annual regular sessions of the Alabama  
93 Legislature shall commence on the first Tuesday ~~in March of~~  
94 ~~the first year of the term of office of the legislators, on~~  
95 ~~the first Tuesday~~ of February of the first, second, and third  
96 years of the term and on the second Tuesday in January of the  
97 fourth year of the term. The annual sessions shall not  
98 continue longer than 30 legislative days and 105 calendar  
99 days."

100 "§29-2-41

101 (a) Each member of the committee shall be entitled to  
102 regular legislative compensation, per diem, and travel  
103 expenses for each day he or she attends a meeting of the  
104 committee, which shall be paid out of the funds appropriated  
105 to the use of the Legislature, on warrants drawn on the state  
106 Comptroller upon requisition signed by the committee's chair.  
107 Members shall not receive additional compensation or per diem  
108 when the Legislature is in session. The Department of  
109 Examiners of Public Accounts shall furnish assistance and any  
110 relevant information to the committee.

111 (b) (1) The committee shall have the responsibility of  
112 reviewing contracts for personal or professional services with



## SB222 INTRODUCED

113 private entities or individuals to be paid out of appropriated  
114 funds, federal or state, on a state warrant issued as  
115 recompense for those services.

116 (2) Each state department entering into a contract to  
117 be paid out of appropriated funds, federal or state, on a  
118 state warrant which is notified by the committee, ~~is required~~  
119 ~~to~~ shall submit to the committee any proposed contract for  
120 personal or professional services. Each contract shall be  
121 accompanied by an itemization of the total cost estimate of  
122 the contract. ~~The~~

123 (c) A department may, in lieu of the proposed contract,  
124 submit to the committee a letter of intent to contract. ~~Such~~ A  
125 letter of intent to contract shall indicate the contracting  
126 parties, the services to be performed, an itemization of the  
127 total cost estimate of the contract, and such other  
128 information as the department may deem pertinent to the  
129 committee review of the contract. If a department elects to  
130 submit a letter of intent to contract in lieu of a proposed  
131 contract, the department shall be required to submit to the  
132 committee for its information the contract described in the  
133 letter of intent upon the execution of the contract.

134 (d) The committee shall hold a hearing to review and  
135 comment where necessary on any ~~such~~ contract or letter of  
136 intent to contract within a reasonable time not to exceed 45  
137 days after ~~the~~ a department has submitted the contract or  
138 letter of intent to contract to the committee. If the  
139 committee fails to hold a hearing to review a contract or  
140 letter of intent to contract within the 45-day time period,



## SB222 INTRODUCED

141 the contract shall be deemed to have been reviewed in  
142 compliance with this section. The committee, may hold a  
143 contract considered at a meeting for up to 45 days following  
144 the meeting to review and comment on the contract.

145 (e) Any contract made by the state or any of its  
146 agencies or departments in violation of this section and  
147 without prior review by the committee of either the contract  
148 or the letter of intent to contract shall be void ab initio.  
149 ~~If the committee fails to review and comment upon any contract~~  
150 ~~or letter of intent to contract within the aforementioned~~  
151 ~~45-day time period, such contract shall be deemed to have been~~  
152 ~~reviewed in compliance with this section.~~

153 ~~Should the department elect to submit a letter of~~  
154 ~~intent to contract in lieu of a proposed contract, as~~  
155 ~~authorized in the preceding paragraph, the department shall be~~  
156 ~~required to submit to the committee for its information the~~  
157 ~~contract described in the letter of intent upon the execution~~  
158 ~~of the contract.~~

159 (f) The committee shall have the power to issue  
160 subpoenas for any witnesses and to require the production of  
161 any documents or contracts ~~it feels it needs~~ the committee  
162 deems necessary to examine ~~in the to~~ conduct ~~of~~ its duties.

163 (g) The committee shall organize itself at the first  
164 meeting following a new quadrennium and elect from among its  
165 membership a chair and a vice-chair. Any committee member  
166 reelected to a new quadrennium shall continue to serve on the  
167 committee until such time the committee reorganizes itself.

168 (h) The committee shall hold regular meetings at least



## SB222 INTRODUCED

169 once each month, the regular meetings to be held during the  
170 first week of each month."

171 "§29-2-41.2

172 (a) For the purposes of this article the term personal  
173 and professional services specifically includes independent  
174 contractor agreements as well as individual employment  
175 agreements.

176 (b) (1) Notwithstanding any other provisions of this  
177 article, all contracts for employment of an attorney to  
178 provide legal services, including contracts involving an  
179 attorney providing legal services under an agreement with the  
180 Attorney General, shall be reviewed by the committee.

181 Contracts for professional services executed by the Attorney  
182 General in preparation for or during litigation may be  
183 redacted until the conclusion of the litigation, if necessary  
184 to protect from disclosure information that may lead to the  
185 harassment of the contractor. ~~Provided, however, contracts~~  
186 Contracts for appointment of attorneys for the Department of  
187 Transportation for right of way condemnation cases are exempt  
188 from the provisions of this article.

189 (2) The review by the committee of a contract for the  
190 appointment of an attorney includes the retention of essential  
191 expert witnesses or additional professional services paid for  
192 by the attorney, so long as the cost of these services does  
193 not exceed the amount of the approved contract."

194 "§29-2-80

195 There is ~~hereby~~ created a Permanent Joint Legislative  
196 Committee on Finances and Budgets. The committee shall meet





## SB222 INTRODUCED

197 ~~during the interim periods between the regular sessions of the~~  
198 ~~Legislature~~ at the call of the chair. It shall be the duty of  
199 the committee to make a careful investigation and study of the  
200 financial condition of the state, hold budget hearings,  
201 inquire into ways and means of financing state government and  
202 its programs, and report its findings and recommendations as  
203 herein provided. The Secretary of the Senate, the Clerk of the  
204 House of Representatives and the ~~Director of the~~ Legislative  
205 Fiscal ~~Office~~ Officer shall provide the committee with such  
206 clerical and expert assistance from among their respective  
207 staffs as may be necessary. All departments, boards, bureaus,  
208 commissions, agencies, offices and institutions of the state  
209 shall and are hereby directed to cooperate fully with the  
210 committee and its staff and shall furnish any and all  
211 information that may be requested by the committee or its  
212 staff."

213 "§29-2-81

214 The committee shall be composed of the Lieutenant  
215 Governor, the members of the Senate Committee on Finance and  
216 Taxation Education, the members of the Senate Committee on  
217 Finance and Taxation General Fund, and such other members of  
218 the Senate as appointed by the Lieutenant Governor. The  
219 committee shall further be composed of the Speaker of the  
220 House of Representatives, the members of the House Committee  
221 on Ways and Means Education, the members of the House  
222 Committee on Ways and Means General Fund, and such other  
223 members of the House of Representatives to be appointed by the  
224 Speaker of the House; ~~provided, however, that the total~~



## SB222 INTRODUCED

225 ~~committee membership from the House of Representatives shall~~  
226 ~~not exceed 36 members.~~ The ~~Chairman~~ Chairs of the Senate  
227 ~~Committee~~ Committees on Finance and Taxation and the ~~Chairman~~  
228 Chairs of the House Ways and Means ~~Committee~~ Committees shall  
229 be ~~co-chairmen~~ joint chairs. The ~~said co-chairmen~~ chairs shall  
230 each appoint one vice ~~co-chairman~~ chair and shall set the  
231 schedule and program for committee work. The ~~said~~  
232 ~~co-chairmen~~ chairs shall fix the days and hours of meetings and  
233 conduct hearings and examine witnesses who appear before the  
234 committee. Each ~~co-chairman~~ chair may appoint ~~sub-committees~~  
235 subcommittees and invest them with such authority as may be  
236 deemed necessary to conduct the committee's business and  
237 expedite its work. Members appointed to any ~~sub-committee~~  
238 subcommittee shall each be entitled to, and shall receive  
239 compensation as is provided for below for members of the  
240 Permanent Joint Legislative Committee on Finances and Budgets  
241 for each day ~~said the~~ members attend a ~~sub-committee~~  
242 subcommittee meeting that is not also a meeting day of the  
243 committee. ~~Said sub-committee~~ The subcommittee members shall  
244 not be paid for more than 30 additional calendar days in any  
245 single calendar year for work of ~~said sub-committee~~ the  
246 subcommittee."

247 "§29-2-83

248 The committee shall report its findings and  
249 recommendations to the Legislature at such times deemed  
250 appropriate by the chairs, but no later than the seventh  
251 legislative day of each regular session."

252 "§29-2-201



## SB222 INTRODUCED

253 (a) (1) For purposes of this article, State House  
254 property means the real property bordered by Union Street,  
255 McDowell Lee Lane, Ripley Street, and Washington Avenue and  
256 the building, parking deck, and improvements located thereon,  
257 as well as the lot bounded by Washington Avenue, Jackson  
258 Street, Ripley Street, and Pelham Street owned by the State of  
259 Alabama, and any improvements thereon.

260 (2) The Alabama Building Renovation Finance Authority,  
261 hereafter referred to as ABRFA, created pursuant to Article 14  
262 (commencing with Section 41-10-450) of Chapter 10 of Title 41,  
263 shall execute and deliver on June 14, 2007, an appropriate  
264 deed or deeds and accompanying documents conveying State House  
265 property in fee simple absolute to the Legislative Building  
266 Authority.

267 (3) Upon delivery of the deed and documents, the  
268 Legislative Building Authority shall be invested with all  
269 rights and title to the State House property.

270 (4) The consideration for the conveyance shall be the  
271 amounts appropriated in Section 29-2-202. This consideration  
272 is conclusively determined to be valuable, adequate, and fair.

273 (b) The right of reverter created in Section 41-10-470,  
274 in relation to the land upon which the Alabama State House is  
275 situated is abolished on the date of the conveyance.

276 (c) Any statutory lien created under Section 41-10-472,  
277 in relation to the land upon which the Alabama State House is  
278 situated is abolished on the date of the conveyance.

279 (d) The Legislative Building Authority shall be vested  
280 with absolute title and control of the State House property.



## SB222 INTRODUCED

281 (e) Commencing October 1, 2015, absolute title and  
282 control of the State House property shall transfer to the  
283 Legislative Council by operation of law.

284 (f) The Department of Finance, not more than three  
285 months after the effective date adding this amendatory  
286 language, shall execute and deliver an appropriate deed or  
287 deeds and accompanying documents conveying the lot bounded by  
288 Washington, Jackson, Ripley, and Pelham Streets in fee simple  
289 absolute to the Legislative Council."

290 "§29-4-70

291 (a) If the senator who is serving as the President Pro  
292 Tempore of the Senate on the date of the general election at  
293 which members of the Senate are elected to four-year terms is  
294 reelected to the Senate, the senator shall continue to serve  
295 as President Pro Tempore of the Senate until a successor  
296 President Pro Tempore is selected pursuant to Section 48.01 ~~of~~  
297 ~~the Official Recompilation~~ of the Constitution of Alabama of  
298 ~~1901, as amended~~2022.

299 (b) If the senator serving as the President Pro Tempore  
300 of the Senate ceases service as a ~~Senator~~senator for any  
301 reason prior to election of a President Pro Tempore pursuant  
302 to Section 48.01 ~~of the Official Recompilation~~ of the  
303 Constitution of Alabama of ~~1901, as amended~~2022, then, with  
304 the approval of the Senate Legislative Council, the Secretary  
305 of the Senate shall perform the functions of the President Pro  
306 Tempore with respect to the expenditure of funds appropriated  
307 to the office of the President Pro Tempore until a successor  
308 President Pro Tempore is elected pursuant to Section 48.01 ~~of~~



## SB222 INTRODUCED

309 ~~the Official Recompilation~~ of the Constitution of Alabama of  
310 ~~1901, as amended~~2022.

311 (c) If a vacancy occurs in the office of the Lieutenant  
312 Governor for any reason, the President Pro Tempore of the  
313 Senate shall assume the budget, personnel, and any other  
314 statutory duties of the office of the Lieutenant Governor for  
315 the remainder of the term of office."

316 "§29-5A-22

317 (a) In compiling the contents of the ~~code~~Code of  
318 Alabama 1975, and any cumulative supplement and replacement  
319 volume to the code, the Legal Division and the Code  
320 Commissioner may not alter the sense, meaning, or effect of  
321 any act. The Legal Division and Code Commissioner, in  
322 compiling the contents of the code and any supplement and  
323 replacement volume to the code, may perform all of the  
324 following editorial functions:

325 (1) Change the wording of descriptive headings and  
326 catchlines.

327 (2) Change hierarchy units as specified in an act to  
328 appropriate code hierarchy.

329 (3) Change reference numbers to conform with renumbered  
330 hierarchy units, or make corrections in reference numbers if  
331 the correction can be made without substantive change in the  
332 law.

333 (4) Substitute the proper hierarchy unit for the terms  
334 "this act," "the preceding section," and the like.

335 (5) Remove language that is surplusage, including "of  
336 the Code of Alabama 1975," "of this section," and the like



## SB222 INTRODUCED

337 when such language follows a designated hierarchy unit.

338 (6) Substitute "this title," "this chapter," or other  
339 hierarchy designation in place of reference to the specific  
340 unit, if the reference is within that unit.

341 (7) Translate dates to the appropriate month, day, and  
342 year.

343 (8) Change words when directed by law.

344 (9) Substitute the name of any agency, officer, or  
345 instrumentality of the state or of a political subdivision  
346 whose name is changed by law or to which powers, duties, and  
347 responsibilities have been transferred by law, for the name  
348 which the agency, officer, or instrumentality previously used  
349 or of the agency which was previously vested with the same  
350 powers and charged with the same duties and responsibilities.

351 (10) Divide, consolidate, and rearrange hierarchy units  
352 and parts of hierarchy units.

353 (11) If any section or part of a section of the Code of  
354 Alabama 1975, is amended by more than one act at the same  
355 session of the Legislature, incorporate into one or more code  
356 sections the section as amended or altered by the several  
357 acts, if each of the amendments, changes, or alterations are  
358 not in substantive conflict and can be given effect and  
359 incorporated in the code section or code sections in a manner  
360 which will make the code section or code sections  
361 intelligible.

362 (12) Resolve nonsubstantive conflicts between multiple  
363 acts.

364 (13) Change capitalization, spelling, and punctuation



## SB222 INTRODUCED

365 for the purpose of uniformity and consistency.

366 (14) Correct manifest grammatical, clerical, and  
367 typographical errors, including, but not limited to, by means  
368 of the addition or deletion of language.

369 (15) Revise language in a nonsubstantive manner for  
370 clarity, consistency, or to conform to drafting style.

371 (16) Correct obsolete citations to the Constitution of  
372 Alabama of 1901 to correctly cite the Constitution of Alabama  
373 of 2022.

374 (17) Exclude any nonsubstantive legislative findings,  
375 provided the findings shall be noted as a code commissioner  
376 note.

377 (b) (1) Upon the adoption and incorporation of the  
378 annual cumulative supplement and each replacement volume into  
379 the Code of Alabama 1975, by statute, that supplement or  
380 replacement volume shall be considered as part of the entire  
381 Code of Alabama 1975, and shall be considered for statutory  
382 construction purposes in the same manner as all other portions  
383 of the code.

384 (2) This adoption and incorporation by statute shall  
385 constitute a continuous systematic codification of the entire  
386 Code of Alabama 1975, for purposes of Section 85 of the  
387 Constitution of Alabama of ~~1901~~2022. Such a statute is a law  
388 that adopts a code for the purposes of Section 45 of the  
389 Constitution of Alabama of ~~1901~~2022.

390 (c) The Legislature finds and declares that this  
391 section is declaratory of, and does not constitute a change  
392 in, the law existing since the amendment of Section 29-7-6 by



## SB222 INTRODUCED

393 Act 93-618 of the 1993 Regular Session designating the  
394 Director of the Legislative Reference Service as the Code  
395 Commissioner."

396 "§29-5A-46

397 (a) ~~The~~ Beginning in 2024, the Fiscal Division shall  
398 prepare and submit ~~an annual~~ a report every other year to the  
399 Legislature which lists all state tax expenditures and the  
400 estimated cost associated with each of the tax expenditures.  
401 For purposes of this section, tax expenditures means those  
402 state revenue losses attributable to the provisions of the  
403 constitution, state tax statutes, or rules ~~promulgated~~ adopted  
404 pursuant to the statutes, which allow a special exclusion,  
405 exemption, or deduction, or which provide a special credit or  
406 preferential tax rate. The report shall be organized according  
407 to the funds into which the tax expenditures would be  
408 dedicated but for the exemptions and rate differentials. The  
409 report shall be submitted at the same time that the Governor  
410 is required to submit his or her budget proposal to the  
411 Legislature.

412 (b) The ~~annual~~ biennial tax expenditure report shall  
413 include the following:

414 (1) Each tax exemption and its constitutional and/or  
415 statutory citation.

416 (2) An estimate of the revenue loss to the state caused  
417 by each of the tax expenditures for the most recently  
418 completed fiscal year.

419 (c) The Fiscal Division ~~is authorized to~~ may request  
420 and receive from the Department of Revenue or any other state





## SB222 INTRODUCED

421 or local agency or official any information necessary to  
422 complete the report required by this section. Such information  
423 shall be subject to the confidentiality and disclosure  
424 provisions of Section 40-2A-10; however, these provisions  
425 shall not prevent the aggregation and disclosure of any  
426 information necessary to transparently complete the report  
427 required by this section. In the event that lack of  
428 information prevents the Fiscal Division from making a  
429 reasonable estimate for any tax expenditure, the division  
430 shall list the expenditure with a notation that an estimate  
431 cannot be determined.

432 (d) The House Ways and Means Education Committee and  
433 the Senate Committee on Finance and Taxation - Education shall  
434 conduct joint hearings on the tax expenditure report ~~every~~  
435 ~~even-numbered year to be concluded by the tenth legislative~~  
436 ~~day of the regular session of the Legislature~~ periodically at  
437 the call of the chairs. From time to time, the committees may  
438 report to the Legislature findings or recommendations  
439 developed as a result of the hearings.

440 (e) This section does not apply to any incentives or  
441 other matters which are included in the report required by  
442 Section 40-18-379."

443 "§29-6-1

444 (a) There is ~~hereby~~ created a continuing legislative  
445 committee to be known as the Legislative Council of the State  
446 of Alabama. The council consists of the Speaker of the House  
447 of Representatives, the House Majority Leader, the House  
448 Minority Leader, the Chairs of the Ways and Means General Fund



## SB222 INTRODUCED

449 and Ways and Means Education Committees, two members of the  
450 House of Representatives appointed by the Speaker, two members  
451 of the House of Representatives elected by the House of  
452 Representatives, and one member of the House of  
453 Representatives elected by members of the House of  
454 Representatives who are not members of the majority party, who  
455 shall constitute the House Legislative Council, and the  
456 President Pro Tempore of the Senate, the Senate Majority  
457 Leader, the Senate Minority Leader, the Chairs of the Finance  
458 and Taxation General Fund and Finance and Taxation Education  
459 Committees, two Senators appointed by the President Pro  
460 Tempore, two members of the Senate elected by the Senate, and  
461 one member of the Senate elected by members of the Senate who  
462 are not members of the majority party, who shall constitute  
463 the Senate Legislative Council. ~~Until January 14, 2019, the~~  
464 ~~President of the Senate is a full voting member of the Senate~~  
465 ~~Legislative Council. Except as otherwise provided in~~  
466 ~~subsection (d), the~~ The elected House and Senate members shall  
467 be elected at the ~~first regular~~ organizational session of each  
468 quadrennium.

469 ~~(b) Members serving ex officio, appointed, or elected~~  
470 ~~at the 2015 Regular Session pursuant to Act 2015-408 or~~  
471 ~~appointed as otherwise provided in subsection (d), shall~~  
472 ~~replace the members of the Legislative Council serving on the~~  
473 ~~council on June 10, 2015.~~

474 ~~(e)~~ (b) (1) Members of the council may serve on the  
475 council as long as the member retains the office that  
476 qualified the member for service or during the term to which



## SB222 INTRODUCED

477 the member was appointed or elected and, if reelected to the  
478 same house without a break in service to that house, during  
479 the succeeding legislative term until a successor is appointed  
480 or elected as provided by law. No member may be elected to  
481 more than two consecutive four-year terms and no member may be  
482 appointed to more than two consecutive four-year terms. Any  
483 member serving ex officio may remain on the Legislative  
484 Council as long as the member holds the office qualifying the  
485 member for membership.

486 (2) If a vacancy occurs in its elected membership while  
487 the Legislature is not in session, the House Legislative  
488 Council or the Senate Legislative Council, as appropriate, may  
489 make temporary appointments to fill the vacancy until the  
490 vacancy is filled by an election of the appropriate members of  
491 the House or Senate, as the case may be.

492 ~~(d) If Act 2015-408 does not become operative prior to~~  
493 ~~adjournment sine die of the 2015 Regular Session, the Speaker~~  
494 ~~of the House, the President Pro Tempore of the Senate, the~~  
495 ~~Chairs of the Ways and Means General Fund and Ways and Means~~  
496 ~~Education Committees, the Chairs of the Finance and Taxation~~  
497 ~~General Fund and Finance and Taxation Education Committees,~~  
498 ~~and the majority and minority leader of the respective houses~~  
499 ~~shall serve on the Legislative Council and, by July 4, 2015,~~  
500 ~~the Speaker and the President Pro Tempore, respectively, shall~~  
501 ~~appoint five members of the House of Representatives, at least~~  
502 ~~one of whom may not be a member of the majority party, and~~  
503 ~~five members of the Senate, at least one of whom may not be a~~  
504 ~~member of the majority party, to serve on the Legislative~~



## SB222 INTRODUCED

505 ~~Council until members are elected at the 2016 Regular~~  
506 ~~Session."~~

507 "§29-6-2

508 (a) ~~The President of the Senate shall be a member of~~  
509 ~~the Legislative Council but may vote on issues before the~~  
510 ~~Legislative Council only in the case of a tie.~~ At its first  
511 meeting during each quadrennium and at ~~such~~ other times as  
512 necessary, the Legislative Council shall elect a chair and  
513 vice chair from among the membership of the council. The  
514 position of chair shall alternate between a member of the  
515 Senate and a member of the House of Representatives every two  
516 years. To the extent possible, membership of the council shall  
517 be inclusive and reflect the racial, gender, geographic,  
518 urban/rural, and economic diversity of the state.

519 (b) Within 10 days after the membership of the  
520 Legislative Council is determined:

521 (1) The Legislative Council shall convene at a place  
522 and time designated by the President Pro Tempore of the Senate  
523 in written notice given to each member to select a chair and  
524 vice chair from the membership. The Legislative Council shall  
525 meet thereafter at the request of the chair or as its members  
526 shall determine, in both cases upon written notice to each  
527 member of the council. If the chair declines to call a meeting  
528 or is unable to call a meeting, the Speaker of the House, the  
529 President Pro Tempore of the Senate, or a majority of the  
530 council may call a meeting of the council.

531 (2) The House Legislative Council shall convene at a  
532 time and place designated by the Speaker of the House in



## SB222 INTRODUCED

533 written notice given to each member of the House Legislative  
534 Council to select a chair and vice chair of the House  
535 Legislative Council. The ~~council~~House Legislative Council  
536 shall meet thereafter at the request of the chair or as its  
537 members shall determine, in both cases upon written notice to  
538 each member of the House Legislative Council. If the chair  
539 declines to call a meeting or is unable to call a meeting, the  
540 Speaker of the House may call a meeting of the House  
541 Legislative Council.

542 (3) The Senate Legislative Council shall convene at a  
543 time and place designated by the President Pro Tempore of the  
544 Senate in written notice given to each member of the Senate  
545 Legislative Council to select a chair and vice chair of the  
546 Senate Legislative Council. The Senate Legislative Council  
547 shall meet thereafter at the request of the chair or as its  
548 members shall determine, in both cases upon written notice to  
549 each member of the Senate Legislative Council. If the chair  
550 declines to call a meeting or is unable to call a meeting, the  
551 President Pro Tempore of the Senate may call a meeting of the  
552 Senate Legislative Council.

553 (c) Members of the Legislative Council, House  
554 Legislative Council, and Senate Legislative Council shall  
555 receive expenses for attendance of each meeting of the  
556 respective council as provided for in ~~Amendment 871 to~~Section  
557 49 of the Constitution of Alabama of ~~1901~~2022. The President  
558 of the Senate and Speaker of the House shall adopt such  
559 expense reimbursement regulations as are necessary to  
560 implement ~~Amendment 871~~Section 49 for operation of the



## SB222 INTRODUCED

561 councils.

562 (d) The Legislative Council, the House Legislative  
563 Council, and the Senate Legislative Council may provide for  
564 the appointment of committees to facilitate their work."

565 "§29-6-3

566 (a) Members of the Legislative Council, House  
567 Legislative Council, and Senate Legislative Council may  
568 participate in a meeting of the respective council by means of  
569 telephone conference, video conference, or similar  
570 communications equipment by means of which all  
571 ~~persons~~individuals participating in the meeting may hear each  
572 other at the same time and members of the public may  
573 simultaneously listen to the meeting. Participation by such  
574 means shall constitute presence in person at a meeting for all  
575 purposes.

576 (b) Any decision of the Legislative Council shall be by  
577 a majority vote of the council members from the Senate and a  
578 majority vote of the council members from the House of  
579 Representatives.

580 (c) All decisions of the Legislative Council, the House  
581 Legislative Council, or the Senate Legislative Council, except  
582 those involving hiring, discipline, or termination of  
583 employees, shall be reduced to writing and shall be published  
584 on the website of the Legislature.

585 (d) The Legislative Council, House Legislative Council,  
586 and Senate Legislative Council shall be subject to the Alabama  
587 Open Meetings Act, Chapter 25A, ~~(commencing with Section~~  
588 ~~36-25A-1)~~, Title 36, except that a meeting may be called with



## SB222 INTRODUCED

589 the same notice requirements as a meeting of a committee of  
590 the House or Senate under the rules of the House of  
591 Representatives or Senate.

592 (e) The Legislative Council, House Legislative Council,  
593 and Senate Legislative Council may make use of the employees  
594 of the Legislative Department, including employees of the  
595 respective houses, as needed in carrying out their respective  
596 functions.

597 (f) The Legislative Council shall conduct an  
598 orientation program for its members upon its formation and at  
599 the start of each quadrennium thereafter. The orientation  
600 shall cover all of the duties and responsibilities of  
601 membership on the council. The Legislative Council shall also  
602 provide an orientation to any member who serves on the council  
603 due to election or appointment within 60 days of the  
604 ~~person~~individual joining the council. ~~The Legislative Council~~  
605 ~~shall utilize the Legislative Reference Service, Legislative~~  
606 ~~Fiscal Office, and Alabama Law Institute to prepare materials~~  
607 ~~for use at this orientation~~The orientation shall be conducted  
608 by the Secretary of the Legislative Council."

609 "§29-6-7

610 (a) In addition to the powers otherwise provided in  
611 this chapter, the Legislative Council shall:

612 (1) Approve budget requests~~;~~i provide accounting  
613 services~~;~~i make purchases~~;~~i and provide mail distribution,  
614 property inventory, telephone service, electronic media  
615 services, recycling services, and building maintenance  
616 services for the Legislative Department~~;~~r and all agencies and



## SB222 INTRODUCED

617 entities, ~~respectively~~, therein.

618 (2) Allocate space in any building designated as the  
619 Alabama State House, including to the Senate and the House of  
620 Representatives; and shall have the authority to contract with  
621 an appropriate party, including, but not limited to, the  
622 Retirement Systems of Alabama, to construct and maintain a  
623 building that, upon completion, would be designated as the  
624 Alabama State House. In carrying out its responsibilities  
625 under this subdivision, the Legislative Council may charge and  
626 collect rent from any entity allocated space in the Alabama  
627 State House at a rate set by the council. The council may  
628 establish a special fund in the State Treasury to receive  
629 funds from any source to maintain the State House property.  
630 Funds in the special fund are continuously appropriated for  
631 the exclusive use of the Legislative Council, shall be  
632 maintained separately, and shall be in addition to any other  
633 funds appropriated to the Legislative Council. Any unused  
634 funds collected by or appropriated to any entity for the  
635 maintenance of the State House property remaining at the close  
636 of the fiscal year in which they were collected or for which  
637 they were appropriated shall be transferred to the fund  
638 created pursuant to this subdivision.

639 (3) Maintain a website of legislative expenditures that  
640 includes, but is not limited to, the names, salaries, and  
641 expenses of the members, officers, and employees of the  
642 Legislative Department and any contracts entered into by the  
643 Legislative Council for the benefit of any entity or agency of  
644 the Legislative Department. This requirement may be met





## SB222 INTRODUCED

645 through publication of the required information on a site that  
646 discloses this information on a statewide basis for other  
647 state government entities.

648 (4) Maintain the computer operations of the  
649 Legislature, including management and control of the  
650 Legislative Data Center and employ a director of technology  
651 who shall oversee the operations of the Legislative Data  
652 Center and maintain all computer guidelines of the Legislative  
653 Department and all agencies and entities therein, except that  
654 production of legislative proceedings of the respective Houses  
655 shall be under the control of the Secretary of the Senate and  
656 the Clerk of the House of Representatives, respectively.

657 (5) After consulting with the Secretary of the Senate  
658 and Clerk of the House, provide security for the Alabama State  
659 House, the Senate, the House of Representatives, and those  
660 portions of the State Capitol under the control of the  
661 Legislature, the House of Representatives, or the Senate;  
662 provided, however, that security for the Senate and House  
663 chambers, their entrances, and galleries shall be under the  
664 absolute supervision and control of the Secretary and Clerk,  
665 respectively. The Legislative Council shall also establish  
666 protocol for the cooperation between the persons providing  
667 security for the Legislature and such other law enforcement  
668 agencies as necessary.

669 (6) Reduce and contain the cost associated with the  
670 operation and maintenance of the Legislative Department to the  
671 fullest extent reasonably possible and practical. In  
672 accomplishing the reduction, the Legislative Council, to the



## SB222 INTRODUCED

673 fullest extent possible, shall look for methods to save public  
674 funds and contain costs.

675 (7) Annually review the performance of the Director of  
676 the Legislative Services Agency.

677 (8) Employ a director of human resources who shall  
678 handle the human resources related functions for the  
679 Legislative Services Agency. The Director of Human Resources  
680 shall provide services at the direction of the Legislative  
681 Council, including providing lists of applicants for open  
682 positions and the written application for employment for each,  
683 providing assistance in the determination of salary schedules,  
684 benefits, and terms of employment, maintaining custody of  
685 records as requested, and providing consultation on employee  
686 discipline.

687 (b) In addition to the powers otherwise provided in  
688 this chapter, the Senate Legislative Council, upon the  
689 recommendation of the Director of Human Resources, shall  
690 establish the job classifications, salary schedules, and  
691 benefits for all employees of the President Pro Tempore of the  
692 Senate. Notwithstanding the foregoing, there shall be a  
693 position of chief of staff who shall serve at the pleasure of  
694 the President Pro Tempore, under terms and conditions set by  
695 the President Pro Tempore; provided further, persons who serve  
696 at the pleasure of the Senate Majority Leader and the Senate  
697 Minority Leader serve under terms and conditions set by the  
698 Senate Majority Leader and the Senate Minority Leader,  
699 respectively; and provided further, persons employed under  
700 this sentence shall be paid from funds appropriated to the



## SB222 INTRODUCED

701 Office of the President Pro Tempore at a salary or other  
702 compensation approved by the President Pro Tempore.

703 (c) In addition to the powers otherwise provided in  
704 this chapter, the House Legislative Council, upon the  
705 recommendation of the Director of Human Resources, shall  
706 establish the job classifications, salary schedules, and  
707 benefits for all employees of the Speaker of the House.  
708 Notwithstanding the foregoing, there shall be a position of  
709 chief of staff who shall serve at the pleasure of the Speaker,  
710 under terms and conditions set by the Speaker; provided  
711 further, persons who serve at the pleasure of the House  
712 Majority Leader and the House Minority Leader serve under  
713 terms and conditions set by the House Majority Leader and the  
714 House Minority Leader, respectively; and provided further,  
715 persons employed under this sentence shall be paid from funds  
716 appropriated to the Office of the Speaker at a salary or other  
717 compensation approved by the Speaker.

718 (d) The salary schedules, benefits, and terms of  
719 employment for all staff of the Legislative Department shall  
720 be as uniform as practical.

721 (e) Employees of the Legislative Services Agency,  
722 Speaker of the House, and President Pro Tempore of the Senate  
723 shall be under the direction and control of the Director of  
724 the Legislative Services Agency, Speaker of the House, and  
725 President Pro Tempore of the Senate, respectively.

726 (f) The Director of the Legislative Services Agency  
727 shall annually review the performance of each employee subject  
728 to his or her supervision and report thereon to the



## SB222 INTRODUCED

729 Legislative Council.

730 (g) The Legislative Council, after considering in a  
731 timely manner ~~persons~~individuals recommended for hire by the  
732 Secretary of the Senate and Clerk of the House, shall hire  
733 joint employees of the Legislature. The Legislative Council  
734 shall ~~utilize~~use the services of the Director of Human  
735 Resources for all joint employees, including providing lists  
736 of applicants for open positions and the written application  
737 for employment for each, providing assistance in determination  
738 of job classifications, salary schedules, benefits, and terms  
739 of employment, maintaining custody of records as requested,  
740 and providing consultation on employee discipline."

741 "§41-5A-16

742 (a) There shall be a Legislative Committee on Public  
743 Accounts to exercise general supervision and control over the  
744 actions of the ~~chief-examiner~~Chief Examiner and the Department  
745 of Examiners of Public Accounts.

746 (b) The Legislative Committee on Public Accounts shall  
747 have 12 members. Five members shall be elected by the House of  
748 Representatives from its membership and five members shall be  
749 elected by the Senate from its membership. The President Pro  
750 Tempore of the Senate shall be a member of the committee and  
751 the chair of the committee. The Speaker of the House of  
752 Representatives shall be a member of the committee and the  
753 vice-chair of the committee. Beginning January 1, 2020, the  
754 President Pro Tempore of the Senate and the Speaker of the  
755 House shall alternate service as chair and vice-chair of the  
756 committee every two years. Members of the committee shall be



## SB222 INTRODUCED

757 elected at the ~~first regular~~ organizational session of each  
758 quadrennium and shall hold office as long as they remain  
759 legislators and until their successors are elected.

760 (c) Vacancies shall be filled by the remaining members  
761 of the committee from members of the House of Representatives  
762 or the Senate, depending upon in which representation the  
763 vacancy occurs, until the next organizational, regular, or  
764 special session of the Legislature, at which time the  
765 vacancies shall be filled by the appropriate house."

766 "§41-9-370

767 The Commission on Uniform State Laws is continued in  
768 existence as an advisory commission to the Legislature. The  
769 commission consists of three members of the bar appointed by  
770 the Governor for a term of four years or until their  
771 successors are appointed, a member of the Senate appointed by  
772 the President of the Senate, a member of the House of  
773 Representatives appointed by the Speaker of the House, the  
774 Director of the Legislative Services Agency, and the Deputy  
775 Director of the Legislative Services Agency, ~~Legal~~ Law Revision  
776 Division."

777 "§41-9-374

778 (a) The Commission on Uniform State Laws shall annually  
779 present its ~~budget~~ dues requirement to the Legislative Council  
780 for ~~approval~~ payment.

781 (b) ~~From funds appropriated for the commission, the~~  
782 ~~commission shall:~~

783 ~~(1) Reimburse~~ Reimbursement of members of the  
784 commission for their necessary expenses in ~~performing the~~



## SB222 INTRODUCED

785 ~~duties of their offices, including travel for~~ attending the  
786 meeting of the National Conference of Commissioners on Uniform  
787 State Laws, ~~subject to the approval of the Legislative Council~~  
788 shall be the obligation of the body or agency the member  
789 represents or by the appointing authority in the case of  
790 individuals who are not public officials or public employees.  
791 No reimbursement of expenses shall be made for life members  
792 who are no longer otherwise public officials or public  
793 employees.

794 ~~(2) Pay the cost of printing the commission's reports.~~

795 ~~(3) Pay the dues of this state to the National~~  
796 ~~Conference of Commissioners on Uniform State Laws.~~

797 ~~(c) The amount of expenses and dues shall be certified~~  
798 ~~to the state Comptroller by the chair of the commission, and~~  
799 ~~the state Comptroller shall draw warrants and the State~~  
800 ~~Treasurer shall pay the warrants for these purposes from funds~~  
801 ~~appropriated for the commission."~~

802 Section 2. Section 29-5A-24 of the Code of Alabama  
803 1975, authorizing the Code Commissioner to prepare an official  
804 recompilation of the Constitution of Alabama of 1901, and  
805 Section 29-6-6, Code of Alabama 1975, relating to the duties  
806 of the Legislative Council in relation to the Legislative  
807 Reference Service, and Sections 17-16-50 through 17-16-53,  
808 Code of Alabama 1975, relating to a contested election of a  
809 member of the Legislature, are repealed.

810 Section 3. This act shall become effective on the first  
811 day of the third month following its passage and approval by  
812 the Governor, or its otherwise becoming law.