

**SUMMARIES  
OF  
GENERAL LAWS ENACTED AND  
CONSTITUTIONAL AMENDMENTS PROPOSED  
BY THE LEGISLATURE OF ALABAMA  
AT THE  
REGULAR SESSION 2009**

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SB84	2009-620	SB205	2009-751	SB319	2009-403	SB469	2009-636
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Act 2009-12, HB86, continues the existence and functioning of the Alabama Board of Funeral Service pursuant to the Alabama Sunset Law until October 1, 2010. The act also amends Sections 34-13-20, 34-13-73, and 34-13-94, Code of Alabama 1975, to provide diversity in the membership of the board, to authorize the board to use uniform national examination procedures for testing applicants for licensure, and to delete the requirement that the board maintain examination papers for embalmer examinations for three years.  
EFFECTIVE DATE: March 5, 2009.

Act 2009-13, HB8, continues the existence and functioning of the Board of Examiners of Assisted Living Administrators pursuant to the Alabama Sunset Law until October 1, 2010.  
EFFECTIVE DATE: March 5, 2009.

Act 2009-14, HB95, continues the existence and functioning of the Alabama Licensure Board for Interpreters and Transliterators pursuant to the Alabama Sunset Law. The act also amends Section 34-16-6, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States.  
EFFECTIVE DATE: March 5, 2009.

Act 2009-15, HB109, continues the existence and functioning of the Board of Nursing pursuant to the Alabama Sunset Law. The act also amends Sections 34-21-2, 34-21-21, 34-21-22, and 34-21-25, Code of Alabama 1975, to provide diversity in the membership of the board, to require that applicants for licensure be United States citizens or legally present in the United States, and to authorize the board to discipline or deny a license to any person with a mental or physical condition that renders the person unable to practice nursing with reasonable skill and safety to patients.  
EFFECTIVE DATE: March 5, 2009.

Act 2009-18, HB99, continues the existence and functioning of the Board of Dental Examiners of Alabama pursuant to the Alabama Sunset Law until October 1, 2010. The act amends Sections 34-9-1, 34-9-9, 34-9-10, 34-9-11, 34-9-15, 34-9-16, 34-9-17, 34-9-18, 34-9-19, 34-9-26, 34-9-28, 34-9-40, 34-9-41, 34-9-43, 34-9-60, 34-9-61, 34-9-63, 34-9-64, 34-9-81, and 34-9-88, Code of Alabama 1975, and adds Section 34-9-15.1 to the Code of Alabama 1975, relating to the practice of dentistry. The act defines a licensed dentist and a licensed hygienist, provides further for qualifications for licensure, authorizes the board to consider certain prior disciplinary actions against an applicant, and authorizes the board to recognize examinations given by the Joint Commission on National Dental Examinations. The act revises and provides ranges of fees and authorizes the board to establish any fee within the applicable range without the adoption of a rule, authorizes the board to impose a non-disciplinary administrative penalty for violations,

provides further for false advertising, and provides further for the election of board members including a member selected by the Alabama Dental Society. The act also provides for the release of records of a patient upon request.

EFFECTIVE DATE: March 5, 2009.

Act 2009-19, SB382, relates to Class 3 municipalities organized under Act 618, 1973 Regular Session (Montgomery). The act amends Sections 3.09 and 4.05 of Act 618 to provide for special elections to fill vacancies in the city council and the office of mayor and confirm any prior special election held to fill a vacancy in the office of mayor.

EFFECTIVE DATE: March 5, 2009.

Act 2009-26, HB101, continues the existence and functioning of the Board of Boilers and Pressure Vessels pursuant to the Alabama Sunset Law until October 1, 2012. The act also amends Sections 25-12-3 and 25-12-18, Code of Alabama 1975, to provide diversity in the membership of the board, to provide that fees received by the board be deposited into a separate fund in the State Treasury to the credit of the Department of Labor, and to require all fees collected above the annually appropriated amount to be deposited to the General Fund at the end of each fiscal year.

EFFECTIVE DATE: March 10, 2009.

Act 2009-27, HB88, continues the existence and functioning of the Board of Physical Therapy pursuant to the Alabama Sunset Law. The act also amends Sections 34-24-192 and 34-24-211, Code of Alabama 1975, to require that board members be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: March 10, 2009.

Act 2009-28, HB94, continues the existence and functioning of the Alabama Board of Examiners for Speech-Language Pathology and Audiology pursuant to the Alabama Sunset Law. The act also amends Sections 34-28A-21 and 34-28A-40, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States and that board members be citizens of this state.

EFFECTIVE DATE: March 10, 2009.

Act 2009-29, HB97, continues the existence and functioning of the Alabama State Board of Veterinary Medical Examiners pursuant to the Alabama Sunset Law. The act also amends Sections 34-29-63 and 34-29-72, Code of Alabama 1975, to require diversity in the membership of the board, require that board members be citizens of this state, and require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: March 10, 2009.

Act 2009-30, HB98, continues the existence and functioning of the Alabama Board of Examiners in Marriage and Family Therapy pursuant to the Alabama Sunset Law. The act also amends Sections 34-17A-6 and 34-17A-8, Code of Alabama 1975, to require that board members be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: March 10, 2009.

Act 2009-31, HB100, continues the existence and functioning of the State Board of Chiropractic Examiners pursuant to the Alabama Sunset Law. The act also amends Sections 34-24-140, 34-24-142, 34-24-143, 34-24-144, 34-24-160, 34-24-161, and 34-24-165, Code of Alabama 1975, to require that board members be citizens of this state, that applicants for licensure be United States citizens or legally present in the United States, that each applicant for licensure pass an examination on the Alabama Chiropractic Practice Act and the rules of the board, and to change the name of the executive officer of the board from "executive secretary" to "executive director."

EFFECTIVE DATE: March 10, 2009.

Act 2009-32, HB102, continues the existence and functioning of the Elevator Safety Review Board pursuant to the Alabama Sunset Law. The act also amends Sections 25-13-5, 25-13-6, 25-13-7, Code of Alabama 1975, to require that board members be citizens of this state, to provide for the deposit of fees received by the board into the State Treasury to the credit of the board, and to require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: March 10, 2009.

Act 2009-33, HB103, continues the existence and functioning of the Alabama Board of Optometry pursuant to the Alabama Sunset Law. The act also amends Sections 34-22-20 and 34-22-40, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States, to authorize the board to require passage of a recognized national examination, the state standard licensing examination, or additional state law examinations for licensure, and to require that members of the board be citizens of this state.

EFFECTIVE DATE: March 10, 2009.

Act 2009-34, HB104, continues the existence and functioning of the State Board of Medical Examiners and the Medical Licensure Commission pursuant to the Alabama Sunset Law. The act also amends Sections 34-24-70, 34-24-71, and 34-24-310, Code of Alabama 1975, to authorize the board to assess a range of administrative charges in relation to non-disciplinary citations, to require that applicants for licensure be United States citizens or legally present in the United States, to authorize the board to charge a reasonable fee for providing an application packet or blank license application form, to require that commission members be citizens of this state, and to require diversity in the membership of the commission.

EFFECTIVE DATE: March 10, 2009.

Act 2009-35, HB106, continues the existence and functioning of the Home Builders Licensure Board pursuant to the Alabama Sunset Law. The act also amends Sections 34-14A-3 and 34-14A-7, Code of Alabama 1975, to require that board members be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States. EFFECTIVE DATE: March 10, 2009.

Act 2009-36, HB107, continues the existence and functioning of the Alabama State Board of Pharmacy pursuant to the Alabama Sunset Law. The act also amends Sections 34-23-51 and 34-23-90, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States and that board members be citizens of this state. EFFECTIVE DATE: March 10, 2009.

Act 2009-37, HB108, continues the existence and functioning of the Alabama Manufactured Housing Commission pursuant to the Alabama Sunset Law. The act also amends Sections 24-5-1, 24-5-2, 24-5-3, 24-5-4, 24-5-5, 24-5-6, 24-5-7, 24-5-9, 24-5-11, 24-5-13, 24-5-14, and 24-6-2, Code of Alabama 1975, to change the term "mobile home" to "manufactured home" for consistency with federal law and the rules of the commission, to delete all references to the State Fire Marshal, and to require that board members be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States. EFFECTIVE DATE: March 10, 2009.

Act 2009-38, HB110, continues the existence and functioning of the State Board of Podiatry pursuant to the Alabama Sunset Law. The act also amends Sections 34-24-250 and 34-24-256, Code of Alabama 1975, to require diversity in the membership of the board and to provide for the administration and grading of the licensing examination by a designee of the board. [See also Act 2009-715.] EFFECTIVE DATE: March 10, 2009.

Act 2009-39, HB111, continues the existence and functioning of the Alabama Board of Licensure for Professional Geologists pursuant to the Alabama Sunset Law. The act also amends Section 34-41-10, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States. EFFECTIVE DATE: March 10, 2009.

Act 2009-40, HB112, continues the existence and functioning of the Board of Examiners of Nursing Home Administrators pursuant to the Alabama Sunset Law. The act also amends Section 34-20-9, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States. EFFECTIVE DATE: March 10, 2009.

Act 2009-41, HB113, continues the existence and functioning of the Alabama Board of Athletic Trainers pursuant to the Alabama Sunset Law until October 1, 2011. The act also amends Sections 34-40-3.1 and 34-40-5, Code of Alabama 1975, to require that board members be citizens of this state and that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: March 10, 2009.

Act 2009-42, HB114, continues the existence and functioning of the Board of Hearing Instrument Dealers pursuant to the Alabama Sunset Law. The act also amends Sections 34-14-4, 34-14-9, and 34-14-30, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States, to correct a conflict in the amount of fines that may be charged for violations, to require that board members be citizens of this state, to require diversity in the membership of the board, and to authorize the board to designate a complaints chair.

EFFECTIVE DATE: March 10, 2009.

Act 2009-143, SB136, is the Metal Coil Securement Act. The act amends Sections 32-9A-2 and 32-9A-4, Code of Alabama 1975, relating to the operation of commercial motor vehicles, to increase penalties for motor carriers and drivers who fail to comply with federal regulations for securing metal coils or who allow metal coils to fall onto public roads, to require driver training and certification, and to provide for criminal penalties.

EFFECTIVE DATE: June 1, 2009.

Act 2009-144, HB69, is the Entertainment Industry Incentive Act of 2009. The act provides incentives, including rebates for qualified production projects and exemptions from certain sales, use, and lodging taxes, for qualified production companies which develop the motion picture, film, video, and television industry in Alabama. The act prescribes the duties of the Alabama Film Office and the Department of Revenue relating to income taxes and investment partnerships and limited liability companies. The act adds Sections 40-18-24.2 and 40-18-24.3 to the Code of Alabama 1975, to require the filing of composite returns and the remittance of taxes on certain nonresident partners or members, to provide exemptions, and to provide an offset for lost revenues resulting from the incentives offered, amends Section 40-2A-11, Code of Alabama 1975, to provide further for penalties for failure to pay the required tax, and repeals Section 40-18-24.1, Code of Alabama 1975.

EFFECTIVE DATE: March 24, 2009, with some exemptions retroactive to January 1, 2009, and Sections 40-18-24.2 and 40-18-24.3, Code of Alabama 1975, becoming effective for all tax years beginning after December 31, 2008.

Act 2009-145, HB33, is the Missing Senior Citizen Alert Act. The act creates the Missing Senior Citizen Alert Program, provides for the issuing of media alerts when senior citizens are missing, and requires the Department of Public Safety to adopt rules for implementing the program.

EFFECTIVE DATE: June 1, 2009.

Act 2009-146, HB142, amends Section 30-3-60, Code of Alabama 1975, relating to child support, to define income withholding order or notice and to clarify that support includes arrearage accruing during the minority of a child due to unpaid child or medical support, plus interest.

EFFECTIVE DATE: March 25, 2009.

Act 2009-147, HB382, amends Sections 9-17-25, 9-17-26, 9-17-27, 9-17-31, 40-20-2, and 40-20-8, Code of Alabama 1975, relating to severance taxes on oil and natural gas, and adds Sections 9-17-34 and 9-17-35 and Article 1A, commencing with Section 40-20-20, of Chapter 20, Title 40, to the Code of Alabama 1975, to base severance taxes, for offshore oil and gas produced from depths greater than 8,000 feet below mean sea level, for sale, transport, storage, profit, or use on the gross proceeds from the sale of the oil or natural gas.

EFFECTIVE DATE: May 1, 2009.

Act 2009-148, SB60, relates to banks and limits the use of lender information, including loan numbers, loan amounts, or other specific loan information and trademarks or trade names, in solicitations for services or products without the specific consent of the lender. The act provides exemptions and also authorizes a lender to seek an injunction against and recover actual damages from a violator.

EFFECTIVE DATE: March 25, 2009.

Act 2009-149, SB178, is the annual codification bill. The act adopts and incorporates into the Code of Alabama 1975, those general and permanent laws of the state enacted during the 2007 First Special Session and 2007 Regular Session as contained in the 2007 Cumulative Supplement to certain volumes of the code and the 2007 Replacement Volume to certain volumes of the code and those general and permanent laws of the state enacted during the 2008 Regular Session and 2008 First Special Session as contained in the 2008 Cumulative Supplement to certain volumes of the code and the 2008 Replacement Volume to certain volumes of the code. The act initially adopts and incorporates into the Code of Alabama 1975, 2007 Volume 22D (Local Laws Chilton - Colbert Counties) and adopts and incorporates into the Code of Alabama 1975, the 2007 and 2008 Cumulative Supplement to local law volumes. The act specifies that this adoption and incorporation constitute a continuous systematic codification of the entire Code of Alabama 1975, and that the act is a law that adopts a code, declares that the code publisher has discharged its duties regarding the replacement volume, and specifies the duties of the Secretary of State regarding the custody of the cumulative supplements and replacement volume.

EFFECTIVE DATE: March 25, 2009.

Act 2009-151, SB255, amends Section 33-5-25, Code of Alabama 1975, relating to boating collisions, to increase from \$50 to \$2,000 the amount of property damage required to be sustained in a boating accident before an accident report is required to be filed with the Department of Conservation and Natural Resources.

EFFECTIVE DATE: June 1, 2009.

Act 2009-159, SB77, amends Sections 16-56-1, 16-56-2, 16-56-3, 16-56-4, 16-56-6, 16-56-7, 16-56-10, and 16-56-12, Code of Alabama 1975, relating to the Troy State University System. The act changes the name of the Troy State University System to Troy University, removes the State Superintendent of Education from membership on the board, reduces the number of geographic areas represented in the state from eight to seven by combining existing areas seven and eight into area seven, provides for the appointment of an additional at-large trustee, and deletes language providing for the staggering of terms of board members and dividing the board into three classes for such purpose. The act also specifies that the Chancellor of Troy University is the chief executive officer of the entire university, including each campus, and deletes any reference to the president of any of the various campuses of the university.  
EFFECTIVE DATE: June 1, 2009.

Act 2009-160, SB197, amends Sections 41-14-31 and 41-14-33, Code of Alabama 1975, relating to the deposit of state funds, to require the State Treasurer to give preference to banks located in Alabama in the distribution of state deposits, taking into consideration other services and economic factors pertaining to each bank.  
EFFECTIVE DATE: June 1, 2009.

Act 2009-222, SB229, amends Section 11-54-86, Code of Alabama 1975, relating to municipal industrial development boards, to permit two members of the board to be residents and taxpayers of the unincorporated area of the municipality where a project may be located.  
EFFECTIVE DATE: July 1, 2009.

Act 2009-223, HB497, adds Section 40-18-110 to the Code of Alabama 1975, relating to federal income tax refunds, to require a taxpayer whose federal refund is intercepted to pay any unpaid Alabama tax liability to pay the fee charged by the United States Department of the Treasury for state participation in the federal offset program of federal income tax refunds.  
EFFECTIVE DATE: April 8, 2009.

Act 2009-224, HB105, continues the existence and functioning of the Alabama State Board of Registration for Interior Design pursuant to the Alabama Sunset Law until October 1, 2010.  
EFFECTIVE DATE: April 8, 2009.

Act 2009-225, SB62, amends Section 36-25-3, Code of Alabama 1975, relating to the State Ethics Commission, to provide the same benefits to investigators employed by the commission as are provided to investigators employed by the office of the Attorney General.  
EFFECTIVE DATE: April 8, 2009.

Act 2009-226, HB31, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Covington County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-227, SB162, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Tallapoosa County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county. [See also Act 2009-298.]  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-280, HB47, amends Section 16-22-16, Code of Alabama 1975, relating to the employment of registered nurses in public schools, to clarify that the State Department of Education and the Alabama Institute for Deaf and Blind provide for the employment of school nurses in their respective schools, to establish a registered nurse to licensed practical nurse ratio for school systems, to provide for the allotment of school nurses per school system based on average daily membership, and to provide for the designation of one registered nurse per school system to annually assess student health needs.  
EFFECTIVE DATE: April 21, 2009.

Act 2009-281, HB316, amends Sections 32-8-2, 32-8-3, 32-8-6, 32-8-9, 32-8-12, 32-8-13, 32-8-31, 32-8-32, 32-8-35, and 32-8-41, Code of Alabama 1975, providing for the Uniform Certificate of Title and Antitheft Act. The act revises the definition of a new vehicle to include vehicles returned to the dealer before the vehicle is registered instead of before a certificate of title is issued, authorizes the Commissioner of Revenue and the Department of Revenue to promulgate rules relating to the acceptance of electronic transfer of title and recording and release of security interests, clarifies penalties for violations, revises title exemption and inspection requirements, and specifies those parties required to sign title applications. The act adds Section 32-8-68 to the Code of Alabama 1975, to provide further for the authority of the Department of Revenue to record and release security interests electronically. The act also repeals Section 32-8-14, Code of Alabama 1975, which provided penalties for felony and misdemeanor violations for which no other penalty was prescribed. [See also Act 2009-746.]  
EFFECTIVE DATE: July 1, 2009.

Act 2009-282, HB419, amends Section 31-5A-10, Code of Alabama 1975, relating to reimbursement policies for state veterans' homes, to require direct payment from the resident to the contracted service operator of the home for residential maintenance expenses.  
EFFECTIVE DATE: July 1, 2009.

Act 2009-283, SB47, amends Section 20-2-190, Code of Alabama 1975, relating the sale of products containing precursor chemicals which may be used to manufacture illegal controlled substances, to delete the provision that prohibits the sale of products containing ephedrine or pseudoephedrine after October 1, 2009, unless the product is manufactured so that the ephedrine or pseudoephedrine cannot be extracted to be used in the production of methamphetamines. The act also provides that a retailer may not be held civilly liable for not maintaining a special register of sales absent negligence, wantonness, recklessness, or deliberate misconduct.  
EFFECTIVE DATE: April 21, 2009.

Act 2009-284, SB367, is the Alabama Home Buyers Initiative Act. The act creates a mortgage guarantee fund in the State Treasury to encourage investment in new 30-year, fixed-rate conventional mortgage loans through the Alabama Home Buyers Initiative, a program administered by the Alabama Housing Finance Authority. The act also appropriates \$6,000,000 from the Alabama Capital Improvement Trust Fund to the guarantee fund for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: April 21, 2009.

Act 2009-286, HB242, proposes an amendment to the Constitution of Alabama of 1901, relating to Amendment 778 to the Constitution of Alabama of 1901, now appearing as Section 269.08 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, which provides a minimum ad valorem tax rate for general school purposes for each school district in the state. The proposed amendment would provide that the prohibition in the amendment, against the payment of any fees, charges, or commissions for assessment or collection of any new taxes levied to comply with Amendment 778, applies only to the levy and collection of additional ad valorem taxes levied specifically under Amendment 778 and not to any prior or future levy established or renewed under any other state law.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-295, HB41, is the Riley Ward Alabama Autism Support Act. The act creates the Alabama Interagency Autism Coordinating Council and provides for the membership and responsibilities of the council in developing a long-term plan for a comprehensive statewide system of care.

EFFECTIVE DATE: July 1, 2009.

Act 2009-296, HB356, makes a supplemental appropriation of \$8,000,000 from the Education Trust Fund to the Walker County School System for the fiscal year ending September 30, 2009, for capital improvements at Oakman Elementary School, and provides for repayment to the Education Trust Fund in the event a specific special allocation is provided by the Alabama Public School and College Authority to the school system for tornado damage suffered on December 10, 2008.

EFFECTIVE DATE: April 23, 2009.

Act 2009-297, SB220, relates to public education. The act requires local boards of education to adopt policies providing for the orientation and training of board of education members.

EFFECTIVE DATE: March 1, 2010.

Act 2009-298, HB120, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Tallapoosa County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county. [See also Act 2009-227.]

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-299, HB326, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Pickens County, to authorize the judge of probate, if licensed to practice law in the state, to exercise equity jurisdiction concurrent with that of the circuit court in cases originally filed in the probate court.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-300, HB410, amends Sections 34-25A-3, 34-25A-5, 34-25A-6, 34-25A-7, 34-25A-8, 34-25A-9, 34-25A-12, and 34-25A-13, Code of Alabama 1975, relating to the Alabama State Board of Prosthetics and Orthotics and the practice of prosthetics and orthotics. The act defines and authorizes the board to develop requirements and establish fees for mastectomy fitters and revises the grounds for, procedures of, and penalties relating to, disciplinary action taken by the board. Effective October 1, 2009, the act abolishes the existing 12-member board and reestablishes a 9-member board and provides operating procedures for the newly constituted board. The act also provides that practicing without a license is a Class B misdemeanor and authorizes the board to establish a lower renewal fee for retired or out-of-state licensees and to bring an action for an injunction against any person violating the practice act.

EFFECTIVE DATE: April 28, 2009.

Act 2009-301, HB595, amends Section 11-49-1, Code of Alabama 1975, requiring municipal consent before streets and other public places within a municipality may be used by a public utility or private enterprise, to clarify that certain fees or other charges may not be imposed by municipality in connection with the granting of consent.

EFFECTIVE DATE: April 28, 2009.

Act 2009-303, HB706, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Russell County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county in addition to those already authorized to be levied in the county, and to ratify and confirm prior local laws levying additional court costs in the county. [See also Act 2009-307, Act 2009-308.]

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-304, HB764, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Shelby County, to authorize the county commission, upon a determination that the funds are not needed for the operation and implementation of a solid waste disposal program, to use a portion of the funds derived from the operation and use of any sanitary landfill operated by the county to provide potable water and water service in the county and for capital improvement projects.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-305, HB712, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Franklin County, to authorize the Legislature to provide for additional court costs of \$25 in all circuit, district, and municipal court domestic violence cases in the county and to provide for the distribution of the proceeds to domestic violence programs in the county that are in compliance with the standards of the Alabama Coalition Against Domestic Violence.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-306, HB564, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Geneva County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county.

EFFECTIVE DATE: Contingent upon amendment.

Act 2009-307, SB449, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Russell County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county. [See also Act 2009-303 and Act 2009-308.]

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-308, SB281, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Russell County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county. [See also Act 2009-303 and Act 2009-307.]

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-309, SB462, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Franklin County, to prohibit treated human sewage biosolids from being recycled and applied to land as a fertilizer or soil amendment.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-320, HB147, amends Section 22-6-11, Code of Alabama 1975, relating to breast and cervical cancer prevention and treatment under the Medicaid Program, to provide eligibility and coverage for certain women who have been screened for and diagnosed with breast or cervical cancer by any health care provider, whether or not funded by Title XV funds for screening services, and to provide that initial eligibility shall be determined by the Alabama Breast and Cervical Cancer Early Detection Program of the Department of Public Health in lieu of the Medicaid Agency.

EFFECTIVE DATE: July 1, 2009.

Act 2009-337, HB590, authorizes the incorporation of development authorities for the purpose of developing real and personal property of closed federal military installations in the state. The act provides definitions, declares legislative intent, and provides the procedure for incorporating an authority and the appointment of a board of directors for the authority. The act specifies the purposes, powers, and duties of an authority, provides for the operational area of an authority, authorizes an authority to issue bonds, and provides for the ratification of certain transfers of property and the transfer of certain property to an authority. The act limits the liability of an authority and provides immunity to the board and employees of an authority, subjects an authority to the competitive bid and public works bid laws, requires that board members and employees comply with state ethics laws, and provides a procedure for authority officers and employees to participate in the Employees' Retirement System. The act provides for the creation

of an oversight committee for each authority. The act exempts an authority from certain taxes, from usury and interest laws, and from certain public lands sales requirements. The act also subjects an authority to the state open meetings and public records laws, provides for the dissolution of an authority, and provides for the disbursement of its assets and assumption of its obligations upon dissolution.

EFFECTIVE DATE: April 30, 2009.

Act 2009-338, HB156, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to St. Clair County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-339, SB570, is the Education Trust Fund Budget. The act makes appropriations for the support, maintenance, and development of public education, for debt service, and for capital outlay for the fiscal year ending September 30, 2010.

EFFECTIVE DATE: October 1, 2009.

Act 2009-342, SB160, establishes the Alabama Disaster Recovery Program and the Alabama Disaster Recovery Fund to assist counties and municipalities in satisfying local needs during and immediately following certain disasters when an emergency or major disaster declaration is not requested by the Governor or has been denied by the President. The act also creates the Alabama Disaster Recovery Program Committee and provides for the disbursement of funds upon a proclamation of the Governor or Legislature and a proclamation by the affected local governing body.

EFFECTIVE DATE: May 5, 2009.

Act 2009-344, SB262, relates to local superintendents of education. The act requires the School Superintendents of Alabama to establish and administer the Mentor and Executive Coaching Program, a professional development program for newly elected or appointed county and city superintendents of education that supports the requirements of recertification and the responsibilities of the position.

EFFECTIVE DATE: August 1, 2009.

Act 2009-355, HB546, amends Section 11-44E-98, Code of Alabama 1975, relating to Class 5 municipalities, to limit contracts between the city manager and the city regarding the tenure, compensation, and duties of the city manager to four years, with two one-year renewal options.

EFFECTIVE DATE: October 1, 2009.

Act 2009-362, HB645, amends Sections 11-44E-3 and 11-44E-40, Code of Alabama 1975, relating to elections for the mayor/commission/city manager form of government in Class 5 municipalities commencing in 2011. The act changes the election and run-off election dates for the mayor and commissioners from the second Tuesday in September and the second Tuesday thereafter to the first Tuesday in August and the sixth Tuesday thereafter, respectively, and requires that notice of the election be given in June instead of July.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-364, HB666, relates to Class 2 municipalities. The act provides for the appointment of two additional members, who reside outside the corporate limits of the municipality but within the territorial jurisdiction of the planning commission, to that commission.  
EFFECTIVE DATE: May 5, 2009.

Act 2009-370, HB806, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lawrence County, to prohibit treated human sewage biosolids from being recycled and applied to land as a fertilizer or soil amendment.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-389, HB738, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to provide that the term of office of the revenue commissioner begin on the first Tuesday in February following the date of the election, for a term of six years.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-390, SB463, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Colbert County, to prohibit treated human sewage biosolids from being recycled and applied to land as a fertilizer or soil amendment, unless produced by a publicly owned utility in Colbert County.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-391, SB583, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to the City of Ft. Payne in DeKalb County, to authorize the city to use prisoners confined in the city jail to perform work on public and private property in the same manner as county prisoners in the county jail are used.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-399, SB46, amends Sections 43-2-691, 43-2-692, and 43-2-693, Code of Alabama 1975, the Alabama Small Estate Act, to increase the value of a small estate from \$3,000 to \$25,000 and to provide procedures for the summary distribution of small estates.  
EFFECTIVE DATE: May 7, 2009.

Act 2009-400, SB106, amends Sections 16-7A-2 and 16-7A-4, Code of Alabama 1975, relating to the Alabama Educational Television Foundation Authority, to provide concurrent terms for members who also serve on the Alabama Educational Television Commission, to provide for diversity in the membership of the authority and the commission, and to authorize the authority to use donated funds for entertainment, promotional, and public relation purposes.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-402, SB300, amends Section 11-43-160, Code of Alabama 1975, to authorize the mayor of any municipality with a population of less than 12,000 inhabitants to vote on the removal of an appointed municipal officer and to specify that the mayor is considered a member of the council for the purpose of establishing the two-thirds vote of the council necessary to remove the municipal officer from office.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-403, SB319, appropriates \$925,255 from the Education Trust Fund to Talladega College for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-404, SB321, appropriates \$10,490,800 from the Education Trust Fund to Tuskegee University for the fiscal year ending September 30, 2010. The act requires at least \$1,529,282 of the appropriation to be expended for agricultural research and extension service state match.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-405, SB322, provides for transfer to the State General Fund during fiscal year 2010 that portion of Children First Trust Fund receipts currently allocated for the State Board of Education.  
EFFECTIVE DATE: May 7, 2009.

Act 2009-406, SB323, appropriates \$275,000 from the Education Trust Fund to the Lyman Ward Military Academy for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-407, SB426, relates to education funding. The act authorizes local boards of education to transfer funds between line items of appropriation in the Education Trust Fund and Public School Fund for fiscal year 2008-2009, under certain circumstances for fiscal year 2009-2010, and any fiscal year in which proration is declared by the Governor in an amount equal to or greater than three percent conditioned on approval by the State Superintendent of Education.  
EFFECTIVE DATE: May 7, 2009.

Act 2009-408, SB512, makes supplemental appropriations of \$215,905 in private school licensure fees from the Postsecondary Education Fund to the Department of Postsecondary Education; of \$150,094 from the Impaired Drivers Trust Fund to the Department of Rehabilitation Services; of \$14,713 from the unexpended balance of the 2008 community services grants appropriation to the State Executive Commission on Community Services Grants for distribution within Senate legislative districts; and of \$900,000 from income tax receipts

collected by the Department of Revenue to that department for the fiscal year ending September 30, 2009. The act also provides for the reappropriation of any unspent amounts of the supplemental appropriation to the Department of Revenue for the fiscal year ending September 30, 2010, and directs the Revenue Commissioner to recruit, hire, and train auditors, notwithstanding the Governor's hiring freeze.  
EFFECTIVE DATE: May 7, 2009.

Act 2009-456, HB720, relates to licensed day care centers. The act requires each licensed day care to have a written evacuation plan for use during emergency circumstances.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-457, HB492, amends Sections 33-1-31, 33-1-32, 33-1-33, and 33-3-1 to 33-3-6, inclusive, Code of Alabama 1975, relating to the Alabama State Port Authority. The act increases the penalties for violation of rules of the port authority or orders of the director to that of a Class A misdemeanor and provides for the deposit of any collected fines to the port authority operating fund. The act defines the boundary lines of the inner harbor and harbor of the Port of Mobile and clarifies the duties of the Harbor Master, deputy harbor masters, and harbor pilots regarding the inner harbor and harbor. The act also provides for the appointment of an additional deputy harbor master and for the qualifications of harbor pilots.  
EFFECTIVE DATE: May 8, 2009.

Act 2009-458, HB85, continues the existence and functioning of the Alabama Real Estate Appraisers Board pursuant to the Alabama Sunset Law until October 1, 2012. The act also amends Section 34-27A-4, Code of Alabama 1975, to require that board members be citizens of this state and to limit any term holdover to 180 days.  
EFFECTIVE DATE: May 8, 2009.

Act 2009-461, SB373, amends Sections 37-2A-2, 37-2A-4, 37-2A-6, 37-2A-7, 37-2A-8, and 37-2A-11, Code of Alabama 1975, and adds Section 37-2A-5.1 to the Code of Alabama 1975, relating to the Communications Reform Act of 2005. The act provides for the installation of Lifeline and Link-Up services for low income residential customers and provides that the intentional disclosure of confidential information relating to the customers participating in the programs is a Class B misdemeanor. The act also specifies that voice over Internet protocol service is not subject to regulation by the Public Service Commission and phases in the removal of basic residential telephone service and business telephone service of four or fewer lines from regulation by the commission.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-466, SB254, relates to state parks. The act requires the Legislature, by majority vote of each house, to approve the sale or lease, for a period of 12 years or longer, of any state park or park property lying seaward of the current location of Alabama Highway 182 in Baldwin County. The act exempts certain described property which may be leased or conveyed for a convention facility and requires the approval of the Joint Legislative Committee on State Parks for certain specifications, proposals, request for proposals or bids, bids, appraisals, plans, architectural renderings, memoranda of understanding, leases or other conveyances, and

documents in furtherance of leases or other conveyances of the exempted real property. The act subjects the construction of any convention center built on the exempted property to competitive bid and requires operation of any such convention center by the Department of Conservation and Natural Resources. The act also limits the lease of the exempted property to a term of not less than 30 nor more than 70 years and requires the Cities of Gulf Shores, Orange Beach, and Foley to negotiate with the department regarding maintenance of any convention center.

EFFECTIVE DATE: May 12, 2009.

Act 2009-471, HB143, amends Section 41-14A-3, Code of Alabama 1975, relating to the Security for Alabama Funds Enhancement (SAFE) Act. The act authorizes covered public entities and covered public officials, in addition to any other authorization for the deposit of funds, to place their funds through a qualified public depository which arranges for the funds to be deposited in federally insured banks or savings associations so that the funds and accrued interest earned on them are fully insured by the Federal Deposit Insurance Corporation and, at the same time, the qualified public depository receives or is credited with deposits from other banks or savings associations in an amount equal to or greater than the amount it arranged to be deposited in other banks and savings associations. The act specifically exempts from the authorization state funds deposited or invested by the State Treasurer pursuant to Chapter 14 of Title 41, Code of Alabama 1975, and exempts any deposit made pursuant to the authorization from protection by the SAFE Program and participation in the SAFE collateral pool or the Loss Payment Fund.

EFFECTIVE DATE: August 1, 2009.

Act 2009-486, HB184, amends Sections 34-31-18, 34-31-19, 34-31-20, 34-31-24, 34-31-25, 34-31-26, 34-31-28, 34-31-29, 34-31-30, 34-31-32, and 34-31-35, Code of Alabama 1975, relating to the State Board of Heating and Air Conditioning Contractors, to change the name of the board to the Alabama Board of Heating, Air Conditioning, and Refrigeration Contractors and to expand the authority of the board to include the regulation of refrigeration contractors. The act also requires licensees to display their certification number on all documents and service vehicles, provides for the registration of apprentice licensees, and specifies exemptions from licensure.

EFFECTIVE DATE: August 1, 2009.

Act 2009-487, HB239, amends Sections 33-4-5, 33-4-6, 33-4-34, and 33-4-38, Code of Alabama 1975, relating to the State Pilotage Commission, to preclude the bar pilot commission member from serving as chair, to authorize the employment of a secretary, to increase the education requirement to be branched or licensed as a bar pilot from a high school diploma to a four-year college or university degree, and to remove the requirement that commission funds in excess of \$5,000 revert to the State Treasury.

EFFECTIVE DATE: August 1, 2009.

Act 2009-488, HB452, designates the West Indian Manatee as the official state marine mammal.

EFFECTIVE DATE: May 13, 2009.

Act 2009-489, HB484, amends Sections 20-2-214 and 20-2-217, Code of Alabama 1975, and adds Sections 20-2-60 to 20-2-69, inclusive, to the Code of Alabama 1975, relating to the regulation of and controlled substance prescribing authority of assistants to physicians. The act permits assistants to physicians, with appropriate supervision, to prescribe certain schedules of controlled substances pursuant to a qualified Alabama controlled substances registration certificate. The act establishes the qualifications necessary to obtain a certificate and the prescriptive authority of the holder of a certificate. The act establishes the Board of Medical Examiners as the regulatory body for assistants to physicians in obtaining or renewing certificates and authorizes the board to adopt rules regarding application procedures, fees, fines, punishment, and disciplinary hearings relating to a certificate holder. The act also provides immunity to board members regarding investigations or disciplinary proceedings pertaining to certificate holders.

EFFECTIVE DATE: October 1, 2009.

Act 2009-490, SB89, is the Mike Denton Infection Reporting Act. The act requires the Department of Public Health to collect, compile, analyze, and release statistical reports pertaining to statewide health care facility patient acquired infection data. The act creates a Health Care Data Advisory Council to advise the department on the development of rules relating to the implementation of the act and provides for the confidentiality of submitted individual patient information.

EFFECTIVE DATE: August 1, 2009.

Act 2009-492, SB409, amends Sections 22-4-2, 22-21-29, and 22-21-260, Code of Alabama 1975, relating to state health planning and development, to include hospice services within the definition of a health care facility for certificate of need purposes and to remove the moratorium on the licensure of hospice services.

EFFECTIVE DATE: May 13, 2009.

Act 2009-495, SB138, amends Section 16-47-32, Code of Alabama 1975, relating to the University of Alabama Board of Trustees, to allow the board, the executive committee of the board, or any other committee established by the board to participate in meetings by telephone or video conference if notice is given pursuant to the Alabama Open Meetings Act and members of the public are given the opportunity to simultaneously listen to or observe such meetings.

EFFECTIVE DATE: August 1, 2009.

Act 2009-498, SB422, amends Section 11-52-30, Code of Alabama 1975, relating to municipal planning commissions, to provide a procedure by which a municipal planning commission may establish a planning jurisdiction which extends less than five miles from the corporate limits of the municipality.

EFFECTIVE DATE: May 14, 2009.

Act 2009-499, SB107, amends Section 40-2-9, Code of Alabama 1975, relating to the Department of Revenue, to increase the amounts that the department may prepay employees traveling out of state from \$500 to \$4,000 for any one employee and from \$10,000 to \$20,000 at any one time for the aggregate number of employees.  
EFFECTIVE DATE: May 14, 2009.

Act 2009-500, SB1, relates to homeowners insurance. The act provides an insurance premium discount or insurance rate reduction for homeowners in any county contiguous to the Gulf of Mexico and the Mobile Bay who build, rebuild, or retrofit an insurable property to better resist hurricanes or other catastrophic windstorm events.  
EFFECTIVE DATE: May 14, 2009.

Act 2009-502, HB220, amends Section 36-26-26, Code of Alabama 1975, relating to state employee layoffs, to provide additional protection for employees hired pursuant to the Merit System.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-503, HB29, amends Section 8-19-12, Code of Alabama 1975, relating to unlawful trade practices, to include agents of the Department of Revenue with those law enforcement personnel who are required to seize cigarettes or tobacco products that are acquired, held, owned, possessed, transported in, imported into, or sold or distributed in this state in violation of the revenue stamp requirements of subdivision (23) of Section 8-19-5, Code of Alabama 1975.  
EFFECTIVE DATE: May 14, 2009.

Act 2009-504, HB384, appropriates \$225,000 from the State General Fund to the Alabama Kidney Foundation, Incorporated, for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-505, HB385, appropriates \$991,213 from the State General Fund to the Children's Advocacy Programs in Alabama for the support and operations of the Children's Advocacy Centers and the Alabama Network of Children's Advocacy Center, Incorporated, for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-506, HB386, appropriates \$495,000 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-507, HB383, appropriates \$43,071,940 from the Children First Trust Fund for the fiscal year ending September 30, 2010, to the entities and for the purposes designated in Section 41-15B-2.2, Code of Alabama 1975, provides for the deposit of tobacco settlement revenues into the Children First Trust Fund, requires written notification of anticipated agency allocations by the Director of Finance, requires quarterly allocations conditioned on receipt of tobacco revenues, appropriates \$50,398,268 from other tobacco settlement funds for the fiscal year ending September 30, 2010, and makes a conditional appropriation and allocation of additional

tobacco revenues upon the recommendation of the Director of Finance, the Chair of the House Government Appropriations Committee, and the Chair of the Senate Finance and Taxation-General Fund Committee and the approval of the Governor.

EFFECTIVE DATE: May 14, 2009.

Act 2009-508, SB142, amends Sections 40-8-1, 40-10-19, 40-10-29, 40-10-75, 40-10-76, 40-10-77, 40-10-78, 40-10-82, 40-10-83, 40-10-120, and 40-10-122, Code of Alabama 1975, relating to the redemption of property sold for delinquent ad valorem taxes. The act includes within the definition of residential property an owner who resides on and remains in possession of real property after it is sold at a tax sale, allows Class III owner-occupied property tax status to remain in effect during the redemption period, requires ad valorem taxes to be paid before the judge of probate issues a deed upon the expiration of three years from the date of sale of any real estate for taxes, and provides further for the deposit of redemption money. The act provides further for the rights of a purchaser where the tax sale proceedings were defective, for actions for possession and defenses that are defeated on grounds other than that the taxes were not due, for the tender of parties claiming adversely to the tax title, for the effect of payment by the original owner, and for the time and by whom the land may be redeemed.

EFFECTIVE DATE: September 1, 2009.

Act 2009-509, SB263, amends Sections 28-3-1 and 28-3-168, Code of Alabama 1975, relating to alcoholic beverages, to increase the alcohol percentage in fortified wine and table wine from 14.9 to 16.5 percent alcohol by volume. The act also defines the term convenience store and prohibits wine with greater than 14.9 percent alcohol by volume from being sold at a convenience store.

EFFECTIVE DATE: August 1, 2009.

Act 2009-510, SB90, is the Alabama Uniform Real Property Electronic Recording Act. The act establishes the Electronic Recording Commission and provides standards for electronic filing of real property documents, for signatures on such documents, for the validity of electronic documents, and for compliance with standards adopted by the commission. The act provides for the membership, powers, and duties of the commission regarding the adoption of standards that are consistent with other states, requires the Secretary of State to implement duly adopted commission standards, provides for the scope of the standards as they relate to altering substantive state law with limited exceptions and to certain federal law, and provides for uniformity of application and construction of the act.

EFFECTIVE DATE: January 1, 2010.

Act 2009-511, HB297, amends Section 15-18-83, Code of Alabama 1975, relating to the death penalty and the conduct of executions, to increase the number of relatives or friends of the condemned who may be present from two to six and to increase the number of immediate family members of a victim or victims who may be present from two to eight.

EFFECTIVE DATE: May 14, 2009.

Act 2009-512, HB751, amends the 2008 General Fund Budget, which made appropriations for the ordinary expenses of the executive, legislative, and judicial departments for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: May 14, 2009.

Act 2009-513, HB222, amends and renumbers numerous sections in Title 10, Code of Alabama 1975, and adds additional sections so as to revise, recast, and reorder the law regarding business and nonprofit entities into a new Alabama Business and Nonprofit Entities Code, Title 10A, Code of Alabama 1975. The new title includes chapters concerning general provisions, the Alabama Business Corporation Law, the Alabama Professional Corporation Law, the Alabama Limited Liability Company Law, the Alabama General Partnership Law, the Alabama Limited Partnership Law, the Alabama Real Estate Investment Trust Law, the Alabama Employee Cooperative Corporations Law, business trusts, the Alabama Unincorporated Nonprofit Association Law, special purpose entities, certain powers, rights, and duties of corporations, and provisions applicable to existing entities of a type that may no longer be formed. The act also repeals Sections 10-2B-1.23, 10-2B-1.24, 10-2B-1.26, 10-2B-1.29, 10-2B-4.01, 10-2B-4.02, 10-2B-4.03, 10-2B-5.01, 10-2B-5.02, 10-2B-5.04, 10-2B-6.26, 10-2B-11.08, 10-2B-15.04, 10-2B-15.06, 10-2B-15.07, 10-2B-15.08, 10-2B-15.09, 10-2B-15.10, 10-2B-15.20, 10-2B-17.03, 10-3A-20, 10-3A-22, 10-3A-23, 10-3A-24, 10-3A-25, 10-3A-62, 10-3A-170, 10-3A-171, 10-3A-172, 10-3A-173, 10-3A-174, 10-3A-175, 10-3A-176, 10-3A-177, 10-3A-178, 10-3A-179, 10-3A-180, 10-3A-181, 10-3A-182, 10-3A-183, 10-3A-184, 10-3A-185, 10-3A-186, 10-3A-200, 10-3A-201, 10-3A-202, 10-3A-220, 10-3A-221, 10-3A-222, 10-3A-224, 10-12-3, 10-12-6, 10-12-12, 10-12-14, 10-12-15, 10-12-17, 10-12-43, 10-12-44, 10-12-46, 10-12-47, 10-12-48, 10-12-49, 10-12-50, 10-12-51, 10-12-59, 10-12-60, 10-12-61, 10-8A-901, 10-8A-902, 10-8A-903, 10-8A-904, 10-8A-905, 10-8A-906, 10-8A-907, 10-8A-1103, 10-8A-1104, 10-8A-1105, 10-8A-1106, 10-9B-104, 10-9B-107, 10-9B-205, 10-9B-206, 10-9B-209, 10-9B-901, 10-9B-902, 10-9B-903, 10-9B-904, 10-9B-905, 10-9B-906, 10-9B-907, 10-9B-908, 10-9B-1101, 10-9B-1102, 10-9B-1103, 10-9B-1104, 10-9B-1105, 10-9B-1106, 10-9B-1107, 10-9B-1108, 10-9B-1204, 10-2A-303, 10-15-1, 10-15-2, 10-15-5, 10-15-7, 10-2B-1.27, 10-2B-1.28, 10-3A-223.1, 10-4-404, 10-4-405, 10-4-406, and 10-9B-305, Code of Alabama 1975.

EFFECTIVE DATE: January 1, 2011.

Act 2009-514, HB380, makes an annual appropriation of \$3,500,000 from the Public Road and Bridge Fund of the Department of Transportation to the Department of Public Safety and provides, for the fiscal years ending September 30, 2009, 2010, and 2011, that such funds shall be used for the operations of the department and thereafter for the purchase of equipment for traffic law enforcement. The act also amends Section 32-2-84, Code of Alabama 1975, to codify the above appropriations.

EFFECTIVE DATE: May 14, 2009.

Act 2009-543, HB318, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Macon County, to authorize the Legislature, by general or local law, to fix, alter, regulate, and provide for the distribution of court costs in the county and to ratify and confirm prior local laws levying additional court costs in the county.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-544, HB218, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Bibb County, to grant certain home rule powers to the Bibb County Commission, excluding the power to tax or raise revenue.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-545, HB742, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Jefferson County, to allow any person residing in and claiming a homestead exemption in the county to continue to claim the exemption for three years on the property after being admitted to a nursing home or assisted living facility if the property continues to be used for residential purposes.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-546, HB175, amends Sections 28-2A-1, 28-2A-3, and 28-3A-23, Code of Alabama 1975, relating to the sale of alcoholic beverages, to allow any municipality having a population of 1,000 or more, excluding Clay, Randolph, and Blount Counties, to hold a municipal option election and to authorize any retail operation selling alcoholic beverages on May 14, 2009, to obtain dual club or lounge and restaurant licenses. The act also repeals Section 28-2A-4, Code of Alabama 1975, relating to municipal option elections.  
EFFECTIVE DATE: May 14, 2009.

Act 2009-547, HB423, proposes an amendment to the Constitution of Alabama of 1901, relating to the promotion of propane gas, to authorize the Legislature, by general law, to provide for an assessment on the members of the propane gas industry for the purpose of financing promotional programs.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-548, HB729, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Calhoun County, to authorize the governing body of the City of Anniston to appropriate funds to the Anniston City Schools Foundation or the Public Education Foundation of Anniston to fund a scholarship program.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2009-549, HB868, adds Article 5, commencing with Section 40-26B-70, to Chapter 26B, Title 40, Code of Alabama 1975, relating to the Alabama Medicaid Program. The act provides for the deposit of assessments, paid by privately operated hospitals and collected by the Department of Revenue, into a Hospital Assessment Account created in the Health Care Trust Fund for use by the Alabama Medicaid Program to obtain matching federal funds. The act requires state-owned and public hospitals to certify to the Medicaid Agency the cost of providing care to Medicaid beneficiaries, plus the cost of uncompensated care, for use by the agency to

obtain matching federal funds and requires the agency to account for all federal funds obtained. The act requires the agency to use all funds obtained from the assessment and certification processes to pay privately operated, state-owned, and public hospitals for outpatient and inpatient care to Medicaid beneficiaries. The act provides a termination date of September 30, 2011, for the program and requires the Centers for Medicare and Medicaid Services to approve the hospital funding program before the program is instituted.

EFFECTIVE DATE: May 15, 2009.

Act 2009-550, HB746, is the General Fund Budget. The act makes appropriations for the ordinary expenses of the executive, legislative, and judicial departments for the fiscal year ending September 30, 2010.

EFFECTIVE DATE: October 1, 2009.

Act 2009-551, HB253, proposes an amendment to Section 269 of the Constitution of Alabama of 1901, as amended by Amendment 111, relating to special county educational taxes, to authorize the taxes to be levied upon a majority vote, in lieu of a three-fifths vote, of those voting at the election.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-555, HB824, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lawrence County, to authorize the county commission, upon a determination that the funds are not needed for the operation and implementation of the solid waste disposal program, to use a portion of the funds derived from the operation and use of any landfill in the county for general county purposes.

EFFECTIVE DATE: Contingent upon ratification.

Act 2009-558, HB1, amends Section 15-20-26, Code of Alabama 1975, relating to criminal sex offenders, to include college and university campuses as schools covered under the 2,000 feet residence restriction and to prohibit a convicted sex offender from loitering within 500 feet of a public or private secondary school bus stop.

EFFECTIVE DATE: August 1, 2009.

Act 2009-559, HB177, amends Sections 31-6-4, 31-6-5, and 31-6-6, Code of Alabama 1975, relating to the educational benefits of dependents of deceased or disabled veterans or prisoners of war, to extend the length of time for which educational benefits may be provided.

EFFECTIVE DATE: May 18, 2009.

Act 2009-560, HB438, creates the Interstate Commission on Educational Opportunity for Military Children, an interstate compact to address the education transition issues including, but not limited to, the transfer of records, enrollment, placement, extracurricular activities, and graduation of children of active duty military families, and provides for the uniform treatment, at state and local levels, of military children who transfer between states and school districts.

EFFECTIVE DATE: August 1, 2009.

Act 2009-561, HB700, relates to construction craft trade workers. The act levies a fee on general contractors, contractors, and subcontractors based upon wages paid to construction workers for the performance of skilled labor under a construction contract or job in this state to fund a program to provide for the recruitment of, and the promotion of training programs and opportunities for, new construction craft trade workers. The act provides for the administration of the fees by the Department of Revenue and for the remittance of the fees to the 21st Century Authority for the benefit of the Alabama Construction Recruitment Institute, charged with creating and implementing the program.

EFFECTIVE DATE: May 18, 2009.

Act 2009-562, SB28, amends Sections 12-2-1, 12-3-1, 12-11-1, and 12-12-1, Code of Alabama 1975, relating to the qualifications for holding judicial office, to require a minimum of 10 years of licensure as an attorney before a person may serve as a Justice on the Supreme Court or as a Judge on the Court of Civil Appeals or Court of Criminal Appeals, five years before serving as a circuit court judge, and three years before serving as a district court judge.

EFFECTIVE DATE: January 1, 2010.

Act 2009-563, SB301, amends Sections 41-10-621, 41-10-622, 41-10-626, 41-10-629, and 41-10-673, Code of Alabama 1975, and adds Sections 41-10-640, 41-10-641, 41-10-642, and 41-10-643 to the Code of Alabama 1975, relating to the Alabama 21st Century Authority, to promote recruiting and training programs for construction craft trade workers. The act authorizes the 21st Century Authority to establish the Alabama Construction Recruitment Institute, provides for the incorporation of the institute, for the members, composition, and actions of the institute, and for the powers and duties of the institute. The act provides for certain construction related fees to fund the institute, limits the liability of the officers, directors, and employees of the institute, and exempts personal information collected by the institute from state public records laws.

EFFECTIVE DATE: May 18, 2009.

Act 2009-564, SB334, amends Sections 16-28-3, 16-28-6, 16-28-7, 16-28-9, 16-28-11, and 21-1-10, Code of Alabama 1975, and adds Section 16-28-3.1 to the Code of Alabama 1975, relating to mandatory school attendance. The act increases the maximum age of mandatory school attendance from 16 to 17, authorizes children over the age of 17 to withdraw from school before graduation with written parental consent and an exit interview, and requires the State Department of Education to work with schools in developing state and local dropout prevention programs. The act also requires the State Superintendent of Education, Chancellor of Postsecondary Education, and Alabama Commission on Higher Education to develop a high school fast track to college program.

EFFECTIVE DATE: August 1, 2009.

Act 2009-565, HB144, amends Sections 25-8-32, 25-8-35, 25-8-37, 25-8-38, 25-8-39, 25-8-40, 25-8-45, 25-8-46, 25-8-51, 25-8-59, 25-8-60, and 25-8-61, Code of Alabama 1975, and adds Sections 25-8-32.1 and 25-8-32.2 to the Code of Alabama 1975, relating to child labor laws. The act provides definitions and establishes the Child Labor Administrative Trust Fund to fund the Child Labor Division of the Department of Labor. The act prohibits a person under age 16,

unless under the direct supervision of a person at least age 18, from selling fireworks, allows persons 14 and 15 years of age to work in nonhazardous occupations upon the recommendation of the local superintendent of education and approval of a child labor inspector, requires an employer to maintain a separate file for each employee under age 19 for at least three years, exempts certain volunteer activities by educational, charitable, and nonprofit organizations from certain requirements, provides for an eligibility to work form in lieu of a work permit, requires employers to obtain a Class I or Class II child labor certificate from the Alabama Department of Labor before employing a minor between ages 14 and 17, and provides for certificate fees and fines for noncompliance. The act also repeals Sections 25-8-41, 25-8-47, 25-8-48, 25-8-49, 25-8-50, and 25-8-58, Code of Alabama 1975.  
EFFECTIVE DATE: May 19, 2009.

Act 2009-566, HB25, amends Section 13A-12-260, Code of Alabama 1975, relating to drug paraphernalia, to include within the definition of drug paraphernalia hollow glass tubes which are less than three-quarters of an inch in diameter, shorter than 12 inches in length, and not sealed with glass at both ends.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-567, HB37, relates to probate court. The act requires that Social Security numbers and birthdates be redacted, removed, or otherwise made illegible on documents recorded with the probate court, excluding federal and state tax liens. The act also authorizes the judge of probate to make available and publish certain records in electronic format on the Internet.  
EFFECTIVE DATE: May 20, 2009.

Act 2009-568, HB71, relates to the sale of certain admission tickets. The act requires that the original price of an admission ticket to a athletic contest, dance, theater, concert, circus, or other amusement be printed on the face of the ticket and permits the ticket to be sold at a price greater than the original price. The act also authorizes any individual to resell admission tickets on the Internet or through other electronic means without a business license and provides that the sale of a counterfeit ticket is forgery in the third degree, a Class A misdemeanor.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-569, HB150, amends Section 22-9A-23, Code of Alabama 1975, relating to the Office of Vital Statistics of the Department of Public Health, to increase the fees for obtaining copies of records.  
EFFECTIVE DATE: October 1, 2009.

Act 2009-570, HB164, relates to landlord and tenant law, to provide that a landlord or real property owner is not liable for the delinquent bill of a tenant for goods or services provided to the tenant if the account for the goods or services is in the name of the tenant.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-571, HB216, is the Student Harassment Prevention Act. The act requires each public K-12 school, the Alabama Institute for Deaf and Blind, the Alabama High School of Mathematics and Science, and the Alabama School of Fine Arts to develop plans or programs to

encourage students to report and address incidents of harassment, violence, and threats of violence. The act requires the State Department of Education to develop a model policy for local boards pertaining to student harassment prevention.

EFFECTIVE DATE: October 1, 2009.

Act 2009-572, HB225, amends Sections 31-9-8 and 31-9-10, Code of Alabama 1975, relating to the emergency powers of the Governor and of local political subdivisions. The act specifies that the emergency powers do not authorize the seizure or confiscation of firearms or ammunition from persons lawfully in possession and specifies that a law enforcement officer may temporarily disarm an individual if the officer reasonably believes it to be necessary for the protection of the officer or another individual.

EFFECTIVE DATE: May 20, 2009.

Act 2009-573, HB267, establishes the Alabama Military Hall of Honor on the campus of the Marion Military Institute to provide a permanent and visible tribute to Alabama's military heroes. The act provides for the membership of the board, for the election of members and officers, for the induction of new members into the Hall of Honor, and for funding pursuant to an annual appropriation from the State General Fund.

EFFECTIVE DATE: May 20, 2009.

Act 2009-574, HB275, authorizes each state-owned building, state park, and highway rest area where the United States flag is displayed to also display the POW-MIA flag if the flag is available free of charge.

EFFECTIVE DATE: May 20, 2009.

Act 2009-575, HB322, is the Alabama Virtual Library Act. The act establishes the Alabama Virtual Library and the Alabama Virtual Library Executive Council and provides the membership, responsibilities, and duties of the council.

EFFECTIVE DATE: August 1, 2009.

Act 2009-576, HB346, amends Sections 20-2-182, 34-23-33, 34-23-50, and 34-23-92, Code of Alabama 1975, relating to the Board of Pharmacy. The act provides for the biennial licensing of any person who sells, transfers, manufactures, purchases for resale, or otherwise furnishes any precursor drug, authorizes the board to adopt rules imposing non-disciplinary administrative penalties for designated violations, provides for the biennial renewal of assistant pharmacist licenses, and authorizes the board to hire additional drug inspectors, to electronically provide each registered pharmacist with a copy of board rules and regulations, and to acquire and own real property.

EFFECTIVE DATE: May 20, 2009.

Act 2009-577, HB361, is the Alabama Move Over Act. The act requires the driver of a motor vehicle to move over or slow down, as specified, when approaching a law enforcement vehicle, an emergency vehicle, or wrecker using visual signals, provides penalties for violations, and requires the Department of Public Safety to institute a public awareness campaign. The act also repeals Section 32-5A-58.1, Code of Alabama 1975.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-578, HB391, amends Sections 28-11-2, 28-11-8, 28-11-13, 28-11-14, and 28-11-15, Code of Alabama 1975, and adds Sections 28-11-6.1 and 28-11-6.2 to the Code of Alabama 1975, relating to the sale of tobacco products to minors. The act prohibits the use of false identification by a minor to purchase tobacco products, prohibits the sale of tobacco products through a self-service display or vending machine, and requires the posting of signs where tobacco is sold stating that the sale of tobacco products to minors is illegal.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-579, HB409, is the Airport Airspace Safety Act of 2009. The act authorizes the Department of Transportation to promulgate rules to regulate airport hazards, including the height of structures and objects of natural growth in the vicinity of publicly owned public use airports, specifies the method of evaluating the value of property acquired for airport expansion, and incorporates by reference certain provisions of the United States Code of Federal Regulations.  
EFFECTIVE DATE: May 20, 2009.

Act 2009-580, HB424, is the Alabama Propane Education and Research Act of 2009. The act provides a means by which members of the propane gas industry may organize and provides by referendum levy upon themselves assessments for use in promoting propane gas through consumer education, safety and training, marketing, research and development, conservation, and regulatory compliance. The act also establishes the Alabama Propane Education and Research Council and for the promulgation of rules.  
EFFECTIVE DATE: Contingent upon adoption of an amendment to the Constitution of Alabama of 1901, authorizing the Legislature to provide for the promotion of the propane gas industry.

Act 2009-581, HB428, amends Section 34-27-6, Code of Alabama 1975, relating to the Alabama Real Estate Commission. The act authorizes the commission to license and regulate real estate courses and schools, requires the payment of a surety bond and licensing fees, and authorizes the commission to revoke or suspend a license and to levy fines for violations.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-582, HB435, relates to consumer protection. The act requires notice of the country of origin of farm-raised fish or wild fish intended for human consumption to be available or provided to the consumer and provides penalties for noncompliance.  
EFFECTIVE DATE: January 1, 2010.

Act 2009-583, HB445, relates to the rental or lease of heavy equipment. The act authorizes heavy equipment rental companies to include a one and one-half percent recovery fee in all rental agreements and to use any fees collected to pay personal property taxes on the equipment. EFFECTIVE DATE: May 20, 2009.

Act 2009-584, HB473, relates to consumer protection. The act requires notice of the county of origin of catfish products advertised or offered for sale and intended for human consumption to be provided to the consumer and provides penalties for noncompliance. EFFECTIVE DATE: August 1, 2009.

Act 2009-586, HB518, amends Section 13A-6-21, Code of Alabama 1975, relating to the crime of assault in the second degree, to include in the elements of the crime any person who, with intent to prevent a detention or correctional officer at any municipal or county jail or state penitentiary from performing a lawful duty, intends to cause and causes physical injury to any person. EFFECTIVE DATE: August 1, 2009.

Act 2009-587, HB520, amends Sections 34-8A-2, 34-8A-4, 34-8A-6, 34-8A-14, and 34-8A-16, Code of Alabama 1975, relating to the Board of Examiners in Counseling. The act clarifies that a licensed professional counselor or an associate licensed counselor may only diagnose and develop treatment plans that are within the boundaries of counseling services. The act provides for cultural diversity on the board and authorizes the Executive Committee of the Alabama Counseling Association to make an appointment to the board if the Governor fails to make a timely appointment. The act requires associate licensed counselors to pay fees and submit continuing educational experiences, provides for the renewal of lapsed licenses on an annual basis, and provides for the confidentiality of records of complaint and investigation regarding a licensee. EFFECTIVE DATE: August 1, 2009.

Act 2009-588, HB527, amends Section 11-50-393, Code of Alabama 1975, relating to municipal gas districts. The act increases the maximum director's fee paid to members of a board of directors for attendance at a meeting from \$450 to \$1,000 for each director and from \$500 to \$1,250 for the chair of the board. EFFECTIVE DATE: August 1, 2009.

Act 2009-589, HB530, amends Sections 22-35-3, 22-35-4, and 22-35-5, Code of Alabama 1975, relating to the Alabama Underground and Aboveground Storage Tank Trust Fund. The act provides further for the definitions of motor fuels and occurrence and limits combined claims against the fund for payment of response actions and third-party claims to the per occurrence indemnification limit annually set by the commission upon the recommendation of the Trust Fund Management Board. The act also recognizes settlements approved by the Attorney General for third-party suits against the fund as actions enforceable in the state. EFFECTIVE DATE: May 20, 2009.

Act 2009-590, HB578, authorizes public two-year and four-year institutions of higher education, including postsecondary technical colleges, community colleges, and junior colleges, to waive undergraduate tuition and fees for recipients of the Purple Heart.

EFFECTIVE DATE: August 1, 2009.

Act 2009-592, HB615, relates to autism. The act provides for the establishment of regional autism centers and for the appointment members to a constituency board created for each center to work collaboratively with the center in providing nonresidential resource and training services. The act also authorizes the Alabama Interagency Autism Coordinating Council to determine the number and location of the regional centers and to promulgate rules necessary for implementation.

EFFECTIVE DATE: August 1, 2009.

Act 2009-593, HB643, makes a supplemental appropriation of \$600,000 from the Education Trust Fund to the Lee County School System for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: May 20, 2009.

Act 2009-595, HB715, relates to distinctive motor vehicle tags. The act establishes the "Alabama Gold Star Family" distinctive license plate for use by any immediate family member of a person who died while on active duty with any branch of military service, establishes a fee, and provides for the duties of the Department of Revenue.

EFFECTIVE DATE: January 1, 2010.

Act 2009-607, HB922, amends Section 16-25A-8.1, Code of Alabama 1975, relating to retired public education employees, to exempt retirees who retire on disability and are approved for federal Social Security Disability from reduced employer contributions for health insurance.

EFFECTIVE DATE: May 20, 2009.

Act 2009-616, SB15, is the Officer Keith E. Houts Act. The act establishes the crime of eluding a law enforcement officer who is attempting arrest as a Class A misdemeanor if death or physical injury is not caused to a third party and a Class C felony if death or physical injury is caused to a third party as a result. The act provides an affirmative defense if the arrest was unlawful or the person eventually stops in a reasonable manner. The act also repeals Section 32-5A-193, Code of Alabama 1975, relating to fleeing or attempting to elude a police officer.

EFFECTIVE DATE: August 1, 2009.

Act 2009-617, SB23, amends Sections 34-27-32 and 34-27-36, Code of Alabama 1975, relating to real estate brokers, to require an applicant for a reciprocal real estate broker license to provide proof of coursework in Alabama real estate to and successfully complete a reasonable written examination prepared by the Alabama Real Estate Commission. The act also requires prominent lettering on advertisements in lieu of lettering of a specific size.

EFFECTIVE DATE: August 1, 2009.

Act 2009-618, SB54, amends Section 40-12-244, Code of Alabama 1975, to exempt one vehicle of any volunteer firefighter who is entitled to use a distinctive firefighter tag from motor vehicle license taxes and registration fees.

EFFECTIVE DATE: August 1, 2009.

Act 2009-619, SB58, amends Section 15-20-22, Code of Alabama 1975, relating to adult criminal sex offenders. The act requires a declaration by an offender of his or her intended residence 180 days before release from custody, verification of the physical address by local law enforcement at least 110 days before release from custody, and an opportunity for the sex offender to provide a satisfactory verifiable address up until 70 days before his or her release from custody. The act prohibits the release of any adult criminal sex offender who does not provide a proper physical address of residence in compliance with the act.

EFFECTIVE DATE: May 21, 2009.

Act 2009-620, SB84, amends Sections 34-1-2, 34-1-6, 34-1-7, 34-1-10, 34-1-12, 34-1-15, 34-1-16, 34-1-17, and 34-1-20, Code of Alabama 1975, relating to certified public accountants. The act adds the standards of the Public Company Accounting Oversight Board (PCAOB) to acceptable auditing standards, extends practice privileges to nonresident certified public accountants without the necessity of obtaining a certificate or permit in this state, makes technical changes to conform state law to certain federal auditing standards, and increases the maximum administrative fine for violations from \$1,000 to \$5,000.

EFFECTIVE DATE: October 1, 2009.

Act 2009-621, SB87, is the Alabama Uniform Limited Partnership Act of 2010. The act repeals Chapter 9B, Title 10, Code of Alabama 1975, and adds a new Chapter 9C, Title 10 to the Code of Alabama 1975, providing for the organization, rights and liabilities, and rules for the registration of limited partnerships.

EFFECTIVE DATE: January 1, 2010.

Act 2009-622, SB98, is the Alabama Boxing Act. The act creates the Alabama Boxing Commission, provides for the membership, powers, and duties of the commission, and creates a medical advisory panel for the commission. The act requires promoters of boxing matches and boxers to be licensed, provides certain exemptions, requires specific standards for buildings where boxing matches are staged, prohibits boxers from boxing while under the influence of alcohol or drugs, and imposes age requirements on boxers. The act allows the Attorney General to seek civil penalties, including injunctive relief, provides for criminal penalties, creates the Alabama Boxing Commission Fund in the State Treasury, makes annual appropriations from the fund in amounts determined necessary by the commission, and subjects the commission to the Alabama Sunset Law.

EFFECTIVE DATE: May 21, 2009.

Act 2009-623, SB212, amends Sections 32-6-350 and 32-6-350.1, Code of Alabama 1975, relating to the Alabama Veteran Tag Program, to provide for the issuance of Operation Iraqi Freedom and Operation Enduring Freedom-Afghanistan distinctive license tags and to provide fees for issuance.

EFFECTIVE DATE: August 1, 2009.

Act 2009-624, SB232, amends Sections 5-25-2, 5-25-3, 5-25-5, 5-25-6, 5-25-7, 5-25-8, 5-25-9, 5-25-11, and 5-25-12, Code of Alabama 1975, relating to the Mortgage Brokers Licensing Act. The act limits exemptions from licensure by requiring certain mortgage loan originators and independent contractors to be licensed or registered in accordance with the Alabama Secure and Fair Enforcement for Mortgage Licensing Act. The act requires one principal or executive officer of an applicant office to have at least two years of experience within the past four years in the mortgage industry, combines the initial license fee and investigation fee into one nonrefundable \$600 fee, requires a background check for most applicants, and authorizes the State Banking Department to require surety bonds of applicants and licensees. The act also permits the principal place of business of a licensee to be located outside of the state and authorizes the renewal of licenses through the Nationwide Mortgage Licensing System and Registry.

EFFECTIVE DATE: November 21, 2009.

Act 2009-625, SB234, amends Sections 5-18-5, 5-19-22, and 5-19-31, Code of Alabama 1975, relating to the minicode and consumer credit transactions. The act changes the date that annual license fees are due, requires a license be held at each location where activity is conducted, requires life insurance companies involved in certain consumer loan transactions to be licensed by the State Banking Department, and authorizes the State Banking Department to require applicants for licensure to obtain a surety bond, apply to the Nationwide Mortgage Licensing System and Registry, and submit to background checks. The act provides that all fees paid are nonrefundable, excludes any credit for licensure fee, and removes exemptions for approved mortgagees under the National Housing Act.

EFFECTIVE DATE: November 21, 2009.

Act 2009-626, SB242, relates to mortgages. The act prohibits a mortgagee from initiating foreclosure proceedings against the surviving spouse or the estate of a mortgagor who dies while deployed overseas on active duty military service for at least 180 days after the death and provides penalties for violations. The act also creates the Military Family Relief Fund in the State Treasury for use by the Department of Veterans Affairs to assist military families in need.

EFFECTIVE DATE: August 1, 2009.

Act 2009-627, SB249, is the Alabama Secure and Fair Enforcement for Mortgage Licensing Act of 2009 or the Alabama S.A.F.E. Mortgage Licensing Act of 2009. The act provides for the licensing and regulation of mortgage loan originators, including background checks and surety bonds, provides exemptions from licensure, and provides a civil penalty for violations.

EFFECTIVE DATE: June 1, 2009.

Act 2009-628, SB270, relates to two-year and four-year institutions of higher education. The act requires each applicant for admission to a teacher preparation program to complete a criminal history background information check and provides for notice of the requirement to applicants for admission.

EFFECTIVE DATE: August 1, 2009.

Act 2009-629, SB283, relates to municipal planning and zoning. The act authorizes a municipality to prezone territory proposed for annexation into the corporate limits of the municipality by following the provisions of Article 4, Chapter 52, Title 11, Code of Alabama 1975, and specifies that the zoning is effective only if the territory is annexed into the municipality.

EFFECTIVE DATE: August 1, 2009.

Act 2009-630, SB311, is the Reduced Cigarette Ignition Propensity Standards and Firefighter Protection Act. The act establishes reduced cigarette ignition propensity standards for cigarette manufacturers, establishes certification fees, provides packaging regulations, and establishes civil penalties for violations.

EFFECTIVE DATE: May 21, 2009, relating to the promulgation of rules by the State Fire Marshal and the preemption of local law, otherwise, January 1, 2010.

Act 2009-631, SB379, amends Sections 36-21-101 and 36-21-102, Code of Alabama 1975, relating to the Police Officer's and Firefighter's Survivors Educational Assistance Act. The act defines the term volunteer firefighter and adds dependents and spouses of full-time volunteer firefighters killed or totally disabled in the line of duty to those eligible for free tuition.

EFFECTIVE DATE: August 1, 2009.

Act 2009-632, SB383, amends Sections 15-18-68, 15-18-71, and 15-18-144, Code of Alabama 1975, relating to restitution, to require the court to order a minimum restitution amount of \$50,000 for a conviction of a capital offense and a minimum of \$10,000 for a second or subsequent conviction of rape in the first degree. The act provides for the credit of restitution paid in any related civil action, authorizes the Attorney General to motion the court to attach any other asset or income of a defendant, and authorizes the prison authority to seize and transfer any item of value from the outgoing mail of a prisoner into the Crime Victim's Compensation Fund for restitution purposes.

EFFECTIVE DATE: August 1, 2009.

Act 2009-633, SB397, amends Sections 35-9A-121, 35-9A-141, 35-9A-303, 35-9A-421, and 35-9A-461, Code of Alabama 1975, relating to the Uniform Residential Landlord and Tenant Act. The act clarifies the authority of counties and municipalities to enact and enforce other laws relating to owner-occupied residential property, defines eviction, specifies circumstances for which a landlord may enter a dwelling unit, provides remedies for noncompliance with the rental agreement and failure to pay rent, and specifies noncurable acts or omissions by a tenant or occupant. The act also provides remedies available after termination of a rental agreement,

remedies for periodic and holdover tenancy, and remedies related to landlord's action for eviction, rent, damages, and other relief for breach of a rental agreement.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-634, SB404, amends Sections 10-2B-7.22 and 10-2B-16.20, Code of Alabama 1975, relating to corporations, to require corporations to provide, upon request, annual financial statements to shareholders by mail or electronic transmission. The act also authorizes a shareholder to vote his or her shares by secure electronic transmission.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-635, SB439, changes the name of the Department of Mental Health and Mental Retardation to the Department of Mental Health, authorizes the Code Commissioner to replace references in the code to the terms "mentally retarded" and "mental retardation" to "people with an intellectual disability" and "intellectual disability," respectively, and allows an appropriate time period for the transition.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-636, SB469, amends Sections 3-7A-1, 3-7A-2, 3-7A-3, 3-7A-5, 3-7A-7, 3-7A-8, 3-7A-9, 3-7A-10, 3-7A-11, 3-7A-12, and 3-7A-14, Code of Alabama 1975, and adds Section 3-7A-16 to the Code of Alabama 1975, relating to rabies immunization programs. The act defines and adds members of the ferret (*Mustela putorius furo*) family to the list of animals subject to rabies vaccinations, authorizes the State Board of Health to establish vaccine intervals and vaccines for use in public rabies vaccination clinics and to establish exemptions, authorizes the electronic maintenance of vaccination certificates, allows home quarantine of animals as directed by the health officer, and provides further for penalties for violations. The act also designates any licensed veterinarian, and any of his or her assistants, working at an officially designated rabies vaccination clinic as a volunteer for liability purposes.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-637, HB28, relates to distinctive motor vehicle license plates or tags. The act establishes a new distinctive license plate category for the United States Marine Corps, provides an annual additional fee for the license plate or tag, provides for distribution of the proceeds from the annual additional fee to the Department of Alabama Marine Corps League.  
EFFECTIVE DATE: January 1, 2010.

Act 2009-638, HB36, amends Section 17-8-1, Code of Alabama 1975, relating to the appointment of election officers. The act authorizes compensated poll workers, except inspectors, to work split shifts if determined necessary by the judge of probate.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-639, HB58, amends Section 32-6-350, Code of Alabama 1975, relating to the Alabama Veteran Tag Program, to require the payment of an additional \$3 fee for the renewal of a Vietnam veteran's distinctive license tag and for distribution of the fee to the Vietnam Veterans of America, Incorporated, Alabama State Council, for use in assisting Vietnam veterans.  
EFFECTIVE DATE: August 19, 2009.

Act 2009-640, HB60, creates the Alabama Security Regulatory Board to provide for the certification and regulation of security officers. The act provides for the membership, powers, and duties of the board, subjects the board to the Alabama Sunset Law, and provides fees for licensing and certification. The act provides training requirements for security officers, provides for reciprocity between states regarding the employment and deployment of security officers, and establishes minimum standards for licensing and regulating nonexempt persons and entities engaged in security work or operating security companies in the state. The act provides for the carrying of firearms by security officers, provides for uniform and motor vehicle identifying insignia for security officers, provides for a special revenue fund, and prescribes fines for violations.

EFFECTIVE DATE: May 21, 2009.

Act 2009-641, HB65, relates to county law libraries. The act requires any county with a law library to establish a law library fund, specifies the uses of monies in the fund, and authorizes the presiding circuit court judge to oversee the administration of the fund.

EFFECTIVE DATE: August 1, 2009.

Act 2009-642, HB96, amends Sections 34-11-4, 34-11-7, and 34-11-30, Code of Alabama 1975, relating to the State Board of Licensure for Professional Engineers and Land Surveyors. The act removes as a requirement for licensure the curriculum of engineering technology and clarifies that standards for reciprocity apply as to the time a certificate is issued. The act increases the membership of the board to include an additional professional engineer and professional land surveyor and allows the board to establish rules regarding a nominating committee for board membership.

EFFECTIVE DATE: August 1, 2009.

Act 2009-643, HB122, relates to the Teachers' Retirement System. The act permits the purchase of service credit in the system for prior service rendered to an educational institution of higher education that receives direct appropriations from the Education Trust Fund but does not participate in the system.

EFFECTIVE DATE: October 1, 2009.

Act 2009-644, HB130, amends Sections 32-6-360 and 32-6-361, Code of Alabama 1975, relating to Fraternal Order of Police distinctive license tags, to authorize issuance of the distinctive tags for motorcycles, to increase the additional fee from \$20 to \$30, and to provide for the distribution of the remainder of each fee over \$10 to the Alabama State Lodge Fraternal Order of Police, Incorporated.

EFFECTIVE DATE: August 1, 2009.

Act 2009-645, HB131, creates the Alabama Commission to Reduce Poverty, provides for the membership, duties, and responsibilities of the commission, and appropriates \$5,000 from the State General Fund to the commission for the fiscal year ending September 30, 2009.

EFFECTIVE DATE: May 21, 2009.

Act 2009-646, HB149, authorizes any person to exhibit or display the United States flag, not exceeding 40 square feet in size, on his or her property regardless of any covenant, contract, or restriction to the contrary, and to void any covenant, contract, or restriction prohibiting such exhibit or display.

EFFECTIVE DATE: May 21, 2009.

Act 2009-647, HB151, amends Section 12-17-40, Code of Alabama 1975, relating to supernumerary circuit court judges, to allow a person who has satisfied service and age requirements for supernumerary status before September 18, 1973, to elect to become a supernumerary circuit judge.

EFFECTIVE DATE: May 21, 2009.

Act 2009-648, HB153, amends Sections 34-22-60, 34-22-62, and 34-22-63, Code of Alabama 1975, relating to the Board of Optometric Scholarship Awards, to include the Executive Director of the Alabama Optometric Association on the board and require diversity in the membership of the board. The act authorizes the board to award loans and scholarships based upon the number of students enrolled in and the current cost of tuition at the University of Alabama at Birmingham School of Optometry. The act authorizes the award of merit scholarships for graduate students studying vision science. The act authorizes the board to retain funds for use in funding future scholarships, in lieu of distributing the funds to the Education Trust Fund. The act also increases the time a recipient has to repay a loan from eight to 12 years.

EFFECTIVE DATE: May 21, 2009.

Act 2009-650, HB185, establishes the green fleets program for state agency motor vehicles. The act adopts a procedure for procuring state motor vehicles based on criteria that include fuel economy and life cycle costing and requires state motor vehicle fleet managers to classify their vehicle inventory for compliance with the program and submit annual plans for procuring fuel-efficient vehicles. The act creates the Green Fleets Review Committee to ensure compliance and provides for the creation of advisory subcommittees.

EFFECTIVE DATE: May 21, 2009.

Act 2009-651, HB186, amends Sections 28-3-3 and 28-5-1, Code of Alabama 1975, relating to ethyl alcohol, to eliminate certain regulations on the manufacture, sale, and transportation of ethyl alcohol where the ethyl alcohol is manufactured, sold, and transported for use as an alternative fuel for motor vehicles.

EFFECTIVE DATE: August 1, 2009.

Act 2009-652, HB191, amends Section 41-16-27, Code of Alabama 1975, relating to competitive bidding, to allow consideration of life cycle cost in determining the lowest responsible bid for personal property. [See also Act 2009-653 and Act 2009-763]

EFFECTIVE DATE: August 1, 2009.

Act 2009-653, HB192, amends Sections 41-16-27 and 41-16-57, Code of Alabama 1975, relating to competitive bidding, to allow consideration of life cycle cost in determining the lowest responsible bid for motor vehicles. The act also limits contracts for the leasing of motor vehicles by local governing bodies to five years. [See also Act 2009-652 and Act 2009-763]  
EFFECTIVE DATE: January 1, 2010.

Act 2009-654, HB197, amends Section 16-47-78, Code of Alabama 1975, relating to the Board of Dental Scholarship Awards. The act provides that the fourth type of scholarship awarded by the board consists of reimbursements for expenses for dental students in the Rural Dental Scholars Program and provides, retroactive to September 30, 2005, that funds appropriated to the board remain with the board.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-655, HB199, relates to public schools. The act requires each local board of education to adopt a comprehensive school safety plan and protocol and requires principals to instruct students regarding various school safety matters and to use certain specified safety procedures.  
EFFECTIVE DATE: July 1, 2010.

Act 2009-656, HB207, relates to domestic violence. The act establishes state and regional domestic violence fatality review teams, provides for the membership, duties, and civil and criminal immunity of teams, provides for the confidentiality of information, and prohibits testimony in civil or disciplinary proceedings concerning any records or information produced or presented to a review team.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-657, HB289, provides for the licensure and regulation of fire alarm system and fire communication system installers under the administration of the State Fire Marshal pursuant to a new Chapter 33A, Title 34, Code of Alabama 1975. The act also provides for fees, criminal and civil penalties for violations, and exceptions.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-658, HB291, amends Section 13A-12-290, Code of Alabama 1975, relating to the suspension of a driver's license by the Department of Public Safety for certain drug or alcohol related violations. The act provides for immediate suspension when an offender is ordered to drug and alcohol inpatient treatment or voluntarily enters a facility approved by the court and for credit against the suspension for time actually spent in a treatment facility upon successful completion of treatment or certification by the facility that completion is not necessary.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-660, HB315, exempts motor vehicles used by rescue squads affiliated with the Alabama Association of Rescue Squads from state and local motor fuel taxes and license fees.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-661, HB344, amends Section 34-3-3, Code of Alabama 1975, relating to the Alabama Bar Association, to increase the amount at which the association may set application and examination fees, to provide for payment of the fees to the Secretary of the Board of Bar Commissioners, and to provide for the deposit of \$25 of each fee to the Alabama Lawyer Assistance Foundation.

EFFECTIVE DATE: May 21, 2009.

Act 2009-709, HB375, amends Section 16-52-12, Code of Alabama 1975, and adds Section 16-52-12.1 to the Code of Alabama 1975, relating to Jacksonville State University. The act authorizes the president to employ one or more police officers without the approval of the board of trustees and provides for the duties and arrest powers of such officers on and off of the property of the university.

EFFECTIVE DATE: August 1, 2009.

Act 2009-710, HB421, relates to municipal court clerks and magistrates. The act requires municipal court clerks and municipal court magistrates to complete a certification program and mandatory continuing education program administered by the Administrative Director of Courts and the Administrative Office of Courts. The act also provides for the appointment of a Municipal Magistrates Certification Program Oversight Committee.

EFFECTIVE DATE: June 20, 2009.

Act 2009-711, HB432, amends Section 13A-11-75, Code of Alabama 1975, relating to pistol permit application forms, to exempt completed forms from disclosure as a public record, unless for law enforcement purposes, and to provide penalties for violations.

EFFECTIVE DATE: August 1, 2009.

Act 2009-712, HB460, relates to hospitals. The act requires hospitals to disclose financial assistance policies to patients in writing and to conspicuously post information relating to such policies.

EFFECTIVE DATE: October 1, 2009.

Act 2009-713, HB464, amends Sections 16-28-40 and 33-5-57, Code of Alabama 1975, relating to licensure to operate a motor vehicle or vessel in the state. The act creates a disciplinary point system for determining the age of eligibility of a student for making application to the Department of Public Safety for a learner's permit, motorcycle operator's license, driver's license, or any license required by the state for the operation of a motor vehicle or vessel. The act also establishes the department as the final arbiter for determining eligibility based upon points and provides for hearing procedures.

EFFECTIVE DATE: The first day of the school year after the implementation of the Alabama Student Information Management System.

Act 2009-714, HB463, amends Section 32-6-7.2, Code of Alabama 1975, providing for a graduated driver's license, to authorize a person under the age of 18 who has held a learner's permit from another state for at least six months to obtain a regular driver's license.

EFFECTIVE DATE: May 21, 2009.

Act 2009-715, HB477, amends Sections 34-24-251, 34-24-252, 34-24-253, 34-24-258, and 34-24-276, Code of Alabama 1975, relating to the State Board of Podiatry. The act authorizes the board to hold additional meetings for the discharge of board business, expands the disciplinary powers of the board to limit a license or certificate to practice podiatry, increases the maximum administrative fine the board may impose from \$1,000 to \$2,000, changes the title of executive secretary to executive director, and increases the maximum amount of reserve funds of the board from \$50,000 to \$100,000. The act authorizes a designated member of the board, in lieu of the president or executive secretary, to countersign checks, deletes the requirement that officers execute bonds before serving, and includes sexual misconduct as a reason for disciplinary action. The act also repeals Sections 34-24-232, 34-24-234, 34-24-254, 34-24-256, and 34-24-257, Code of Alabama 1975, to delete antiquated and duplicative provisions. [See also Act 2009-38.]  
EFFECTIVE DATE: August 1, 2009.

Act 2009-716, HB511, amends Sections 27-42-5, 27-42-8, and 27-42-11, Code of Alabama 1975, relating to the Alabama Insurance Guaranty Association. The act defines the terms affiliate, control, high net worth insured, net worth, residency, and self-insurer and revises the provisions that authorize the association to pursue recovery from high net worth insureds on paid covered claims to establish presumptions and authorize the association to recover attorney fees incurred in obtaining reimbursement.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-717, HB519, exempts vehicles owned and operated by volunteer fire departments and fire protection districts from state and local motor fuel taxes.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-718, HB528, relates to explosives, destructive devices, and biological and bacteriological weapons. The act prohibits and establishes penalties for unlawfully manufacturing, transporting, distributing, possessing with the intent to distribute, and offering to distribute an explosive or destructive device or biological or bacteriological weapon and provides for forfeiture and seizure under certain conditions. The act amends Section 13A-11-11, Code of Alabama 1975, relating to falsely reporting an incident, to include the alleged release or impending release of a hazardous or dangerous substance as a Class C felony and to strengthen the penalties where the target is an educational facility. The act also repeals Section 13A-7-44, Code of Alabama 1975, relating to criminal possession of explosives.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-719, HB547, authorizes law enforcement agencies and officers to operate motorized bicycles, mopeds, and other wheeled vehicles or devices upon streets, highways, and sidewalks and exempts such vehicles or devices from licensing, equipment, and other requirements.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-721, HB559, amends Sections 12-15-405, 12-15-409, and 12-15-410, Code of Alabama 1975, relating to juvenile court commitment petitions. The act requires notice of the filing of the petition and the date of final hearing to be provided to the Department of Mental Health not less than 14 days before the hearing and permits placement of a juvenile in a facility not operated by the department.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-722, HB568, amends Sections 40-9B-3, 40-18-190, 40-18-193, 40-18-194, and 40-18-202.1, Code of Alabama 1975, relating to economic tax incentives. The act extends the capital credit expansion program to 30 years, includes new or expanding corporate headquarters, data processing centers, research and development facilities, and producers of power and gas from biomass, biofuel, and alternate and renewable energy sources as categories of industry eligible for existing tax incentives. The act also increases the base wage requirement for qualifying projects and indexes that wage requirement.  
EFFECTIVE DATE: May 21, 2009.

Act 2009-723, HB611, amends Section 41-21-1, Code of Alabama 1975, relating to the distribution of the code, to require a request in writing to the Secretary of State by eligible recipients accepting or declining distribution. The act also repeals Section 41-21-2, Code of Alabama 1975, requiring the Secretary of State to store 200 additional sets of the code for distribution to public agencies or officers.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-724, HB631, amends Sections 9-2-2 and 9-2-7, Code of Alabama 1975, relating to the Department of Conservation and Natural Resources, to authorize the commissioner to enter into cooperative agreements with other states regarding the suspension, revocation, and reinstatement of hunting and fishing licenses issued or privileges regulated by the department.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-725, HB692, amends Sections 34-8-1, 34-8-2, 34-8-6, 34-8-7, and 34-8-8, Code of Alabama 1975, relating to contractors. The act expands the definition of a general contractor to include work for a wage over \$5,000 and the definition of a subcontractor to include work for a wage over \$50,000, requires an applicant for licensure as a general contractor to provide proof of liability insurance, clarifies the process by which a subcontractor is licensed, and includes construction managers and private awarding authorities as entities responsible for confirming proper licensure at bid openings.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-726, HB713, amends Section 17-4-38, Code of Alabama 1975, relating to the dissemination of information on voter registration by the Secretary of State, to require the Secretary of State to annually electronically provide the Administrative Office of Courts with a statewide voter list for the production of a master jury list.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-727, HB717, amends Sections 34-30-4 and 34-30-26, Code of Alabama 1975, relating to the State Board of Social Work Examiners, to authorize the board to deny an application and to grant a licensee inactive status.

EFFECTIVE DATE: August 1, 2009.

Act 2009-728, HB734, amends Section 41-16-54, Code of Alabama 1975, relating to state competitive bid laws, to limit the purchases or contracts by which an awarding authority may make purchases or contracts through a reverse auction procedure to \$15,000 or more and to include purchases and contracts of local boards of education in the reverse auction procedure.

EFFECTIVE DATE: May 21, 2009.

Act 2009-729, HB760, amends Section 30-3-197, Code of Alabama 1975, relating to child support enforcement, to authorize the Department of Human Resources to take administrative action to establish paternity or establish, modify, or enforce support orders in compliance with federal law regardless of whether there was a previous court order regarding child support or paternity.

EFFECTIVE DATE: August 1, 2009.

Act 2009-730, HB773, authorizes any Class 7 or 8 municipality to establish a Rural Scenic Right-of-Way Plan for the development, improvement, and use of rights-of-way, for recreational or beautification purposes, along municipal roads and streets and county roads within the corporate limits and police jurisdiction of the municipality.

EFFECTIVE DATE: August 1, 2009.

Act 2009-731, HB807, provides an income tax refund check-off for a contribution to the Alabama Military Support Foundation, Incorporated.

EFFECTIVE DATE: August 1, 2009.

Act 2009-734, HB906, amends Sections 41-7-1, 41-7-2, 41-7-3, 41-7-4, 41-7-5, and 41-7-6, Code of Alabama 1975, relating to the State Bureau of Tourism and Travel. The act changes the name of the bureau to the Alabama Tourism Department, provides technical changes related to the name change, and provides further for diversity in the membership of the advisory board.

EFFECTIVE DATE: August 1, 2009.

Act 2009-737, HB960, relates to Class 5 municipalities organized under Act 71, 1977 Regular Session (Phenix City). The act provides for the compensation and expense allowance of the mayor and the members of the city council.

EFFECTIVE DATE: May 21, 2009.

Act 2009-738, SB19, is the Alabama Land Bank Authority Act. The act creates the Alabama Land Bank Authority and the Alabama Land Bank Authority Board for the purpose of acquiring, rehabilitating, and developing eligible tax delinquent real property into productive real property.

EFFECTIVE DATE: August 1, 2009.

Act 2009-739, SB50, authorizes the President of Oakwood University, with the approval of the board of trustees, to employ police officers with arrest powers.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-741, SB63, amends Section 34-43-5, Code of Alabama 1975, relating to the Alabama Board of Massage Therapy, to exempt chiropractors, physicians, and physical therapists, and their offices, that contract with or employ a massage therapist, from licensure by the board.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-742, SB97, amends Sections 12-25-32, 12-25-34, and 12-25-36, Code of Alabama 1975, relating to the Alabama Sentencing Commission, to postpone the implementation of voluntary truth-in-sentencing standards after development and legislative approval until October 1, 2011.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-743, SB105, amends Section 32-6-292, Code of Alabama 1975, relating to retired military distinctive license plates. The act allows the spouse of an eligible retired military person or eligible retired reservist to obtain one distinctive motor vehicle tag upon payment of license and registration fees and authorizes the surviving spouse of a retired military license plate recipient to retain one distinctive license plate until death or remarriage.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-744, SB111, amends Sections 11-2-1, 11-2-4, 11-2-5, 11-2-6, 11-2-7, 11-2-20, and 11-2-21, Code of Alabama 1975, relating to county government, to increase the amount of performance bonds of county officials and county employees, to provide for monies paid upon forfeiture to be paid to the county, to authorize the county commission to require performance bonds for persons appointed to public boards by the county commission, to authorize the boards to require performance bonds for board employees, and to clarify when performance bonds are to be made. The act also repeals Sections 11-2-22 to 11-2-27, inclusive, 11-2-30 to 11-2-34, inclusive, 11-3-3, 11-5-3, and 36-22-1, Code of Alabama 1975, as obsolete.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-745, SB120, relates to sex crimes involving children. The act establishes the crimes of facilitating solicitation of unlawful sexual conduct with a child as a Class C felony, electronic solicitation of a child as a Class B felony, facilitating the on-line solicitation of a child as a Class B felony, traveling to meet a child for an unlawful sex act as a Class A felony and a criminal sex offense, and facilitating the travel of a child for an unlawful sex act as a Class A felony. The act defines jurisdiction of the courts to include acts that originate in or are received in this state, specifies that erroneous knowledge by the offender is not a defense to prosecution, and limits the liability of on-line service providers. The act also repeals Section 13A-6-110, Code of Alabama 1975, providing for the crime of solicitation of a child by a computer.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-746, SB151, is the Alabama Manufactured Home Certificate of Title Act. The act amends Sections 32-8-2, 32-8-3, 32-8-6, 32-8-30, 32-8-31, 32-8-32, 32-8-34, 32-8-35, and

32-8-60, Code of Alabama 1975, to remove references to manufactured homes and to provide for electronic filing, and adds Section 32-8-68 and Chapter 20, consisting of Sections 32-20-1 to 32-20-11, inclusive, 32-20-20 to 32-20-34, inclusive, and 32-20-35 to 32-20-43, inclusive, to Title 32, Code of Alabama 1975, to establish a separate title law specifically for manufactured homes. [See also Act 2009-281.]  
EFFECTIVE DATE: January 1, 2010.

Act 2009-747, SB165, amends Section 16-13A-9, Code of Alabama 1975, relating to local boards of education reserve funds. The act authorizes city and county boards of education to expend their reserve funds if the Governor declares proration or if current year legislative appropriations are less than the same appropriation for the preceding fiscal year and requires the local board to develop a plan for replenishing any reserve funds expended.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-748, SB169, amends Section 36-1-6.1, Code of Alabama 1975, relating to liability coverage for state employees. The act includes within the basic liability coverage retired physicians and dentists voluntarily serving at free health care clinics and authorizes the State Board of Health, by rule, to establish qualifications for eligibility, to limit the number of participants, and to establish the maximum amount of funds available to pay premiums for the coverage.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-749, SB187, amends Section 15-23-4, Code of Alabama 1975, relating to the Crime Victims Compensation Commission, to provide diversity in the membership of the commission and to increase the compensation of commission members from \$75 to \$250 per day for attendance at meetings.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-750, SB204, relates to state funds. The act requires the Comptroller to establish and post on the Internet a database of state expenditures, including contracts and grants, that is electronically searchable by the public. The act requires that the database be available to the public at no charge and provides an exception for prices or costs, or both, of vendors, contractors, or other suppliers that the Comptroller rules to be confidential after a written request, investigation, and hearing.  
EFFECTIVE DATE: October 1, 2010.

Act 2009-751, SB205, amends Section 17-5-8, Code of Alabama 1975, relating to reports of contributions and expenditures by candidates, committees, and officials, to clarify and require that the reports are to be filed regardless of whether the candidate has an opponent and regardless of whether the election is a primary, special, runoff, or general election.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-752, SB233, is the Alabama Residential Mortgage Fraud Act. The act establishes the crime of residential mortgage fraud as a Class C felony and authorizes the Attorney General and district attorneys to conduct investigations relating to the crime.

EFFECTIVE DATE: August 22, 2009.

Act 2009-753, SB286, relates to Class 6 municipalities. The act provides an alternative structure for the establishment and operation of the municipal planning commission to consist of seven voting members, six appointed by the mayor and one by majority vote of the city council, and one nonvoting advisory member, who is a senior administrative official of the municipality, appointed by the mayor. The act also requires that all members of the commission reside within the municipality during the entire term of office.

EFFECTIVE DATE: May 22, 2009.

Act 2009-754, SB306, relates to public K-12 education. The act requires the State Department of Education to provide for the placement of an automated external defibrillator in each public K-12 school and for the training of at least one employee of each school in the use of the defibrillator.

EFFECTIVE DATE: May 22, 2009.

Act 2009-755, SB308, is the Alabama Heavy Equipment Dealer Act. The act provides for the regulation of heavy equipment manufacturers, distributors, and dealers, provides for the regulation of dealings and transactions between heavy equipment manufacturers and distributors and their dealers, prescribes prohibited acts, provides penalties for violation of the act, and establishes remedies for any person injured as a result of a violation.

EFFECTIVE DATE: May 22, 2009.

Act 2009-757, SB393, relates to counties. The act requires any county entering into a bond financing agreement to complete a bond financing review form developed by the Department of Examiners of Public Accounts acknowledging that the county has considered the relevant factors important to the decision of entering into bonded indebtedness and requires that the submitted form be available for public inspection.

EFFECTIVE DATE: October 1, 2009.

Act 2009-758, SB61, amends Section 7-3-309, Code of Alabama 1975, relating to the enforcement of lost, destroyed, or stolen instruments, to provide that a person who directly or indirectly acquires ownership of a missing instrument from a person who was entitled to enforce the instrument at the time the loss occurred and who otherwise meets certain requirements may enforce the instrument.

EFFECTIVE DATE: May 22, 2009.

Act 2009-759, SB297, relates to state employees. The act prohibits the disclosure of identifying information of state employees from records available for public inspection without express consent of the employee, with the exception of certain court, taxation, and lien documents.

EFFECTIVE DATE: August 1, 2009.

Act 2009-760, SB418, amends Sections 41-16-50 and 41-16-51, Code of Alabama 1975, relating to state competitive bid laws, to remove references to city and county boards of education from Title 41, and adds a new Chapter 13B, consisting of Sections 16-13B-1 to 16-13B-11, inclusive, Title 16, to the Code of Alabama 1975, to provide substantially similar competitive bid language for city and county boards of education in Title 16, the state education code.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-761, SB430, provides an additional circuit judgeship in the Twenty-third Judicial Circuit, comprised of Madison County, conditioned on funding for compensation and benefits by the county commission, and provides for the election of the judge.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-762, SB464, amends Section 32-6-6, Code of Alabama 1975, relating to the Department of Public Safety and the issuance of photo driver's licenses and nondriver identification cards. The act authorizes the department to charge an additional fee of \$.50 for allocation to the trust fund created by the Veterans Living Legacy Act of 2008.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-763, SB556, amends Sections 41-4-110, 41-4-113, 41-16-20, 41-16-21.1, 41-16-24, and 41-16-27, Code of Alabama 1975, relating to competitive bidding. The act authorizes the Purchasing Agent to establish and maintain a system for the purchase of personal property and nonprofessional services by state departments, agencies, boards, and institutions that conduct purchasing activities through the Division of Purchasing of the Department of Finance through the use of approved credit cards. The act creates the State Procurement Fund in the State Treasury, authorizes the division to charge a biannual registration fee to vendors who register with the division to receive invitations to bid for any goods or services solicited by the division, and authorizes the division to charge a proportional fee for operating costs. The act provides for the use of electronic signatures, joint purchasing agreements, and the award of multiple contracts resulting from a single invitation to bid. The act also repeals Sections 41-4-130 to 41-4-160, inclusive, Code of Alabama 1975, relating to public printing and binding. [See also 2009-652 and 2009-653]  
EFFECTIVE DATE: May 22, 2009.

Act 2009-768, HB146, amends Sections 36-18-24, 36-18-25, and 36-18-32, Code of Alabama 1975, relating to criminal procedure. The act allows any person who is convicted of a capital offense, and is serving a term of imprisonment or awaiting execution, to file a motion to obtain post-conviction forensic DNA testing on evidence that was secured in relation to the trial that resulted in the conviction. The act requires the court to notify the state upon a motion being filed, specifies the information to be included in the motion, specifies the findings a court must make before ordering forensic DNA testing, and provides for testing procedures and post-testing procedures. The act requires the collection of DNA from any person arrested for a felony offense or any sexual offense after October 1, 2010, provides for the collection of an additional \$12 DNA database fee in all municipal, district, and circuit court criminal cases, bond forfeiture proceedings, and upon the issuance of any alias or capias warrant of arrest. The act also provides

appropriations for the David Mathews Center for Civic Life and review of funds allotted by the Joint Legislative Oversight Committee on Alabama's Veterans Living Legacy.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-769, HB217, amends Sections 23-2-142, 23-2-143, 23-2-144, 23-2-145, 23-2-147, 23-2-156, 23-2-160, and 23-2-161, Code of Alabama 1975, relating to the Alabama Toll Road, Bridge, and Tunnel Authority. The act authorizes the authority to enter into agreements with the State Department of Transportation, requires the authority to obtain consent from the department to construct and operate a toll road, bridge, or tunnel, and authorizes the department to plan, administer, and manage a project. The act provides for the issuance of bonds by the authority. The act also repeals Sections 23-2-120 to 23-2-122, inclusive, Code of Alabama 1975, relating to tolls and bonded indebtedness on bridges and tunnels that become part of the federal interstate system.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-770, HB280, amends Section 41-16-123, Code of Alabama 1975, relating to the sale of surplus property by the state. The act includes within the exemptions from sale surplus property of the Alabama Space Science Exhibit Commission and the Alabama Space Science Exhibit Finance Authority.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-771, HB373, amends Section 28-3-1, Code of Alabama 1975, relating to alcoholic beverages, to increase the maximum alcohol content of beer or malt or brewed beverages from five percent by weight and six percent by volume to 13 and nine-tenths percent by volume. The act also prohibits the sale of any beer or malt or brewed beverages with an alcohol content of greater than five percent alcohol by weight and six percent by volume by the holder of a retail beer license for off-premises consumption.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-772, HB538, amends Section 34-23-70, Code of Alabama 1975, relating to prescription drugs. The act allows Birmingham Health Care, Incorporated, Central Alabama Comprehensive Health, Incorporated, Health Services, Incorporated, Family Oriented Primary Health Care Clinic/Mobile County Health Department, Franklin Primary Health Center, Quality of Life Health Services, Incorporated, and Whatley Health Services, Incorporated, as federally qualified health care centers and public health facilities and departments, to compound and dispense non-controlled substances at one location and deliver the medications to clinics for patient pick-up.  
EFFECTIVE DATE: August 1, 2009.

Act 2009-773, HB543, amends Section 40-21-53, Code of Alabama 1975, and adds Chapter 25B, Title 22, to the Code of Alabama 1975, relating to the regulation of wastewater management entities. The act provides for the management of privately owned wastewater systems by wastewater management entities and provides requirements and procedures for the establishment of regulated entities. The act provides for regulation by the Alabama Public Service Commission and for the permitting of wastewater systems operated and managed by

regulated entities by the Department of Environmental Management and the Department of Public Health. The act provides civil and administrative remedies for violations and provides for the continuous appropriation of certification, permitting, and regulatory fees to the Public Service Commission, the Department of Public Health, and the Alabama Department of Environmental Management. The act also repeals Sections 22-25A-1 to 22-25A-10, inclusive, Code of Alabama 1975.

EFFECTIVE DATE: May 22, 2009.

Act 2009-774, HB627, amends Sections 8-6-3, 8-6-8, 8-6-10, 8-6-11, and 8-6-18, Code of Alabama 1975, relating to the Alabama Securities Commission, to increase the licensing and registration fees for dealers, agents, investment advisers, representatives, and securities and to increase the criminal penalty for violation of the antifraud provisions from a Class C felony to a Class B felony.

EFFECTIVE DATE: August 1, 2009.

Act 2009-776, HB659, creates the Office of Inland Waterways and Intermodal Infrastructure within the Alabama Department of Economic and Community Affairs to coordinate and plan for the development of inland waterways and intermodal infrastructure. The act provides for the appointment of an executive director and the powers and duties of the office, for the creation of an advisory board, and for the creation of the Inland Waterways and Intermodal Infrastructure Fund to assist in developing infrastructure needed for industrial and transportation development of inland waterways and intermodal facilities. The act specifically excludes existing state and local port authorities from its application.

EFFECTIVE DATE: May 22, 2009.

Act 2009-778, HB805, amends Section 36-29-14, Code of Alabama 1975, relating to health insurance coverage the under State Employees' Insurance Board, to allow Rainbow Omega, Incorporated, The Arc of Alabama, Incorporated, and any of the affiliated local chapters of The Arc of Alabama, Incorporated, to elect to participate in the state health insurance coverage.

EFFECTIVE DATE: May 22, 2009.

Act 2009-779, HB808, amends Sections 22-40A-3, 22-40A-4, 22-40A-5, 22-40A-6, 22-40A-7, 22-40A-9, 22-40A-10, 22-40A-11, 22-40A-13, 22-40A-14, 22-40A-15, 22-40A-19, and 22-40A-21, Code of Alabama 1975, relating to the Alabama Scrap Tire Environmental Quality Act. The act provides further for the definitions of an authorized disposal, an innocent landowner, a permitted landfill, a responsible party, and an unauthorized disposal. The act authorizes a transporter, who has been granted permission by the department, to accumulate scrap tires, exempts certain Class One receivers from disposal fees established under the Solid Wastes and Recyclable Materials Management Act, authorizes the department to use proceeds from the Scrap Tire Fund for department staff and others enforcing the act, and authorizes a tire dealer to retain seven percent of fees collected per each report timely filed. The act provides for statewide educational and technical seminars, provides criminal penalties for violations, and revises the membership of the Scrap Tire Commission. The act also repeals Section 22-40A-18, Code of Alabama 1975, providing for violations.

EFFECTIVE DATE: August 1, 2009.

Act 2009-787, HB931, is the Alabama Capital Assistance Stimulus for Rail Projects Act of 2009. The act requires the Alabama Department of Economic and Community Affairs, with the assistance of the Mississippi-Louisiana-Alabama Rapid Rail Transit Commission, to establish and operate a program to promote passenger rail travel and service. The act also establishes the Railroad Revitalization Fund in the State Treasury for use by the department for railroad research, railroad planning, and railroad administration costs.  
EFFECTIVE DATE: July 1, 2009.

Act 2009-788, HB301, amends Section 31-5-3, Code of Alabama 1975, relating to the State Board of Veterans' Affairs, to provide for diversity in the membership of the board and to authorize the board to establish and operate a state veterans' cemetery.  
EFFECTIVE DATE: May 22, 2009.

Act 2009-789, HB137, relates to the office of the Governor. The act requires the Governor to quarterly disclose on the Internet all expenses of the Governor's Contingency Fund and the flight logs of state aircraft, excluding flight logs of aircraft used for ongoing criminal investigations by the Department of Public Safety, and requires the Department of Examiners of Public Accounts to annually audit the disclosures.  
EFFECTIVE DATE: May 22, 2009.