

SB344 INTRODUCED



1 AHV0S7-1
2 By Senator Allen (Constitutional Amendment)
3 RFD: Local Legislation
4 First Read: 23-May-23
5 2023 Regular Session



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SYNOPSIS:

Existing law does not provide for the merger of county and municipal governments. This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Tuscaloosa County, to authorize the merger of the Tuscaloosa County government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

A BILL
TO BE ENTITLED
AN ACT

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Tuscaloosa County, to authorize a referendum on the merger of the county government and the municipal governments of the City of Tuscaloosa and the City of Northport into an urban-county form of government.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed and shall become valid as a part of the constitution when all requirements of this act are



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29 fulfilled:

30 PROPOSED AMENDMENT

31 (a) In order to facilitate the operation of local
32 government, to prevent duplication of services, and to promote
33 efficient and economical management of the affairs of local
34 government, the voters in Tuscaloosa County may merge county
35 government and the municipal governments of the City of
36 Tuscaloosa and the City of Northport into an urban-county form
37 of government.

38 (b) This amendment shall be applicable to merge
39 Tuscaloosa County government and the municipal governments of
40 the City of Tuscaloosa and the City of Northport. This
41 amendment shall not be effective unless approved by a majority
42 of those voting in the election on the amendment in the City
43 of Tuscaloosa and the City of Northport.

44 (c) (1) The Legislature, by local law, may provide
45 conditions for the merger of the Tuscaloosa County government
46 and the municipal governments of the City of Tuscaloosa and
47 the City of Northport into an urban-county form of government.

48 (2) An Advisory Council on Metro Government shall be
49 established to propose a charter for the Metro Government of
50 Tuscaloosa County, including the establishment of a Metro
51 Council of Tuscaloosa County. The advisory council shall be
52 appointed as follows:

53 a. The judge of probate shall appoint four members, who
54 shall be representative of Tuscaloosa County and its
55 diversity, to be approved by vote of the county commission.

56 b. The Mayor of the City of Tuscaloosa shall appoint



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57 four members, who shall be residents of the city and shall
58 reflect all sections of the city, to be approved by vote of
59 the city council.

60 c. The Mayor of the City of Northport shall appoint two
61 members, who shall reflect all sections of the city, to be
62 approved by vote of the city council.

63 (3) The advisory council shall elect a chair. The
64 advisory council shall hold regular public meetings. The time
65 and place of all meetings of the advisory council shall be
66 announced and advertised in a local newspaper. The advisory
67 council shall establish an office by vote of the advisory
68 council. All costs of the operations of the advisory council
69 shall be funded 50 percent by Tuscaloosa County, 40 percent by
70 the City of Tuscaloosa, and 10 percent by the City of
71 Northport.

72 (4) The advisory council shall submit a proposed
73 charter to the qualified electors in the area to which this
74 amendment applies at the general election in 2026. The charter
75 shall provide for the election of the Metro Council and for
76 the operation of the Metro Government subject to any
77 limitations in this amendment.

78 (d) The Metro Council shall exercise all powers
79 previously granted to the City of Tuscaloosa and the City of
80 Northport within the corporate limits of each respective
81 municipality and all powers previously granted to Tuscaloosa
82 County within the county until the time the Legislature by
83 general or local law shall amend, repeal, or expand the powers
84 including expansion outside of the political subdivision in



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85 which are currently applicable. In addition, any ordinance or
86 resolution of the county governing body, the municipal
87 governing body of the City of Tuscaloosa, or the municipal
88 governing body of the City of Northport shall continue to be
89 effective in the county or in each respective municipal
90 corporate limits and police jurisdiction where applicable
91 until the Legislature by general or local law affects the
92 power of the county or the municipality to adopt the ordinance
93 or resolutions, or otherwise authorizes or provides for the
94 expansion of the power of the Metro Council to make the
95 ordinance or resolution applicable to any area where the
96 ordinance or resolution is not currently applicable.

97 (e) Notwithstanding the foregoing, neither the
98 Legislature or the Metro Government Charter may authorize any
99 additional ad valorem tax except as otherwise authorized by
100 this constitution nor may any additional sales and use tax be
101 levied unless the sales and use tax is approved by a
102 referendum of the qualified electors in the area affected by
103 the tax.

104 (f) In addition, notwithstanding the other provision of
105 this amendment, any zoning in the unincorporated area of the
106 county prior to 2042 may only be authorized by local law to be
107 implemented by a zoning board elected by the qualified
108 electors of the area affected and the Legislature may not
109 otherwise expand the authority of the Metro Council to zone
110 any property outside of the corporate limits of the City of
111 Tuscaloosa or the City of Northport through a unified planning
112 and zoning board until the year 2043.



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113 (g) The election of the Metro Council shall be
114 nonpartisan. The elections shall be conducted in the same
115 manner as provided for municipal elections by general law,
116 unless otherwise specifically provided by local law.

117 (h) The Mayor of Metro Tuscaloosa County shall be
118 elected by the qualified electors of Tuscaloosa County. The
119 Metro Council shall be elected from single-member districts in
120 the county apportioned based on population. The mayor shall be
121 a full-time position and the council shall serve on a
122 part-time basis.

123 (i) The Tuscaloosa County Metro Government shall employ
124 a comptroller pursuant to civil service board rules. The
125 merger of all financial operations of any area to which this
126 amendment applies shall be effective January 1, 2028.

127 Upon ratification of this constitutional amendment, the
128 Code Commissioner shall number and place this amendment as
129 appropriate in the constitution omitting this instructional
130 paragraph and may make the following nonsubstantive revisions:
131 change capitalization, spelling, and punctuation for purposes
132 of style and uniformity; correct manifest grammatical,
133 clerical, and typographical errors; and correct incorrect
134 cross-references.

135 Section 2. An election upon the proposed amendment
136 shall be held in accordance with Sections 284 and 284.01 of
137 the Constitution of Alabama of 2022, and the election laws of
138 this state.

139 Section 3. The appropriate election official shall
140 assign a ballot number for the proposed constitutional



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141 amendment on the election ballot and shall set forth the
142 following description of the substance or subject matter of
143 the proposed constitutional amendment:

144 "Relating to Tuscaloosa County, proposing an amendment
145 to the Constitution of Alabama of 2022, to allow Tuscaloosa
146 County, the City of Tuscaloosa, and the City of Northport to
147 merge into an urban-county form of government and to provide
148 the procedure for the merger and subsequent operations.

149 Proposed by Act ____."

150 This description shall be followed by the following
151 language:

152 "Yes() No()."