

1 SB78
2 147852-1
3 By Senators Dial and Marsh
4 RFD: Governmental Affairs
5 First Read: 05-FEB-13

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8 SYNOPSIS: This bill will allow state agencies
9 authorized to statutorily levy or assess fees that
10 are retained by the agency to fund its operations
11 or programs under its control to review their fee
12 schedule and request an increase, decrease, or
13 elimination of any such fee. A fee increase would
14 be based on the percentage increase in the Consumer
15 Price Index for all urban consumers as published by
16 the U.S. Department of Labor, Bureau of Labor
17 Statistics, since the previous fee adjustment and
18 each five years thereafter.

19 Any change in the fee schedule shall be
20 adopted by rule pursuant to the Alabama
21 Administrative Procedure Act. If an increase is
22 adopted, the assessed increase of the fee shall be
23 retained by the agency to fund its operations or
24 other purposes provided by statute.

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26 A BILL
27 TO BE ENTITLED

1 AN ACT

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3 To allow state agencies authorized to statutorily
4 levy or assess fees retained by the agency to fund its
5 operations or programs to review their fee schedule and
6 request an increase, decrease, or elimination of any such
7 fees. A fee increase would be based upon any percentage
8 increase in the Consumer Price Index for all urban consumers
9 as published by the U.S. Department of Labor, Bureau of Labor
10 Statistics, since the previous fee adjustment and each five
11 years thereafter.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

13 Section 1. (a) Any state agency that statutorily
14 levies and assesses fees retained by the agency to fund its
15 operations or programs may review their fee schedule and may
16 request an increase, decrease, or elimination of any such fee.
17 A fee increase may be equal to but not exceed the percentage
18 increase in the Consumer Price Index for all urban consumers
19 as published by the U.S. Department of Labor, Bureau of Labor
20 Statistics from the end of December in the last year the fee
21 was increased to the end of the month preceding the month in
22 which the fee increase is to be effective, rounded down to the
23 nearest dollar. Thereafter, every five years the agency may
24 repeat this process using the Consumer Price Index for the
25 previous five years forward to the date of the requested
26 change.

1 (b) Any change in the fee schedule shall be adopted
2 by rule pursuant to the Alabama Administrative Procedure Act.

3 (c) If an increase is adopted, the assessed increase
4 of the fee shall be retained by the agency to fund its
5 operations or programs under the control of the agency.

6 Section 2. This act shall become effective
7 immediately following its passage and approval by the
8 Governor, or its otherwise becoming law.