

**SUMMARIES**  
**OF**  
**GENERAL LAWS ENACTED AND**  
**CONSTITUTIONAL AMENDMENTS PROPOSED**  
**BY THE**  
**LEGISLATURE OF ALABAMA**  
**AT THE**  
**REGULAR SESSION, 2010**  
**JANUARY 12 TO APRIL 22, 2010**

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Act 2010-37, HB110, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Madison County, to prohibit the imposition of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-39, HB239, proposes an amendment to Amendment 235 to the Constitution of Alabama of 1901, pertaining only to Etowah 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 2010-111, SB60, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Etowah County, to authorize certain elected officials to participate in the Employees' Retirement System in lieu of a supernumerary program. See also Act 2010-383.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-112, SB122, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Morgan County, to prohibit the imposition of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-128, SB99, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Limestone County, to prohibit the imposition of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-129, HB144, relates to commercial driver licenses issued by the Department of Public Safety. The act prohibits the issuance or renewal of a commercial driver license with a commercial passenger vehicle "P" endorsement or a school bus "S" endorsement for any person required to register as a sex offender and provides that any person who provides false information in obtaining or renewing such a license is guilty of a Class C felony.

EFFECTIVE DATE: July 10, 2010.

Act 2010-134, SB13, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lawrence County, to prohibit the imposition of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-135, HB44, amends Section 40-28-2, Code of Alabama 1975, relating to the distribution of in-lieu-of-taxes payments made by the Tennessee Valley Authority, to reduce the distribution of payments to dry counties and municipalities not served by the T.V.A., to increase

payments to counties served by the T.V.A., and to offset the reduction by reallocating certain liquor tax revenues to the dry counties and municipalities not served by the T.V.A.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-145, SB135, continues the existence and functioning of the State Board of Prosthetists and Orthotists pursuant to the Alabama Sunset Law until October 1, 2011. The act also amends Sections 34-2- 5A-5 and 34-25A-8, Code of Alabama 1975, to alter and clarify appointments made to the board, to require that board members be citizens of this state, and to require applicants for licensure to be United States citizens or legally present in the United States.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-146, SB136, continues the existence and functioning of the State Radiation Control Agency pursuant to the Alabama Sunset Law. The act also amends Section 22-14-6, Code of Alabama 1975, to require applicants for licensure to be United States citizens or legally present in the United States.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-147, SB137, continues the existence and functioning of the Plumbers and Gas Fitters Examining Board pursuant to the Alabama Sunset Law until October 1, 2011. The act also amends Section 34-37-3, Code of Alabama 1975, to eliminate holdover positions on the board.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-148, SB141, continues the existence and functioning of the Board of Home Medical Equipment Services Providers pursuant to the Alabama Sunset Law. The act also amends Section 34-14C-2, Code of Alabama 1975, to require that board members be citizens of this state.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-149, SB143, continues the existence and functioning of the Alabama Board of Funeral Service pursuant to the Alabama Sunset Law until October 1, 2012.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-150, SB144, continues the existence and functioning of the Alabama State Board of Registration for Interior Design pursuant to the Alabama Sunset Law until October 1, 2011.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-151, SB146, continues the existence and functioning of the Board of Dental Examiners of Alabama pursuant to the Alabama Sunset Law until October 1, 2012.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-152, SB148, continues the existence and functioning of the Board of Examiners of Assisted Living Administrators pursuant to the Alabama Sunset Law. The act also amends Section 34-2A-3, Code of Alabama 1975, to allow the consumer members of the board to vote on all matters before the board.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-153, SB156, continues the existence and functioning of the Alabama Surface Mining Commission pursuant to the Alabama Sunset Law. The act also amends Section 9-16-81, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States. Section 9-16-81 is also amended by Act 2010-498.  
EFFECTIVE DATE: March 4, 2010.

Act 2010-183, SB187, amends Sections 24-1A-2 and 24-1A-5, Code of Alabama 1975, relating to the Housing Finance Authority, to authorize the authority to service certain unsecured mortgages.

EFFECTIVE DATE: March 9, 2010.

Act 2010-184, SB283, is the Enhanced Use Lease Area Act of 2010. The act amends Sections 11-99-1, 11-99-2, 11-99-4, 11-99-5, 11-99-6, 11-99-10, and 40-18-70, Code of Alabama 1975, relating to county and municipal tax increment districts, to define enhanced use lease area property as property on a military installation which is underutilized and which is leased by the secretary of a military department pursuant to federal law and to provide for the utilization of underutilized real and personal property located in enhanced use lease areas and for funding the costs thereof through tax increment financing. The act also adds Chapter 9E to Title 40, Code of Alabama 1975, consisting of Sections 40-9E-1 and 40-9E-2, to provide for the abatement of state property tax in tax increment districts for qualified property.

EFFECTIVE DATE: March 9, 2010.

Act 2010-185, SB315, amends Sections 41-23-80, 41-23-81, 41-23-82, 41-23-83, 41-23-84, and 41-23-85, Code of Alabama 1975, relating to the Model Energy Code and the Alabama Residential Energy Code Board. The act changes the name of the board to the Alabama Energy and Residential Codes Board, requires the board to adopt the Alabama Energy and Residential Codes in compliance with certain federal energy and building requirements, increases the membership of the board, and provides for diversity in the membership of the board. The act also excludes farm structures, prohibits state or local entities from amending federally required codes or from adopting ordinances, policies, or codes that would require the installation of sprinkler systems in one or two family dwellings, and preserves a consumer's ability to install sprinkler systems in certain family dwellings.

EFFECTIVE DATE: March 9, 2010.

Act 2010-198, HB347, amends Sections 8-20-3, 8-20-4, 8-20-5, and 8-20-7, Code of Alabama 1975, relating to the Motor Vehicle Franchise Act, to expand the definition of new vehicle and the circumstances that constitute unfair and deceptive trade practices. The act alters the buy-back requirements upon termination of a franchise, requires repurchase of certain motor vehicles, parts inventory, special tools, equipment, and signs upon termination, requires a manufacturer to pay for certain upgrades or alterations upon termination, requires payment to a dealer for the value of the franchise on cessation of a line make, and provides further for audits, vehicle exports, termination assistance on elimination of certain lines, and industry reorganization. The act also applies the franchise law to certain agreements between a dealer and manufacturer and prohibits a manufacturer from engaging in unreasonable actions.

EFFECTIVE DATE: March 9, 2010.

Act 2010-199, HB521, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Cullman County, to authorize certain officials to participate in the Employees' Retirement System in lieu of a supernumerary program.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-210, HB79, amends Sections 16-9-11, 16-12-1, and 16-60-111.1, Code of Alabama 1975, and adds Sections 16-4-1.1 and 16-60-111.9 to the Code of Alabama 1975, relating to public education. The act requires the posting of notices of vacancies in the positions of State Superintendent of Education, appointed county superintendent of education, appointed city superintendent of education, Chancellor of Postsecondary Education, and the chief executive officer of any two-year school or college under the auspices of the State Board of Education, the Alabama Institute for Deaf and Blind, the Alabama School of Fine Arts, the Department of Youth Services School District, and the Alabama High School of Mathematics and Science. EFFECTIVE DATE: March 22, 2010.

Act 2010-211, HB115, amends Section 10-9C-1206, Code of Alabama 1975, relating to limited partnerships. The act changes the date limited partnerships are subject to the Uniform Limited Partnership Act from January 1, 2012, to January 1, 2011, to coincide with the effective date of the new business and nonprofit entities code.

EFFECTIVE DATE: March 22, 2010.

Act 2010-212, HB213, is the Uniform Child Abduction Prevention Act. The act, in combination with the Uniform Child Custody Enforcement Act, clarifies procedures for parents, guardians, and courts to follow to prevent child abduction. The act provides for jurisdiction, the contents of a petition seeking protection, factors to be considered to determine if there is a credible risk for abduction, and emergency measures and promotes uniformity between states.

EFFECTIVE DATE: January 1, 2011.

Act 2010-213, HB330, adds Section 9-11-2.1 to the Code of Alabama 1975, relating to the Department of Conservation and Natural Resources. The act requires the replacement of hunting land acreage when existing hunting land owned by the department is closed to ensure no net loss of land acreage available for hunting.

EFFECTIVE DATE: March 22, 2010.

Act 2010-215, HB528, to amend Section 20-2-190, Code of Alabama 1975, relating to the regulation of the sale of ephedrine and pseudoephedrine in over-the-counter products. The act further limits the sale of such items, establishes and provides for the operation of an on-line electronic verification system operated by the Criminal Justice Information Center without cost to the state or retailers, and provides penalties for violations. The act also changes the name of the Methamphetamine Abuse Task Force to the Drug Abuse Task Force and revises the membership and responsibilities of the task force.

EFFECTIVE DATE: March 22, 2010.

Act 2010-217, SB10, amends Section 27-10-26, Code of Alabama 1975, relating to surplus line insurance, to provide an exception to the five-year requirement against foreign and alien surplus line insurers transacting insurance in this state by requiring the submission of a special deposit to the Department of Insurance.

EFFECTIVE DATE: March 22, 2010.

Act 2010-218, SB127, relates to volunteer firefighters and volunteer emergency medical service providers. The act requires the payment of per diem and mileage, under certain conditions, to any volunteer firefighter or volunteer emergency medical service provider subpoenaed as a witness in a civil action relating to an event he or she witnessed or investigated in the course of his or her duties as a volunteer.

EFFECTIVE DATE: June 1, 2010.

Act 2010-219, SB169, reenacts Section 40-9-34, Code of Alabama 1975, granting tax exempt status to the Hudson-Alpha Institute for Biotechnology, to clarify that the section was not affected by Section 12 of Act 2009-144.

EFFECTIVE DATE: Retroactively effective to October 1, 2008.



Act 2010-220, SB179, relates to the 21st Century Authority, the Alabama Construction Recruitment Institute, and the Recruitment Training and Promotion Fund. The act amends Sections 41-10-621, 41-10-622, 41-10-626, 41-10-629, and 41-10-673, Code of Alabama 1975, adds Article 18, commencing with Section 41-10-720, to Chapter 10 of Title 41, Code of Alabama 1975, and amends and renumbers Sections 41-10-640, 41-10-641, 41-10-642, 41-10-643, 41-10-700, 41-10-701, 41-10-702, 41-10-703, 41-10-704, and 41-10-705, Code of Alabama 1975, as Sections as 41-10-723, 41-10-724, 41-10-725, 41-10-726, 41-10-727, 41-10-728, 41-10-729, 41-10-730, 41-10-731, and 41-10-732, Code of Alabama 1975, respectively, and includes such sections within the newly added Article 18. The act removes the institute from oversight by the authority, establishes the institute as an independent authority, and provides for the powers of the institute. The act provides that institute employees are not state employees and authorizes the employees, upon petition, to receive state retirement and health insurance benefits. The act requires the deposit of certain construction craft industry fees into the Recruitment and Promotion Fund in the State Treasury, appropriates the monies in the fund to the institute, and provides for the transfer of fees previously collected and paid to the 21st Century Authority Fund to the fund. The act clarifies which employers are subject to the fee, authorizes the institute board to expend the monies in the fund, and subjects the institute to annual audit by the Department of Examiners of Public Accounts.

EFFECTIVE DATE: March 22, 2010.

Act 2010-221, SB292, amends Sections 16-25-21 and 36-27-24, Code of Alabama, 1975, to increase the maximum funding period for which the accrued liability contribution is calculated by the Board of Control for the Teachers' Retirement System and the Employees' Retirement System from 20 years to 30 years.

EFFECTIVE DATE: March 22, 2010.

Act 2010-222, SB327, is the Alabama Boxing and Mixed Martial Arts Act. The act amends Sections 41-9-1020, 41-9-1021, 41-9-1023, 41-9-1024, 41-9-1028, 41-9-1029, 41-9-1030, 41-9-1032, 41-9-1033, 41-9-1034, 41-9-1035, 41-9-1036, 41-9-1037, 41-9-1038, 41-9-1039, and 41-9-1040, Code of Alabama 1975, to change the name of the Alabama Boxing Commission to the Alabama Athletic Commission, require the commission to regulate boxing and mixed martial arts, authorize the commission to employ an executive director, and provide penalties for violations.

EFFECTIVE DATE: March 22, 2010.

Act 2010-225, SB336, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Etowah County, to authorize a committee of county officials to establish and reapportion county board of education districts, excluding the Cities of Attalla and Gadsden, and provide for the election of the members of the board by the qualified electors of those districts.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-226, SB339, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Blount County, to prohibit any municipality located entirely outside of Blount County from imposing any municipal ordinance or regulation or providing any police or fire protection services, other than public safety mutual aid, within its police jurisdiction located in Blount County. See also Act 2010-439.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-227, SB425, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to DeKalb County, to require the county commission to call a special election for any vacancy occurring in a county office in the county when 12 months or more remain in the unexpired term.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-228, SB426, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Jackson County, to require the county commission to call a special election for any vacancy occurring in a county office in the county when 12 months or more remain in the unexpired term.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-230, HB589, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Lamar County, to provide for a drug enforcement fee and to authorize the Legislature, by local law, to fix, alter, and amend the costs and charges of courts in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-231, HB552, proposes an amendment to Amendment 530 of the Constitution of Alabama of 1901, now appearing as Section 4, Local Amendments, Macon County, Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to court costs collected for the county jail, to authorize any court costs and fees collected pursuant to the amendment and deposited into the Macon County Road and Bridge Fund before the financing of the new county jail, and not pledged for the county jail, to be used by the Macon County Commission for roads and bridges.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-232, HB128, establishes the Permanent Joint Legislative Committee on Energy Policy as initially organized pursuant to Act 2007-150, HJR 152, 2007 Regular Session, for the purpose of developing an ongoing state energy study and energy plan. The act provides for the membership, duties, and staff of the committee and for the creation of a Legislative Energy Policy Office to supervise and administer the duties of the committee. The act also provides for the formation, duties, and reporting of advisory subcommittees, legislative assistance, reimbursement of meeting expenses, and specific goals and objectives of the committee and for the reporting of recommendations to the Legislature and the Governor.

EFFECTIVE DATE: June 1, 2010.

Act 2010-254, HB109, relates to tax incentives for certain qualifying economic development projects. The act revises the definition of base wage requirement and extends the effective date of new requirements for applications filed pursuant to Act 2009-722, 2009 Regular Session, from May 21, 2009, to November 21, 2009.

EFFECTIVE DATE: March 30, 2010.

Act 2010-255, SB15, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Cullman County, to prohibit the imposition of an occupational tax in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-256, SB50, authorizes the executive officers and employees of the School Superintendents of Alabama to continue to participate in the Teachers' Retirement System independent of any affiliation with the Council for Leaders in Alabama Schools.

EFFECTIVE DATE: March 30, 2010.

Act 2010-257, SB97, amends Sections 2-8-19, 2-8-59, 2-8-99, 2-8-166, 2-8-207, 2-8-248, 2-8-288, 2-8-323, 2-8-363, Code of Alabama 1975, relating to the cattle industry, the swine industry, the soybean industry, eggs and egg products, cotton and cotton products, the grain industry, the catfish industry, sheep and goats, and the shrimp and seafood industry, respectively, to increase the time period of audits relating to the programs and for financial statements to be forwarded to the State Board of Agriculture and Industries from annually to every two years.

EFFECTIVE DATE: June 1, 2010.

Act 2010-258, SB103, amends Sections 34-21A-1, 34-21A-2, 34-21A-3, 34-21A-4, 34-21A-7, 34-21A-10, 34-21A-12, 34-21A-13, 34-21A-14, 34-21A-15, 34-21A-16, 34-21A-17, 34-21A-21, 34-21A-22, 34-21A-24, and 34-21A-25, Code of Alabama 1975, relating to the Alabama Onsite Wastewater Board. The act redefines onsite wastewater systems as onsite sewage systems, provides further for the appointment of successors to the board, revises the classes and types of licensure, provides further for license application and issuance procedures, expands the disciplinary powers of the board, and increases penalties for violations.  
EFFECTIVE DATE: June 1, 2010.

Act 2010-259, SB128, amends Section 31-2-13, Code of Alabama 1975, relating to military leave of absence, to extend the benefit of a military leave of absence to members of the National Disaster Medical System and training or service ordered pursuant to the Public Health Security and Bioterrorism Preparedness and Response Act of 2002. Section 31-2-13, Code of Alabama 1975, is also amended by Act 2010-535.  
EFFECTIVE DATE: June 1, 2010.

Act 2010-260, SB195, amends Section 13A-7-29, Code of Alabama 1975, relating to the crime of criminal littering, to further define what constitutes a rebuttable presumption of littering, to authorize the use of collected fines for litter enforcement, and to provide for the enforcement of criminal littering by the county license inspector and county solid waste officer.  
EFFECTIVE DATE: June 1, 2010.

Act 2010-261, SB383, relates to distinctive motor vehicle and motorcycle license plates. The act creates a distinctive POW/MIA motor vehicle and motorcycle license plate and provides for the distribution of the proceeds from the additional fee to the Veterans' Assistance Fund.  
EFFECTIVE DATE: June 1, 2010.

Act 2010-262, SB385, amends Sections 34-9-10, 34-9-16, 34-9-41, and 34-9-42, Code of Alabama 1975, relating to the Board of Dental Examiners. The act provides for a dental licensure by regional exam application fee, provides additional dental hygienist and mobile dental fees, and revises a quorum of the board from three members to a majority for the transaction of business and to not less than five members for the conduct of hearings involving penalties.  
EFFECTIVE DATE: March 30, 2010.

Act 2010-264, HB37, amends Section 16-23-5, Code of Alabama 1975, relating to the revocation of teaching certificates, and adds Sections 16-24-8.1, 16-24B-3.1, and 36-26-102.1 to the Code of Alabama 1975, relating to the Teacher Tenure Law, the Teacher Accountability Act, and the Fair Dismissal Act, to require the State Superintendent of Education to revoke the teaching or other educational certificate of any person convicted of a Class A felony or sex offense involving a child, to provide for the immediate cancellation of the employment contract of a teacher on continuing service status, a principal, or a contract principal and the immediate termination of employment of a nonprobationary employee who is convicted of a felony or sex offense involving a child.  
EFFECTIVE DATE: March 31, 2010.

Act 2010-267, HB190, relates to Class 2 municipalities. The act requires the number of members on a public library board organized under state law, whose members are appointed by the governing body, to be the same as the number of members of the governing body of the Class 2 municipality.

EFFECTIVE DATE: April 1, 2010.

Act 2010-275, SB64, amends Section 17-3-8, Code of Alabama 1975, relating to the meeting days of boards of registrars, to allow the DeKalb County Board of Registrars to meet 207 days each fiscal year. Section 17-3-8, Code of Alabama 1975, is also amended by Act 2010-279 and Act 2010-736.

EFFECTIVE DATE: April 1, 2010.

Act 2010-276, SB138, continues the existence and functioning of the State Oil and Gas Board pursuant to the Alabama Sunset Law. The act also amends Section 9-17-3, Code of Alabama 1975, to require diversity in the membership of the board and that board members be citizens of this state.

EFFECTIVE DATE: April 1, 2010.

Act 2010-277, SB139, continues the existence and functioning of the Sickle Cell Oversight and Regulatory Commission pursuant to the Alabama Sunset Law until October 1, 2011. The act also amends Section 22-10B-2, Code of Alabama 1975, to require diversity in the membership of the commission and that commission members be citizens of this state.

EFFECTIVE DATE: April 1, 2010.

Act 2010-278, SB145, continues the existence and functioning of the State Board of Registration for Foresters pursuant to the Alabama Sunset Law. The act also amends Sections 34-12-4 and 34-12-30, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States and to require diversity in the membership of the board.

EFFECTIVE DATE: April 1, 2010.

Act 2010-279, SB350, amends Section 17-3-8, Code of Alabama 1975, relating to the meeting days of boards of registrars, to allow the members of the Talladega County Board of Registrars to meet a maximum of 220 days each fiscal year and an additional 30 days at the discretion of the chair of the county commission. Section 17-3-8, Code of Alabama 1975, is also amended by Act 2010-275 and Act 2010-736.

EFFECTIVE DATE: April 1, 2010.

Act 2010-280, SB95, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Franklin County, to authorize the Legislature to create a personnel appeals board or personnel merit system for the employees of the office of the sheriff, excluding the chief deputy.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-369, SB255, amends Section 36-15-1, Code of Alabama 1975, relating to the duties of the Attorney General, to delete the requirement that paper copies of official opinions be distributed and to require the Internet posting and, upon request of a public official, email transmission of official opinions. See also Act 2010-695.

EFFECTIVE DATE: April 6, 2010.

Act 2010-382, HB147, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Madison County, to authorize the county commission, by resolution, to establish procedures, for those areas of the county outside of the corporate limits of a municipality, for declaring a dog dangerous, for imposing civil penalties on the owner of a dangerous dog, and for requiring that a dangerous dog be kept in a fenced enclosure.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-383, HB340, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Etowah County, to authorize certain elected officials to participate in the Employees' Retirement System in lieu of a supernumerary program. See also Act 2010-111.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-384, HB492, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Randolph County, to provide that the moneys paid into the Randolph County Capital Improvement Fund pursuant to Amendment 668 to the Constitution of Alabama of 1901, may be expended for economic development projects.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-385, HB555, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Marengo 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 any prior local law authorizing additional court costs in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-386, HB606, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Fayette County, to provide for a drug enforcement fee and to authorize the Legislature, by local law, to fix, alter, and amend the costs and charges of courts in the county.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-390, HB305, amends Section 23-1-5, Code of Alabama 1975, relating to the payment of costs of relocation of utility facilities necessitated by the construction of any highway, road, or street, other than any highway that is a part of the national system of interstate and defense highways, to increase the minimum gross income of utilities eligible for reimbursement by the state from \$200,000,000 to \$250,000,000 and to remove the requirement that each wholly owned subsidiary of a utility be treated as a separate utility.

EFFECTIVE DATE: July 1, 2010.

Act 2010-396, HB458, relates to Class 2 municipalities. The act authorizes and provides a due process procedure for Class 2 municipalities to file expedited quiet title and foreclosure actions in circuit court to establish clear title to abandoned tax sale properties located within the corporate limits of the municipality and purchased from the State Land Commissioner pursuant to Chapter 10, Title 40, Code of Alabama 1975.

EFFECTIVE DATE: April 8, 2010.

Act 2010-397, SB61, is the Alabama Family Farm Preservation Act. The act prohibits farm operations operated lawfully and under certain conditions from being characterized or declared as public or private nuisances or in violation of a municipal or county ordinance.

EFFECTIVE DATE: April 12, 2010.

Act 2010-398, SB76, amends Sections 9-11-410, 9-11-412, 9-11-413, 9-11-414, and 9-11-417, Code of Alabama 1975, relating to commercial bird hunting preserves under the purview of the Department of Conservation and Natural Resources. The act substantially revises the application and license process and rules for operating commercial bird hunting preserves and provides an additional form of license to authorize hunters to hunt off preserve premises. The act also repeals Sections 9-11-411, 9-11-415, and 9-11-416, Code of Alabama 1975, which specify additional requirements for the operation of preserves. See also Act 2010-697.

EFFECTIVE DATE: July 1, 2010.

Act 2010-399, SB102, amends Sections 34-1A-1 and 34-1A-4, Code of Alabama 1975, relating to the Alabama Electronic Security Board of Licensure, to expand the powers of the board to provide for the training and licensing of individuals based on the classification of work performed including, locksmith, burglar alarm, electronic access control system, closed circuit television system, or central station.

EFFECTIVE DATE: April 12, 2010.

Act 2010-438, HB485, authorizes a solicitor's fee to be assessed in all criminal cases in each county in an amount equal to all docket fees or court costs distributed to the Fair Trial Tax Fund. The act provides for the distribution of the proceeds to the office of the circuit court and the solicitor's fund or district attorney's fund in the county where collected. The act does not supersede local solicitor fee laws unless such laws are expressly repealed.

EFFECTIVE DATE: July 1, 2010.

Act 2010-439, HB379, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Blount County, to prohibit any municipality located entirely outside of Blount County from imposing any municipal ordinance or regulation or providing any police or fire protection services, other than public safety mutual aid, within its police jurisdiction located in Blount County. See also Act 2010-226.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-440, HB495, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Montgomery County, to authorize the county revenue commissioner to participate in the Employees' Retirement System in lieu of the supernumerary program.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-442, HB791, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Chambers County, to continue the levy and collection of a special ad valorem tax for public library purposes.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-496, HB2, amends Section 13A-11-63, Code of Alabama 1975, to prohibit the possession, sale, receipt, or obtaining of a short-barreled rifle or short-barreled shotgun in violation of federal law.

EFFECTIVE DATE: July 1, 2010.

Act 2010-497, HB38, establishes the crime of a school employee engaging in a sex act or deviant sexual intercourse with a student as a Class B felony and the crime of a school employee having sexual contact with a student as a Class A misdemeanor and provides that a school employee may be placed on paid administrative leave pending adjudication of the charge.

EFFECTIVE DATE: July 1, 2010.

Act 2010-498, HB75, amends Sections 9-16-73, 9-16-74, 9-16-77, 9-16-78, 9-16-81, and 9-16-93, Code of Alabama 1975, relating to the Alabama Surface Mining Commission. The act specifies that the commission must meet once every month instead of once every 30 days and authorizes the commission to charge reasonable fees for training, examination, and certification programs, to establish and charge reasonable fees for initial surface mining licenses and annual updates, and to hire or contract with attorneys to serve as hearing officers. The act also deletes the requirement of separate offices for hearing officers and the requirement of citations compelling attendance at hearings upon issuance of a cessation order. Section 9-16-81 is also amended by Act 2010-153.

EFFECTIVE DATE: July 1, 2010.

Act 2010-499, HB102, amends Section 8-27-4, Code of Alabama 1975, relating to the remedies for misappropriation of a trade secret, to increase the minimum civil penalty for willful and malicious misappropriation from \$5,000 to \$10,000 and to make the intentional remuneration or recruiting of a third person to misappropriate a trade secret a Class C felony.

EFFECTIVE DATE: July 1, 2010.

Act 2010-500, HB114, is the Alabama Uniform Adult Guardianship and Protective Proceedings Jurisdiction Act. The act adds a new Chapter 2B to Title 26, Code of Alabama 1975, to provide for jurisdiction of certain cases where a party is located in a different state, for the transfer of adult guardianship or conservatorship proceedings to another jurisdiction, and for recognition and enforcement of guardianship and protective orders from other states. The act also amends Sections 26-2A-31, 26-2A-109, and 26-2A-131, Code of Alabama 1975, of the Uniform Guardianship Act to reference this act and clarify that both acts are operative.

EFFECTIVE DATE: January 1, 2011.

Act 2010-501, HB156, amends Sections 34-2-30, 34-2-32, 34-2-33, 34-2-34, 34-2-35, 34-2-36, 34-2-37, 34-2-38, 34-2-40, 34-2-41, and 34-2-42, Code of Alabama 1975, relating to the State Board for Registration of Architects. The act defines responsible control over the practice, changes the title of superintendent to on-site observer, provides further for grounds and notification of disciplinary actions, deletes certain requirements for firm ownership and firm naming, provides civil penalties for violations, and changes the title of secretary to executive director. See also Act 2010-534.

EFFECTIVE DATE: July 1, 2010.

Act 2010-502, HB159, limits the release of a 911 emergency telephone call audio recording and provides that a written or electronic record regarding a 911 telephone call kept by an emergency communications district is a public writing.

EFFECTIVE DATE: April 21, 2010.

Act 2010-503, HB188, amends Section 11-98-4, Code of Alabama 1975, relating to emergency telephone districts, to require each district employee who receives or disburses funds to be bonded.

EFFECTIVE DATE: April 21, 2010.

Act 2010-504, HB259, adds Section 15-22-1.3 to the Code of Alabama 1975, relating to the Interstate Compact for Adult Offender Supervision, to impose a \$75 interstate transfer application fee on each application prepared for an offender, to authorize the Board Pardons and Paroles to grant hardship exemptions, and to provide for the distribution of the fee to the Probationer's Upkeep Fund for continuous appropriation to the board.

EFFECTIVE DATE: July 1, 2010.

Act 2010-505, HB279, amends Sections 25-4-40.1, 25-4-54, and 24-4-75, Code of Alabama 1975, relating to the Employment Security Enhancement Fund and unemployment compensation, to extend the expiration date of the special assessment under the fund and to amend the expiration date relating to the extension of unemployment compensation benefits paid with federal funds.

EFFECTIVE DATE: April 21, 2010.

Act 2010-506, HB293, appropriates \$435,600 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-507, HB294, appropriates \$44,362,974 from the Children First Trust Fund for the fiscal year ending

September 30, 2011, 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 \$50,457,080 from other tobacco settlement funds for the fiscal year ending September 30, 2011, 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: April 21, 2010.

Act 2010-508, HB298, amends Sections 13A-8-30, 13A-8-31, 13A-8-37, and 13A-8-39, Code of Alabama 1975, relating to the sale of ferrous and nonferrous metals to secondary metals recyclers, to limit certain record keeping requirements and purchase transactions to those metals that have served their original economic purpose, to delete the three-year limitation on prohibiting certain cash transactions for copper purchases, to increase penalties based on the value of the transaction and damage to the victim's property, and to clarify that the general law takes precedence over local ordinances governing purchase transactions by a secondary metals recycler.

EFFECTIVE DATE: July 1, 2010.

Act 2010-509, HB334, amends Sections 41-9-410, 41-9-411, and 41-9-413, Code of Alabama 1975, and adds Sections 41-9-415 and 41-9-416 to the Code of Alabama 1975, relating to the Women's Commission, to alter the duties, responsibilities, qualifications, funding, and terms of office of members of the commission.

EFFECTIVE DATE: April 21, 2010.

Act 2010-510, HB335, relates to distinctive motor vehicle license plates. The act creates a distinctive license plate for members and prior members of the United States Air Force, Army, Navy, Coast Guard, and Merchant Marines and provides an additional fee for issuance.

EFFECTIVE DATE: January 1, 2011.

Act 2010-511, HB369, provides a specific form for use by purchasers of material, equipment, or machinery for commercial fishing vessels in exempting the purchase of certain equipment from taxation.

EFFECTIVE DATE: July 1, 2010.

Act 2010-512, HB374, appropriates \$872,267 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, 2011. The act also makes an additional appropriation of \$118,946 from the State General Fund, conditioned upon the availability of funds, the recommendation of

the Director of Finance, and the approval of the Governor, for the fiscal year ending September 30, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-513, HB386, amends Section 9-11-56.3, Code of Alabama 1975, relating to public pier fishing licenses and resident saltwater pier fishing licenses, to authorize nonresidents to purchase saltwater pier fishing licenses, and to change the annual expiration date of public pier fishing licenses and resident saltwater pier fishing licenses from July 31 to August 31.

EFFECTIVE DATE: June 1, 2010.

Act 2010-514, HB448, amends Sections 40-23-4 and 40-23-62, Code of Alabama 1975, to clarify the exemption of materials, equipment, and machinery used in and on certain watercraft from sales and use tax.

EFFECTIVE DATE: July 1, 2010.

Act 2010-517, HB519, establishes the Commission on Girls and Women in the Criminal Justice System and provides for the composition, duties, compensation, and operation of the commission.

EFFECTIVE DATE: July 1, 2010.

Act 2010-520, HB721, amends Section 40-26B-21, Code of Alabama 1975, relating to the privilege tax on nursing facilities, to impose a supplemental tax for the period of September 1, 2010, through August 31, 2011, of \$1,063.08 per bed and to provide for the repayment of the supplemental privilege tax through an increase in the Medicaid per diem rate beginning in January 2011.

EFFECTIVE DATE: September 1, 2010.

Act 2010-523, HB750, appropriates \$198,000 from the State General Fund to the Alabama Kidney Foundation, Incorporated, for the fiscal year ending September 30, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-533, SB25, amends Section 36-30-5, Code of Alabama 1975, relating to claims for the death of a peace officer or firefighter, to extend the time limit for presentment of the claim to within two years of the death of the peace officer or firefighter retroactive to January 1, 2007.

EFFECTIVE DATE: April 21, 2010, retroactive to January 1, 2007.

Act 2010-534, SB59, amends Sections 34-2-30, 34-2-32, 34-2-33, 34-2-34, 34-2-35, 34-2-36, 34-2-37, 34-2-38, 34-2-40, 34-2-41, and 34-2-42, Code of Alabama 1975, relating to the State Board for Registration of Architects. The act defines responsible control over the practice, changes the title of superintendent to on-site observer, provides further for grounds and notification of disciplinary actions, deletes certain requirements for firm ownership and firm naming, provides civil penalties for violations, and changes the title of secretary to executive director. See also Act 2010-501.

EFFECTIVE DATE: July 1, 2010.

Act 2010-535, SB91, amends Section 31-2-13, Code of Alabama 1975, relating to military leave of absence, to extend the benefit of a military leave of absence to members of the Civil Air Patrol. Section 31-2-13, Code of Alabama 1975, is also amended by Act 2010-259.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-536, SB104, amends Sections 34-29-61, 34-29-76, 34-29-77, and 34-29-94, Code of Alabama 1975, relating to the practice of veterinary medicine, to revise and add definitions, to provide further for prohibited acts, and to revise and add authorized tasks for veterinary technicians and unlicensed assistants.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-537, SB108, amends Section 17-4-33, Code of Alabama 1975, relating to the computerized statewide voter registration list, to require the Secretary of State to provide a copy of the list to each political party that satisfies ballot access requirements and to allow the list to be transmitted electronically.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-538, SB134, amends Sections 30-5-1, 30-5-2, 30-5-3, 30-5-4, 30-5-5, 30-5-6, 30-5-7, and 30-5-8, Code of Alabama 1975, relating to the Protection From Abuse Act, to further provide for the issuance and the procedures for the issuance of protection orders relating to domestic violence and abuse, the definition of a plaintiff according to the relationship with the defendant, jurisdiction, relationship to uniform acts, petitions, and the maintenance of certain order information in the Protection Order Registry of the Administrative Office of Courts. The act also repeals Sections 30-5-9 and 30-5-10, Code of Alabama 1975, relating to penalties. EFFECTIVE DATE: July 1, 2010.

Act 2010-539, SB151, amends Sections 20-2-212, 20-2-214, and 20-2-217, Code of Alabama 1975, relating to the Controlled Substances Prescription Database, to authorize the members of the Controlled Substances Prescription Database Advisory Committee to meet electronically and appoint proxies, to authorize out-of-state prescription drug monitoring programs to access the state database under rules prescribed by the State Board of Health, and to authorize the board to use collected fees for the administration of the database. See also Act 2010-581. EFFECTIVE DATE: July 1, 2010.

Act 2010-540, SB171, amends Sections 34-36-1, 34-36-3, 34-36-4, 34-36-5, 34-36-6, 34-36-7, 34-36-8, 34-36-9, 34-36-13, 34-36-15, 34-36-16, and 34-36-17, Code of Alabama 1975, relating to the Alabama Board of Electrical Contractors. The act provides further for definitions, increases the compensation of board members, and authorizes the board to impose a fee to restore expired licenses, to hire investigators, and to investigate the activities of unlicensed contractors. The act allows any person aggrieved by the actions of the board to appeal to the Circuit Court of Montgomery County, requires electrical contractors to earn continuing education hours, authorizes the board to promulgate rules regulating electrical contractors and providing penalties for violations, and subjects the board to the Alabama Sunset Law. The act also repeals Section 34-36-14, Code of Alabama 1975, relating to the Electrical Appeals and Advisory Board. EFFECTIVE DATE: July 1, 2010.

Act 2010-541, SB185, amends Sections 9-13-221, 9-13-222, and 9-13-223, Code of Alabama 1975, relating to timber theft equipment condemnation, to clarify the types of offenses for which a law enforcement officer may seize motor vehicles and other equipment involved in the theft of timber and timber harvesting equipment or any felony involving the unauthorized harvesting, removal, transportation, or disposal of forest products, and to provide for delivery of the seized equipment to the regional forester of the forestry region where the arrest is made. EFFECTIVE DATE: July 1, 2010.

Act 2010-542, SB232, relates to coroners. The act requires coroners, under certain circumstances, to store and transport bodies to forensic science laboratories for the purpose of autopsies, or any other post-mortem examination, and provides for reimbursement of the expenses incurred for the storage and transfer through the county commission. EFFECTIVE DATE: October 1, 2010.

Act 2010-543, SB288, amends Section 32-9-20, Code of Alabama 1975, relating to weight restrictions on certain vehicles in the state, to allow weight increases of up to 400 pounds for vehicles equipped with a functioning auxiliary power or idle reduction technology.

EFFECTIVE DATE: April 21, 2010.

Act 2010-544, SB363, amends Sections 11-43A-16, 11-43A-18, and 11-43A-32, Code of Alabama 1975, and adds Section 11-43A-3.3 to the Code of Alabama 1975, relating to the council-manager form of government. The act provides a temporary alternate method for adopting a council-manager form of government in certain Class 7 municipalities pursuant to resolution of the governing body and a referendum election conducted before January 1, 2011. EFFECTIVE DATE: April 21, 2010.

Act 2010-545, SB446, amends Section 34-8A-16, Code of Alabama 1975, relating to the Board of Examiners in Counseling, to correct an inconsistency in the law regarding the confidentiality of records of complaint and investigation files. EFFECTIVE DATE: April 21, 2010.

Act 2010-548, SB495, amends Sections 5-2A-12, 5-3A-6, 5-5A-44, 5-8A-20, 5-8A-24, 5-13B-3, 5-13B-4, 5-13B-5, and 5-13B-6, Code of Alabama 1975, relating to banks and financial institutions. The act authorizes the Banking Board and the Banking Department to order the removal of officers and impose civil penalties against certain persons who have caused a bank to suffer a substantial financial loss and to prohibit certain persons from participating in the affairs of any Alabama state bank or a holding company that controls an Alabama state bank. The act removes the exemption from prior approval by the Superintendent of Banking for transactions requiring the prior approval of the Board of Governors of the Federal Reserve System under the Bank Holding Company Act of 1956, revises the quorum requirement of the Banking Board, removes the requirement that the Federal Deposit Insurance Corporation apply for an order confirming appointment as a receiver from the receivership court, and further provides for the conditions under which an Alabama bank holding company may acquire an out-of-state bank or a bank holding company. EFFECTIVE DATE: July 1, 2010.

Act 2010-550, HB561, amends Sections 2-4-1 and 13A-11-14, Code of Alabama 1975, relating to agriculture and livestock, to clarify the jurisdiction of the Department of Agriculture and Industries, the State Board of Agriculture and Industries, and the State Veterinarian regarding the care and handling of livestock or animal husbandry practices on private property and the control of infectious disease in livestock and to increase the penalties relating to first and subsequent convictions for the crime of cruelty to animals. EFFECTIVE DATE: July 1, 2010.

Act 2010-551, SB442, authorizes the Alabama Public School and College Authority to sell and issue bonds in the aggregate principal amount of up to \$175,000,000 and to apply the proceeds to the construction of new school facilities and the renovation of existing school facilities in the several school systems located in those areas of North Alabama that will be directly impacted by the 2005 Base Realignment and Closure together with subsequent Base Realignment and Closures. The act also requires that local school districts provide a local dollar for dollar match in order to qualify for receipt of any bond proceeds authorized by this act. EFFECTIVE DATE: April 21, 2010.

Act 2010-552, SB423, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Blount County, to prohibit any municipality not located entirely within Blount

County from imposing any tax or regulation or providing any police or fire protection services, other than public safety mutual aid, within its police jurisdiction located in Blount County. See also Act 2010-226.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-553, HB290, 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, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-554, SB564, continues the existence and functioning of the Alabama Board of Court Reporting pursuant to the Alabama Sunset Law until October 1, 2012. The act also amends Sections 34-8B-4, 34-8B-5, 34-8B-9, and 34-8B-15, Code of Alabama 1975, to delete reference to the Alabama Judicial Conference, provide for the appointment of a board member by the Chief Justice from a list of nominees provided by the Administrative Office of Courts, allow court reporters to use approved continuing legal education courses for continuing education, and provide a temporary graduate license for recent graduates of court reporting schools.

EFFECTIVE DATE: April 21, 2010.

Act 2010-555, SB121, proposes an amendment to the Constitution of Alabama of 1901, to provide for a ten-year road, bridge, and other transportation related construction and improvement program to be funded with appropriations from the Alabama Trust Fund and to provide for a transfer of funds to the County and Municipal Government Capital Improvement Fund.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-556, HB43, amends Section 16-13-232, Code of Alabama 1975, relating to the Foundation Program, to authorize a local board of education, upon approval of the State Superintendent of Education, to use an alternative calculation method provided by the State Department of Education for determining teacher units in certain extreme circumstances.

EFFECTIVE DATE: April 22, 2010.

Act 2010-557, HB260, is the Reemployment Act of 2010. The act provides an incentive for job creation for unemployed persons by creating an income tax deduction for businesses that hire unemployed persons who are receiving unemployment compensation or whose benefits have expired, specifies the duties of the Department of Revenue, and provides that the incentive shall become effective for tax years 2011 and 2012.

EFFECTIVE DATE: Approved by the Governor on April 22, 2010.

Act 2010-558, HB271, appropriates \$855,861 from the Education Trust Fund to Talladega College in Talladega, Alabama, for the fiscal year ending September 30, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-559, HB272, appropriates \$9,703,990 from the Education Trust Fund to Tuskegee University in Tuskegee, Alabama for the fiscal year ending September 30, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-560, HB273, appropriates \$254,375 from the Education Trust Fund to Lyman Ward Military Academy in Camp Hill, Alabama, for the fiscal year ending September 30, 2011.  
EFFECTIVE DATE: October 1, 2010.

Act 2010-561, HB277, provides for transfer to the State General Fund during fiscal year 2011 that portion of Children First Trust Fund receipts currently allocated for the State Board of Education.  
EFFECTIVE DATE: April 22, 2010.

Act 2010-562, HB319, relates to Class 7 municipalities. The act authorizes the city council of the municipality to adopt alternate procedures for declaring overgrown grass and weeds a public nuisance and for abating the nuisance.  
EFFECTIVE DATE: April 22, 2010.

Act 2010-563, HB329, amends Section 9-15-82, Code of Alabama 1975, relating to exemptions from procedures regarding the sale or transfer of certain state-owned real property, to decrease from five to three years the time frame in which the state may repurchase property sold by the state, to include municipal commercial development authorities within the exemption, and to provide a retroactive effective date of June 29, 1995.

EFFECTIVE DATE: April 22, 2010, retroactive to June 29, 1995.

Act 2010-564, HB397, amends Section 32-5A-171, Code of Alabama 1975, relating to maximum speed limits, to provide that Corridor X/I-22 be considered an interstate highway for the purpose of determining the maximum speed limit on the highway.

EFFECTIVE DATE: April 22, 2010.

Act 2010-565, HB368, amends Section 13A-6-21, Code of Alabama 1975, relating to assault in the second degree, to include utility workers as a protected class from intentional assault.

EFFECTIVE DATE: July 1, 2010.

Act 2010-568, HB504, amends Sections 40-18-80 and 40-18-80.1, Code of Alabama 1975, relating to estimated income tax payments, to conform Alabama with the federal system and to increase the estimated tax payment threshold for individuals and decrease the estimated tax payment threshold for corporations. The act also repeals Sections 40-18-82, 40-18-83, 40-18-83.1, and 40-18-85, Code of Alabama 1975, to achieve that purpose.

EFFECTIVE DATE: April 22, 2010, effective for tax years beginning after December 31, 2009.

Act 2010-576, HB724, provides that Public School Funds appropriated to local boards of education in the Education Trust Fund Budget for fiscal year 2011 may be used to pay operating expenses.

EFFECTIVE DATE: April 22, 2010.

Act 2010-579, HB179, amends Sections 32-8-2, 32-8-6, 32-8-31, 32-8-32, 32-8-36, and 32-8-64, Code of Alabama 1975, relating to motor vehicle titles. The act clarifies the definitions of new and used vehicle, authorizes the Department of Revenue to charge fees for providing motor vehicle title and registration records, provides for the privacy of certain records, provides that certain vehicles are exempt from titling, requires that most motor vehicles be physically inspected by the license plate issuing official prior to registering the vehicles, standardizes value for titles issued under surety bonds, and provides alternative methods for lien releases when a lienholder is no longer in business.

EFFECTIVE DATE: October 1, 2010.

Act 2010-580, HB180, amends Sections 11-50-15, 11-50-313, and 11-88-6, Code of Alabama 1975, relating to boards of directors of municipal water and sewer service corporations and boards of directors of municipal and county water, sewer, and fire protection authorities, to increase the compensation of members and chairs of the boards.

EFFECTIVE DATE: April 22, 2010.

Act 2010-581, HB247, amends Sections 20-2-212, 20-2-214, and 20-2-217, Code of Alabama 1975, relating to the Controlled Substances Prescription Database, to authorize the members of

the Controlled Substances Prescription Database Advisory Committee to meet electronically and appoint proxies, to authorize out-of-state prescription drug monitoring programs to access the state database under rules prescribed by the State Board of Health, and to authorize the board to use collected fees for the administration of the database. See also Act 2010-539.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-582, HB262, amends Section 32-6-272, Code of Alabama 1975, relating to the issuance of distinctive motor vehicle license plates, to require the Alabama Forestry Commission and the Firefighters' Personnel Standards and Education Commission to prepare lists of persons eligible for distinctive motor vehicle license plates and to authorize the widow or widower of any firefighter who dies in the line of duty to receive a free license plate.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-583, HB323, amends Section 27-56-4, Code of Alabama 1975, relating to the Access to Eye Care Act, to prohibit a health insurance policy, plan, or contract which provides third-party payments for eye care services from requiring an eye care provider to purchase or maintain a minimum quantity or dollar amount of a specified brand of ophthalmic supplies.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-584, HB346, amends Sections 22-18-1, 22-18-2, 22-18-3, 22-18-4, 22-18-6, 22-18-8, 22-18-40, 22-18-41, and 22-18-42, Code of Alabama 1975, relating to ambulances and the regulation of emergency medical services by the Department of Public Health. The act updates code language to be consistent with national standards and guidelines, adds a new category of licensure for advanced emergency medical technicians, and defines and regulates air ambulances. The act also adds members to the State Emergency Medical Control Committee, establishes the terms of the members, and allows for committee meetings by electronic means and participation in meetings by member designees.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-585, HB376, establishes the Alabama Trails Commission within the Department of Economic and Community Affairs, provides for the duties of the commission as relates to the Alabama Trails System, and provides for the creation and duties of an advisory board to the commission.  
EFFECTIVE DATE: April 22, 2010.

Act 2010-586, HB437, amends Section 11-47-7.1, Code of Alabama 1975, relating to the levy and assessment of court costs in the municipal courts, to authorize the levy of additional court costs for the purchase of land, construction, and purchase of equipment for municipal correctional facilities. The act also provides for a curative retroactive effect.  
EFFECTIVE DATE: April 22, 2010.

Act 2010-587, HB600, requires the Alabama Department of Public Health to establish programs for breast, cervical, and colorectal cancer awareness.  
EFFECTIVE DATE: January 1, 2011.

Act 2010-595, HB276, amends Act 2009-339, the Education Appropriations Bill for the fiscal year ending September 30, 2010, to change a portion of the funding source on the General Obligation Bonds, 2005 Series A, from the Capital Improvement Trust Fund to the Education Trust Fund, to limit the amount of funds that may be reverted to the Education Trust Fund by the Department of Human Resources, and to appropriate any excess funds to the Department of Human Resources.

EFFECTIVE DATE: April 22, 2010.

Act 2010-597, SB305, amends Section 25-13-6, Code of Alabama 1975, to require any surplus fees collected in the Elevator Safety Review Board Operational Fund over the amount appropriated each year to be transferred to the State General Fund.

EFFECTIVE DATE: April 22, 2010.

Act 2010-598, SB321, 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 2009 Regular Session and Act 2009-814 of the 2009 First Special Session as contained in the 2009 Cumulative Supplement to certain volumes of the code and 2009 Replacement Volume 15A. The act initially adopts and incorporates into the Code of Alabama 1975, 2009 Volume 22E (Local Laws Conecuh - Cullman Counties) and adopts and incorporates into the Code of Alabama 1975, the 2009 Cumulative Supplements to local law volumes. The act makes hierarchy, formatting, and internal reference corrections to subdivision (21) of subsection (a) of Section 19-3B-816, found on page 386 of 2007 Replacement Volume 14, relating to specific powers of trustees under the Alabama Uniform Trust Code. The act also 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 volumes, expressly provides that the act does not affect any other 2009 Special Session statutes or 2010 session statutes, and specifies the duties of the Secretary of State regarding the custody of the cumulative supplements, replacement volumes, and initial volume.

EFFECTIVE DATE: April 22, 2010.

Act 2010-599, SB349, amends Section 32-5A-195, Code of Alabama 1975, relating to serious traffic offenses, to authorize the revocation of the license of a driver who is adjudicated as a youthful offender based on an underlying charge of manslaughter or homicide by vehicle.

EFFECTIVE DATE: July 1, 2010.

Act 2010-603, SB150, amends Section 9-13-11, Code of Alabama 1975, relating to arson in forests, grasses, or woodlands, to specify that both the attempt to willfully, maliciously, or intentionally set fire to and the possession of incendiary paraphernalia, including any time-delay incendiary device, near forests, grasses, or woodlands are Class C felonies, that recklessly, or with wanton disregard for the safety of persons or property, allowing a fire to escape from ones property is a Class B misdemeanor, and that recklessly, or with wanton disregard for the safety of persons or property, starting a fire, attempting to start a fire, or causing a fire to start on someone else's forests, grasses, or woodlands is a Class A misdemeanor.

EFFECTIVE DATE: July 1, 2010.

Act 2010-604, HB678, amends Section 36-26-26, Code of Alabama 1975, relating state employee layoffs, to establish a voluntary furlough plan for Merit System employees upon approval of the State Personnel Department.

EFFECTIVE DATE: April 22, 2010.

Act 2010-605, HB763, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Calhoun County, to prohibit the imposition of a municipal business license tax on the rental of residential real estate based on a per unit basis.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-606, HB789, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to define the Stockton Landmark District within the county

and to prohibit the annexation by local law of any property within the district into any municipality.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-607, SB98, amends Sections 28-1-3.1, 28-3-1, 28-3-53.2, 28-3-168, 28-3-187.1, 28-3A-8, and 28-7-16, Code of Alabama 1975, relating to the regulation and control of alcoholic beverages, to allow fortified wine to be sold by any licensee of the Alcoholic Beverage Control Board, to levy an excise tax on fortified wine, and to provide for the distribution of the tax. The act also repeals Section 28-7-2, Code of Alabama 1975, relating to legislative intent regarding the importation, distribution, and sale of table wine.

EFFECTIVE DATE: July 1, 2010.

Act 2010-608, SB581, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, relating to the disposal of solid waste. The amendment proposes that only county-owned solid waste landfills may be used for the disposal of garbage, household waste, industrial solid waste, and solid waste and that the county may not charge rates exceeding rates for similar services charged by public and private landfill operators in surrounding counties. The proposed amendment exempts the disposal of certain inert debris and construction materials and provides for certain exempted contracts and penalties for violations. The proposed amendment requires the county governing body to create the Baldwin County Solid Waste Management Authority and the authority to make recommendations to the county governing body relating to the operation of county landfills. The amendment proposes to allow the implementation and administration of the amendment pursuant to local act and provides for the expiration of the ratified amendment, and any implementing local law, three years after ratification.

EFFECTIVE DATE: Contingent upon ratification.

Act 2010-609, SB209, makes supplemental appropriations from the State General Fund of \$52,475,875 to the Department of Corrections, \$41,995,706 to the Alabama Medicaid Agency, \$100,000 to the Department of Public Health for the Amyotrophic Lateral Sclerosis Association of Alabama, \$385,000 to the Department of Environmental Management for the Pollution Control Grant Fund, \$110,000 to the Alabama Supreme Court, \$227,000 to the Department of Agriculture and Industries, \$2,000,000 to the Unified Judicial System, \$350,000 to the Department of Conservation and Natural Resources for the Alabama Black Belt Adventures, \$56,400 to the Department of Veterans' Affairs for the Disabled American Veterans organization and the Congressional Medal of Honor meeting, \$325,000 to the Geological Survey, \$130,000 to the Court of Criminal Appeals, \$10,000 to the Alabama Historical Commission, \$650,000 to the Tourism Department for the Greater Birmingham Convention and Visitors Bureau for the Indy Grand Prix of Alabama, the F. Scott and Zelda Fitzgerald Museum, the Roxie Theater, and for operations and maintenance of the department, and \$150,000 to the Legislative Building Authority for the fiscal year ending September 30, 2010. The act makes supplemental appropriations from the Recruitment and Training Promotion Fund of \$1,750,000 to the Alabama Construction Recruitment Institute and \$250,000 to the Department of Revenue for the fiscal year ending September 30, 2010. The act makes supplemental appropriations of \$82,000,000 from the Mental Health Capital Improvement Account to the Department of Mental Health, \$155,000 from the Veterinary Medical Examiners Board Fund to the Veterinary Medical Examiners Board, \$50,000 from the Security Certification Fund to the Securities Regulatory

Board, and \$120,000 from the Reduced Cigarette Ignition Propensity Standards and Firefighter Protection Act Fund to the Department of Insurance for the fiscal year ending September 30, 2010. The act also amends Act 2009-550, the General Fund Budget for the fiscal year ending September 30, 2010, to change the funding source on the General Obligation Bonds, 1999 Series B, and on the General Obligation Parks Bonds, Series 2001-C, from the Capital Improvement Trust Fund to the State General Fund, and to provide further for the distribution of Community Services Grants funds and for a transfer of vaccine funds from the Department of Corrections to the Department of Public Health.

EFFECTIVE DATE: April 22, 2010.

Act 2010-610, HB274, 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, 2011.

EFFECTIVE DATE: October 1, 2010.

Act 2010-611, SB395, requires the removal from office of any elected municipal official who misses all council or commission meetings within a 90-day period and authorizes the reinstatement of the official based on extenuating circumstances upon approval of a majority vote of the council or commission. The act also requires a record of attendance to be kept for all council and commission meetings and specifically exempts absences resulting from military service.

EFFECTIVE DATE: July 1, 2010.

Act 2010-685, SB300, amends Section 27-27-29, Code of Alabama 1975, relating to insurance companies, to delete the requirement that a domestic insurer whose principal place of business is located outside of the state maintain a duplicate set of records and keep an office managed by one or more officers in this state and to require that records kept at the executive office outside of this state be made available to the Commissioner of Insurance upon request.

EFFECTIVE DATE: April 29, 2010.

Act 2010-686, SB290, amends Section 16-33A-1, Code of Alabama 1975, relating to the Alabama Student Grant Program, to remove the requirement that an approved institution be formally seeking accreditation by the Commission on Colleges of the Southern Association of Colleges and Schools and to include, as an approved institution, an institution of higher education located in Montgomery County, Alabama.

EFFECTIVE DATE: July 1, 2010.

Act 2010-687, HB161, amends Sections 11-46-25, 11-46-27, 11-46-39, 11-46-44, 11-46-45, 11-46-46, 11-46-50, 11-46-55, 11-46-55.1, 11-46-57, 11-46-58, 11-46-67, 17-7-25, 17-9-30, 17-11-14, and 17-11-15, Code of Alabama 1975, relating to the conduct of municipal elections, to revise the statement of candidacy for municipal office affidavit, to prohibit any relative, within the second degree of kinship, of any candidate from serving as an election official, to delete certain provisions relating to the voting of challenged ballots and related offenses, to provide procedures for voting a provisional ballot for a person whose name is not on the poll voter list, to

provide further for recount procedures, to provide for the canvassing of returns, to authorize the town or city clerk to perform duties relating to absentee ballots, to delete references to registers, to apply procedures relating to state electronic vote counting systems to municipal elections, if practicable, to delete references to municipal elections held separate from primary or general elections, and to specify that subsection (f) of Section 17-9-30, Code of Alabama 1975, allowing a person without identification to vote upon positive identification by two poll workers, does not apply to municipal elections.

EFFECTIVE DATE: July 1, 2010.

Act 2010-688, HB56, provides for an additional circuit court judgeship in the 27th Judicial Circuit, comprised of Marshall County, conditioned on funding for compensation and benefits by the county commission for the first 24 months, and provides for the election of the judge.

EFFECTIVE DATE: April 29, 2010.

Act 2010-689, HB62, amends Section 40-12-250, Code of Alabama 1975, relating to governmental and volunteer fire department license plates, to limit the cost of the license plates to that paid for standard passenger license plates, to provide for the replacement of lost, mutilated, or destroyed license plates, to authorize the transfer of governmental and volunteer fire department license plates, and to authorize the Department of Revenue to retain all fees associated with the plates for use in administering the section.

EFFECTIVE DATE: January 1, 2011.

Act 2010-690, HB69, amends Section 16-48-7, Code of Alabama 1975, relating to the Board of Trustees of Auburn University, to allow the board, the executive committee of the board of trustees, or any other committee established by the board of trustees to participate in meetings by telephone conference or video conference if notice of the meetings is given pursuant to the Open Meetings Act and the members of the public are given the opportunity to simultaneously listen to or observe such meetings.

EFFECTIVE DATE: April 29, 2010.

Act 2010-691, HB74, amends Section 16-1-37, Code of Alabama 1975, relating to public education, to expand the list of honorably discharged veterans who did not receive a high school diploma due to military service and may now be awarded a high school diploma, to include veterans of the Vietnam War.

EFFECTIVE DATE: July 1, 2010.

Act 2010-692, HB100, is the County and Municipal Reduced Speed School Zone Act. The act establishes reduced speed school zones on roads and highways in the immediate area surrounding schools in the unincorporated areas of the county, requires the Department of Transportation to furnish signs for state highways, provides for doubled fines in zone areas, and provides for the distribution of fines.

EFFECTIVE DATE: July 1, 2010.

Act 2010-693, HB146, amends Section 41-9-65, Code of Alabama 1975, relating to Board of Adjustment claims, to prohibit the Board of Adjustment from denying certain claims filed by a county governmental entity for reimbursement of costs or expenses denied by a state agency unless the state agency has adopted written procedures and has properly followed those procedures.

EFFECTIVE DATE: April 29, 2010.

Act 2010-694, HB205, amends Section 32-9-21, Code of Alabama 1975, relating to the maximum permissible length and width of motor buses which may be operated on any highway in this state, to increase the length from 40 to 45 feet for a normal motor bus and to define and permit articulated motor buses, which do not exceed 60 feet in length and eight and one-half feet in width, to be operated on any highway in this state.

EFFECTIVE DATE: July 1, 2010.

Act 2010-695, HB258, amends Section 36-15-1, Code of Alabama 1975, relating to the duties of the Attorney General, to delete the requirement that paper copies of official opinions be

distributed and to require the Internet posting and, upon request of a public official, email transmission of official opinions. See also Act 2010-369.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-696, HB281, makes a supplemental appropriation of \$951,351 to the Walker County School System and \$71,351 to the Lee County School System from the Education Trust Fund for the fiscal year ending September 30, 2010.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-697, HB302, amends Sections 9-11-410, 9-11-412, 9-11-413, 9-11-414, and 9-11-417, Code of Alabama 1975, relating to commercial bird hunting preserves under the purview of the Department of Conservation and Natural Resources. The act substantially revises the application and license process for and rules for operating commercial bird hunting preserves and provides an additional form of license to authorize hunters to hunt off preserve premises. The act also repeals Sections 9-11-411, 9-11-415, and 9-11-416, Code of Alabama 1975, which specify additional requirements for the operation of preserves. See also Act 2010-398.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-698, HB306, prohibits any law enforcement officer or agency from imposing an accident response service fee for the investigation of a motor vehicle accident on an insurance company, the driver or owner of a motor vehicle, or any other person or entity.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-699, HB315, amends Sections 9-12-28, 9-12-32, 9-12-33, 9-12-35, 9-12-37, 9-12-42, 9-12-67, and 9-12-121, Code of Alabama 1975, relating to the Division of Marine Resources of the Department of Conservation and Natural Resources, to further provide for the regulation of the harvesting of oysters and other seafood and to provide penalties for violations. The act also repeals Sections 9-12-34, 9-12-38, 9-12-39, 9-12-43, and 9-12-44, Code of Alabama 1975.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-700, HB349, amends Section 37-11-1, Code of Alabama 1975, relating to the Mississippi-Louisiana-Alabama Rapid Rail Transit Commission, to change the name of the commission to the Southern High-Speed Rail Commission.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-701, HB367, amends Section 34-13-11, Code of Alabama 1975, relating to funerals and the priority of persons authorized to serve as the authorizing agent for the human remains of a decedent, to provide priority to a person designated on a Department of Defense Record of Emergency Data form completed by persons serving on active duty in any branch of the United States Armed Forces, the United States Reserve Forces, or the National Guard.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-702, HB384, creates the Alzheimer's Disease Task Force to assess the current and future impact of dementia, including Alzheimer's disease, on the residents of Alabama, provides for the membership, duties, and responsibilities of the task force, and requires the task force to report findings to the Governor and the Legislature before terminating on March 1, 2011.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-703, HB393, amends Section 34-24-192, Code of Alabama 1975, relating to the Board of Physical Therapy, to revise the qualifications for membership on the board.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-704, HB405, amends Section 9-13-60, Code of Alabama 1975, relating to timber and forest products, to designate that certain acts of willfully and knowingly cutting, removing, transporting, selling, or purchasing timber and forest products and the act of altering or causing a

weight measuring device to give a false reading as to the true weight of timber or forest products for the purpose of deceiving or defrauding any person are Class A misdemeanors, and to provide an exemption for utility corporations providing electric service.

EFFECTIVE DATE: July 1, 2010.

Act 2010-705, HB432, is the Representatives Jack Williams and Merika Coleman Act. The act creates the crimes of human trafficking in the first degree as a Class A felony, with obstructing, attempting to obstruct, or interfering with enforcement a Class C felony, and human trafficking in the second degree as a Class B felony, with obstructing, attempting to obstruct, or interfering with enforcement a Class A misdemeanor.

EFFECTIVE DATE: July 1, 2010.

Act 2010-706, HB440, is the Alabama Interior Design Registration Act of 2010. The act creates a new Chapter 15C, Title 34, relating to the regulation of registered interior designers by the Alabama Board for Registered Interior Designers and repeals Chapter 15B, Title 34, commencing with Section 34-15B-1, Code of Alabama 1975, formerly providing for the Alabama State Board of Registration for Interior Design. The act transitions the membership from the old to the new board, provides for the nomination and appointment of members to the new board, provides for the powers of the board, and provides for the registration and regulation of registered interior designers.

EFFECTIVE DATE: August 1, 2010.

Act 2010-707, HB455, amends Section 12-13-22, Code of Alabama 1975, relating to probate courts and the requirement to redact Social Security numbers and birthdates from certain documents filed as public records, to include military discharge forms.

EFFECTIVE DATE: April 29, 2010.

Act 2010-709, HB546, amends Section 36-30-2, Code of Alabama 1975, relating to death benefits for the dependents of a peace officer, fireman, or volunteer fireman who dies as a result of injuries received in the line of duty, to delete the requirement that the death be within 10 years of the date of injury.

EFFECTIVE DATE: April 29, 2010.

Act 2010-710, HB549, relates to distinctive motor vehicle license plates. The act creates a distinctive license plate for retired professional firefighters, commencing January 1, 2012.

EFFECTIVE DATE: July 1, 2010.

Act 2010-712, HB617, is the Alabama Kinship Guardianship Subsidy Act. The act establishes a kinship guardianship subsidy program, provides legislative intent and purpose, and provides procedures for establishing kinship guardianships and legal authority of kinship guardians. The act also amends Sections 12-15-301, 12-15-314, 12-15-315, 38-12-2, and 38-12-4, Code of Alabama 1975, to conform existing law to the new program.

EFFECTIVE DATE: October 1, 2010.

Act 2010-713, HB652, amends Sections 34-24-380 and 34-24-381, Code of Alabama 1975, relating to the State Board of Medical Examiners and the Medical Licensure Commission, to

expand the costs and fees the board or commission may impose upon violators to include reasonable and necessary attorney fees and expenses.

EFFECTIVE DATE: April 29, 2010.

Act 2010-714, HB668, adds Section 24-1-24.1 to the Code of Alabama 1975, relating to municipal housing authorities, to require that to the extent required by federal law one commissioner be a resident of public housing or a recipient of housing assistance.

EFFECTIVE DATE: April 29, 2010.

Act 2010-715, HB671, amends Sections 41-10-541, 41-10-547, 41-10-550, and 41-10-551, Code of Alabama 1975, relating to the Alabama Incentives Financing Authority, to increase the principal amount of bonds of the authority and to provide additional terms for financing and debt service for economic development projects when moneys are required to be drawn from a reserve fund to meet obligations.

EFFECTIVE DATE: April 29, 2010.

Act 2010-716, HB686, amends Section 32-7A-9, Code of Alabama 1975, relating to mandatory automobile liability insurance, to authorize the payment of reinstatement fees and the submission of current proof of insurance documentation by a vehicle owner to the circuit clerk of the county or the Administrative Office of Courts and to provide for the distribution of any reinstatement fee collected.

EFFECTIVE DATE: January 1, 2011.

Act 2010-717, HB697, establishes the crime of unlawful possession of HU-210, JWH-018, JWH-073, and salvia divinorum or salvinatorum A and subjects any violator to the same penalties as provided by law for the unlawful possession of marijuana in the first and second degrees.

EFFECTIVE DATE: July 1, 2010.

Act 2010-720, HB743, authorizes the Alabama Public School and College Authority to sell and issue bonds in the aggregate principal amount of up to \$66,500,000 and to apply such proceeds for the support of public education or for the purpose of satisfying and discharging any obligations of the authority arising out of any swap agreements entered into by the authority. The act also defines swap agreements, allows the authority to appropriate and pledge revenue from the Public School Fund, and provides that a portion be expended to repay the Education Trust Fund for appropriations made in Act 2009-339 to the local boards of education for school bus fleet renewal.

EFFECTIVE DATE: April 20, 2010.

Act 2010-721, HB757, relates to Class 1 municipalities. The act provides for the election of the mayor and the members of the city council at the same election.

EFFECTIVE DATE: April 29, 2010.

Act 2010-723, SB71, amends Section 13A-7-23.1, Code of Alabama 1975, relating to the crime of desecration or defacement of certain memorials, to include burial mounds, fencing, tomb ornamentation, burial artifacts, and other associated items used for the burial of the dead and to exempt cemetery operators and persons authorized to take action on municipal property.

EFFECTIVE DATE: July 1, 2010.

Act 2010-724, SB245, amends Section 16-5-11, Code of Alabama 1975, relating to the Commission on Higher Education and the responsibility of the commission to administer certain funds, to authorize the commission to use a portion of funds available for chiropractic scholarships for advanced courses at the post-doctoral level at public and private nonprofit colleges and universities.

EFFECTIVE DATE: April 30, 2010.



Act 2010-725, SB162, relates to the Prepaid Affordable College Tuition (PACT) Program. The act annually appropriates funds from the Education Trust Fund to the Trust Fund of the PACT Program beginning in the fiscal year ending September 30, 2015, and continuing, if necessary, into the fiscal year ending September 30, 2027, and redirects other sources of funds to the trust fund to fully fund the PACT Program. The act limits tuition and mandatory fees that may be charged PACT Program participants and provides for the termination of appropriations and the eventual transfer of funds back to the Education Trust Fund. The act amends Sections 16-33C-3, 16-33C-4, 16-33C-5, 16-33C-6, 16-33C-7, 16-33C-8, 16-33C-10, 16-33C-11, and 16-33C-12, Code of Alabama 1975, and adds Section 16-33C-4.1 to the Code of Alabama 1975, to establish a separate PACT Program board of directors and provide for the composition and duties of the board, and to encourage the board to make financially beneficial changes to rules relating to the PACT Program to the extent such changes do not alter the obligations of PACT contracts. The act also repeals Section 16-33C-9, Code of Alabama 1975, relating to the disposition of funds upon the dissolution of the PACT Program.  
EFFECTIVE DATE: April 30, 2010.

Act 2010-726, SB299, establishes the Alabama Firefighters Annuity and Benefit Fund for voluntary participation by paid and volunteer firefighters. The act provides for a board of commissioners to administer the fund, for assets in the fund to be invested and reinvested by the Employees' Retirement System of Alabama, for a process for applying for and receiving benefits, for refunds for members who leave the fund, for disability and death benefits, for annual audits, for administrative duties of the Department of Insurance, and for reporting the performance of the fund.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-727, SB326, amends Sections 24-9-2, 24-9-4, 24-9-5, 24-9-6, 24-9-7, and 24-9-8, Code of Alabama 1975, relating to the Alabama Land Bank Authority. The act expands the purpose of the authority, removes the minimum time that taxes have been unpaid from the definition of tax-delinquent property, establishes a quorum of the board, and provides civil immunity for the members of the board. The act authorizes the authority to hold property that has been sold for delinquent taxes in the name of the authority, allows the property to be redeemed for taxes, allows the authority to repeal and rescind all unpaid state taxes at the time it sells or disposes of the property purchased for nonpayment of taxes, authorizes the authority to provide for the distribution of property for economic development, limits the time that the authority may retain ownership of tax delinquent property, allows the authority to extinguish the right of redemption for property sold for delinquent taxes, and otherwise provides a procedure for notice of foreclosure.  
EFFECTIVE DATE: April 30, 2010.

Act 2010-729, SB473, amends Sections 14-2-1, 14-2-8, 14-2-12, 14-2-19, and 14-2-21, Code of Alabama 1975, relating to the Alabama Corrections Institution Finance Authority, to authorize the authority to issue additional bonds for the purpose of acquiring a prison facility in Perry County and providing additional bedspace in existing facilities and to authorize the Department of Corrections to employ current employees of the Perry County facility.  
EFFECTIVE DATE: April 30, 2010.

Act 2010-731, SB512, amends Section 16-16-14.1, Code of Alabama 1975, and authorizes the Alabama Public School and College Authority to issue and sell its bonds under the provisions of the federal American Recovery and Reinvestment Act of 2009, or any other governmental program, to provide loans to local boards of education and provide reductions in interest payments or conditions acceptable to the authority.  
EFFECTIVE DATE: April 29, 2010.

Act 2010-732, SB530, relates to dealers in gold or precious items. The act provides for the licensing of dealers and imposes record keeping requirements on dealers to prevent the transient operation of a gold or precious item buying business and provides that a violation of the act is a Class B misdemeanor.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-734, SB570, amends Sections 15-18-171 and 15-18-184, Code of Alabama 1975, relating to the Community Punishment and Corrections Act. The act includes nonprofit entities within the definition of board, deletes the exclusion of offenders convicted of selling controlled substances from participation in programs, and authorizes county commissions to provide liability insurance to authorities and nonprofit entities.  
EFFECTIVE DATE: April 30, 2010.

Act 2010-735, HB65, amends Sections 32-5-64, 32-6-7.2, and 32-6-8, Code of Alabama 1975, relating to three-stage graduated driver's licenses, to require the licensed driver accompanying a student in any driver training program to be 21 years of age or older, to prohibit any person under the age of 18 from applying for a Stage II restricted license until the person has held a Stage I license for at least six months, to restrict the holder of a Stage II license from operating a handheld communication device and from driving between the hours of midnight and 6 a.m., to include licensed hunting or fishing activities as an exception to the hour limitations, and to require a licensed driver who is at least age 21 to occupy the seat next to any driver age 16 years or older who holds a Stage I learner's license.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-736, HB797, amends Section 17-3-8, Code of Alabama 1975, relating to the meeting days of boards of registrars, to allow the members of the Elmore County Board of Registrars to meet a maximum of 187 days each fiscal year. Section 17-3-8, Code of Alabama 1975, is also amended by Act 2010-275 and Act 2010-279.  
EFFECTIVE DATE: April 30, 2010.

Act 2010-746, HB459, relates to public K-12 schools and requires any new school construction to include an Alabama Building Commission approved safe space or hallway.  
EFFECTIVE DATE: July 1, 2010.

Act 2010-747, HB165, amends Sections 8-12-6, 8-12-10, 8-12-14, 8-12-17, and 8-12-18, Code of Alabama 1975, relating to the registration and protection of trademarks. The act defines dilution, dilution by blurring, and dilution by tarnishment, decreases the registration and renewal of registration marks from 10 to five years, adopts the United States Patent and Trademark

Office classifications of goods and services, provides additional remedies for dilution of a mark, increases the damages for a trademark violation, and allows for attorney fees.

EFFECTIVE DATE: January 1, 2011.

Act 2010-748, HB168, amends Section 32-8-87, Code of Alabama 1975, relating to salvage vehicles, to provide an exception to the requirement that the owner of a salvage vehicle be a licensed rebuilder in order to obtain a salvage title if the owner submits prior registration or other documentation showing original ownership of the vehicle, to provide salvage vehicle disclosure and title branding requirements for junk vehicles, to eliminate the requirement that the Department of Revenue approve nationally recognized indexes and databases of retail values for the purpose of salvage vehicle valuations, to authorize the owner of a salvage vehicle to apply for an inspection in certain cases where the supporting paperwork is incomplete or unavailable, to further regulate the acquisition of motor vehicles by scrap metal processors, and to provide increased penalties for violations.

EFFECTIVE DATE: June 1, 2010.

Act 2010-749, HB269, exempts Eagles' Wings, Incorporated, from the payment of all state, county, and municipal sales and use taxes.

EFFECTIVE DATE: July 1, 2010.

Act 2010-750, HB585, authorizes the officers and employees of the Alabama Higher Education Partnership, Inc., to participate in the Teachers' Retirement System.

EFFECTIVE DATE: April 30, 2010.

Act 2010-751, HB663, is the Garrett Coliseum Agricultural Center Restoration and Improvement Act. The act provides a continuing annual appropriation of \$800,000 from the State General Fund to the Alabama Agricultural Center Board for the period of time when at least a \$30,000,000 restoration, renovation, improvement, and maintenance agreement is in place to renovate and rehabilitate Garrett Coliseum under the auspices of the Agricultural Center Board.

EFFECTIVE DATE: April 30, 2010.

Act 2010-752, HB698, amend Section 30-8-2, Code of Alabama 1975, relating to the certification and funding of family resource centers by the Alabama Network of Family Resource Centers, to require the network to adopt rules governing the allocation and distribution of federal and state funds to the centers and to provide for notice of any proposed rule to be published in the Alabama Administrative Monthly at least 35 days before consideration.

EFFECTIVE DATE: July 1, 2010.

Act 2010-753, SB325, amend Section 15-22-54, Code of Alabama 1975, and adds Section 15-22-54.1 to the Code of Alabama 1975, to limit the terms of probation, limit incarceration in the penitentiary for technical violations of probation with retroactive application for certain offenders, provide intermediate sanctions for violations, and provide for resentencing.

EFFECTIVE DATE: April 30, 2010.

Act 2010-754, HB348, is the Alabama Drug Offender Accountability Act. The act relates to drug courts and authorizes each presiding judge of a judicial circuit to establish a drug court and

provides for screening of drug offenders, treatment, support services, and drug testing, provides referrals to programs certified by the Department of Mental Health for indicated treatment, requires the Administrative Office of Courts to assist in planning, implementing, and developing drug courts, provides recommendations concerning the legal, policy, and procedural issues confronting drug courts, and provides civil immunity for drug court employees, administrative employees, team members, and volunteers.

EFFECTIVE DATE: July 1, 2010.

## LOCAL ACTS

Act 2010-108	H - 107	MADISON	MADISON TVA
Act 2010-109	H - 107	DALE	DALE COUNTY COMMISSION CHAIR
Act 2010-110	HB191	COFFEE	COFFEE COUNTY FIRE PROTECTION
Act 2010-113	S - 131	MORGAN	BOARD OF EDUCATION
Act 2010-130	S - 184	COFFEE COUNTY	FIRE EMERGENCY MEDICAL
Act 2010-131	S - 230	ETOWAH COUNTY	PROVIDE FOR SALARY
Act 2010-132	S - 249	MORGAN COUNTY	CREATE SOURCE PROTECTION
Act 2010-136	H - 391	MONROE	BOUNDARY LINES ALTERED
Act 2010-195	H - 389	MONROE	ALTER BOUNDARY LINES
Act 2010-196	H - 390	MONROE	MONROE COUNTY AMEND ACT 85-898
Act 2010-197	H - 425	CLAY	CLAY CO CORONER ALLOW INCREA
Act 2010-214	H - 401	MONTGOMERY	REGULATE ALCOHOL SALES
Act 2010-216	H - 535	CULLMAN	DOMESTIC VIOLENCE COSTS
Act 2010-223	S - 443	DEKALB	FORT PAYNE BOUNDARY LINE
Act 2010-229	H - 553	FRANKLIN	REPEALS Act 2009-305
Act 2010-265	H - 164	CHAMBERS	DRAFT OR KEG BEER
Act 2010-266	H - 172	MOBILE	APPOINT AN EMPLOYEE
Act 2010-268	H - 255	MOBILE	CREDIT CARD PAYMENTS
Act 2010-269	H - 516	ESCAMBIA	COURT COSTS
Act 2010-270	H - 564	BUTLER	INCREASE PISTOL FEE
Act 2010-271	H - 565	TUSCALOOSA	SUNDAY SALE OF ALCOHOL
Act 2010-272	H - 636	DEKALB	ALTER BOUNDARY LINES
Act 2010-273	H - 664	JACKSON	EXTEND BOUNDARY
Act 2010-274	H - 669	PIKE	EXPENSE ALLOWANCE
Act 2010-281	H - 554	LIMESTONE	PROVIDE COMPENSATION
Act 2010-391	S - 376	FRANKLIN	SHERIFF
Act 2010-392	S - 427	FRANKLIN	Franklin Co. (34th Judicial Circuit) district attorney
Act 2010-393	S -S459	LIMESTONE	Sales & Use Tax, Act 2001-557, 2001 Reg. Sess. am'd
Act 2010-394	S - 467	LAWRENCE	ADDITIONAL COURT COSTS LEVIED
Act 2010-395	S - 509	JACKSON	STEVENSON BOUNDARIES
Act 2010-400	S - 332	CHAMBERS	TOBACCO TAX 45-9-244 am'd
Act 2010-401	S - 348	CLAY	TOBACCO TAX 45-14-244.02, 45-14-244.05 am'd.; Sec. 45-14-244.04 repealed
Act 2010-402	S - 490	RANDOLPH	TABACCO TAX

Act 2010-515	H - 499	JEFFERSON	PROHIBIT SEX OFFENDERS
Act 2010-516	H - 518	MACON	ALTER CORP LIMITS
Act 2010-518	H - 610	WINSTON	RENEWAL OF MOTOR VEHICLE
Act 2010-519	H - 613	JEFFERSON	REQUIRE PUBLIC HEARINGS
Act 2010-521	H - 725	CALHOUN	REIMBURSE REV COMM OFF
Act 2010-522	H - 740	ELMORE	SHERIFF SERVICE PROCESS
Act 2010-524	H - 759	MACON	ECO DEVELOP AUTHORITY
Act 2010-525	H - 760	MACON	UNPAVED ROADS
Act 2010-526	H - 762	CHAMBERS	LEVY SALES TAX
Act 2010-527	H - 767	TALLADEGA	AUTHORIZE
Act 2010-528	H - 768	TALLADEGA	SALE OF DRAFT KEG BEER
Act 2010-529	H - 772	BULLOCK	CANTEEN
Act 2010-530	H - 782	SHELBY	RECORDING TITLES
Act 2010-531	H - 787	FRANKLIN	DOMESTIC VIOLENCE CASES
Act 2010-532	H - 796	BARBOUR	PISTOL PERMIT
Act 2010-546	S - 485	GENEVA	PROVIDE FIRE DISTRICTS
Act 2010-547	S - 488	ETOWAH	SOLICITORS FEE
Act 2010-549	S - 575	LIMESTONE	TVA PAYMENTS
Act 2010-566	H - 417	BALDWIN	PERSONNEL MERIT SYSTEM
Act 2010-567	H - 418	BLOUNT	ABOLISH CONSTABLE OFFICE
Act 2010-569	H - 609	LAWRENCE	INCREASE FOR INDIVIDUALS
Act 2010-570	H - 628	CLAY	INCREASE FEE
Act 2010-571	H - 650	ETOWAH	SOLICITORS FEE
Act 2010-572	H - 657	LAUDERDALE	RETIRED JUDGES SALARY
Act 2010-573	H - 684	ETOWAH	PROVIDE FUNDS TO SHERIFF
Act 2010-574	H - 694	CALHOUN	PROVIDE CIVIL SERVICE
Act 2010-575	H - 723	BLOUNT	TOWN OF HAYDEN BOUNDARY
Act 2010-577	H - 727	LAUDERDALE	ELECTION OF CO COMM CHR

Act 2010-578	H - 737	ESCAMBIA	PRETRIAL DIVERSION PRGRM
Act 2010-588	H - 641	BALDWIN	PRIVILEGE LICENSE TAX
Act 2010-589	H - 705	MOBILE	OIL AND GAS PROCEEDS
Act 2010-590	H - 733	PICKENS	DRUG ENFORCEMENT FEE
Act 2010-591	H - 734	PICKENS	SOLICITORS FEE
Act 2010-592	H - 735	ESCAMBIA	EXEMPT MANUFACTURING EQ
Act 2010-593	H - 770	BALDWIN	ALTER BOUNDARY LINES
Act 2010-594	H - 781	SHELBY	SUBPOENA FEES
Act 2010-596	H - 726	LAUDERDALE	LODGING TAX
Act 2010-600	S - 542	BLOUNT	ALTER BOUNDARY LINES
Act 2010-601	S - 551	MORGAN	ALLOCATION OF MONEY
Act 2010-602	S - 557	CALHOUN	ALTER BOUNDARY LINES
Act 2010-612	H - 341	ETOWAH	PAY PERSONNEL OF SCHOOL
2010 - 681	S - 592	AUTAUGA	WORK RELEASE PROGRAM
2010 - 682	S - 586	LOWNDES	CONTINGENT FUND
2010 - 683	S - 583	CHOCTAW	PISTOL PERMIT FEE
2010 - 684	S - 582	WASHINGTON	EXPENSE ALLOWANCE
2010 - 708	H - 493	MONTGOMERY	WORK RELEASE PROGRAM
2010 - 711	H - 566	TUSCALOOSA	RED LIGHT SAFETY ACT
2010 - 718	H - 736	MORGAN	BINGO
2010 - 722	H - 790	BALDWIN	PLANNING & ZONING
2010 - 728	S - 450	DEKALB	ESTABLISH AUTHORITY
2010 - 730	S - 504	ELMORE	SERVICE OF PROCESS FUND
2010 - 733	S - 550	FRANKLIN	COURT COST
2010 - 737	H - 799	BALDWIN	FOLEY BOUNDARY LINES EXT
2010 - 738	H - 801	WILCOX	ESTABLISH CONTIGENT FUND
2010 - 739	H - 803	HENRY & HOUSTON	FEES
2010 - 740	H - 807	LOWNDES	ESTABLISH CONTINGENT FD

2010 - 741	H - 815		AUTOMATED TRAFFIC LIGHTS
2010 - 742	H - 816		PISTOL PERMIT FEES
2010 - 743	H - 818		COURT COSTS
2010 - 744	H - 819		WORK RELEASE BOARD
2010 - 745	H - 821		TAX DISTRIBUTIONS