

**SUMMARIES  
OF  
GENERAL LAWS ENACTED AND  
CONSTITUTIONAL AMENDMENTS PROPOSED  
AT THE  
2010 FIRST SPECIAL SESSION  
DECEMBER 8, 2010 TO DECEMBER 16, 2010  
AND THE  
2011 REGULAR SESSION  
MARCH 1, 2011 TO JUNE 9, 2011**

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**INDEX TO  
SUMMARIES OF GENERAL LAWS ENACTED AND  
CONSTITUTIONAL AMENDMENTS PROPOSED BY THE  
LEGISLATURE OF ALABAMA AT THE  
2010 FIRST SPECIAL SESSION**

<u><b>ACT</b></u>	<u><b>BILL</b></u>
2010-759	HB10
2011-760	SB3
2011-761	SB2
2011-762	HB11
2011-763	SB1
2011-764	SB14
2011-765	HB9



**INDEX TO  
SUMMARIES OF GENERAL LAWS ENACTED AND  
CONSTITUTIONAL AMENDMENTS PROPOSED BY THE  
LEGISLATURE OF ALABAMA AT THE  
2011 REGULAR SESSION**

<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>
2011-3	HB57	2011-252	HB431	2011-529	HB3
2011-27	SB72	2011-256	HB148	2011-530	HB13
2011-68	SB162	2011-257	HB368	2011-531	HB25
2011-147	SB139	2011-258	HB50	2011-532	HB28
2011-151	HB34	2011-259	HB62	2011-533	HB29
2011-152	HB37	2011-260	HB184	2011-534	HB51
2011-153	HB38	2011-261	HB433	2011-535	HB56
2011-154	HB41	2011-264	SB52	2011-536	HB75
2011-155	HB61	2011-268	SB99	2011-537	HB76
2011-163	SB43	2011-269	SB100	2011-538	HB93
2011-164	HB33	2011-270	SB310	2011-539	HB97
2011-165	HB36	2011-293	SB84	2011-540	HB105
2011-166	HB42	2011-294	SB170	2011-541	HB108
2011-167	HB45	2011-295	SB54	2011-542	HB115
2011-168	HB46	2011-296	HB321	2011-543	SB466
2011-169	HB47	2011-297	HB406	2011-544	HB179
2011-170	HB48	2011-301	SB344	2011-545	HB180
2011-171	HB49	2011-310	SB512	2011-546	HB182
2011-172	HB39	2011-312	SB129	2011-547	HB188
2011-173	HB40	2011-315	SB369	2011-548	HB195
2011-174	HB118	2011-316	HB588	2011-549	HB197
2011-205	SB253	2011-317	HB43	2011-550	HB219
2011-206	SB78	2011-318	HB44	2011-551	HB230
2011-214	SB71	2011-336	SB342	2011-552	HB243
2011-215	SB76	2011-352	HB439	2011-553	HB255
2011-216	SB77	2011-353	SB112	2011-554	HB256
2011-235	SB271	2011-518	SB484	2011-555	HB261
2011-236	SB206	2011-519	SB59	2011-556	HB267
2011-247	HB412	2011-520	SB155	2011-557	HB297
2011-248	HB413	2011-521	SB207	2011-558	HB305
2011-249	HB415	2011-522	SB212	2011-559	HB308
2011-250	HB416	2011-528	SB48	2011-560	HB333

<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>	<u>ACT</u>	<u>BILL</u>
2011-561	HB335	2011-628	SB185	2011-686	SB113
2011-562	HB348	2011-629	SB187	2011-687	SB136
2011-563	HB355	2011-630	SB192	2011-688	SB137
2011-564	HB473	2011-631	SB219	2011-689	SB158
2011-565	HB399	2011-632	SB222	2011-690	SB19
2011-566	HB425	2011-633	SB224	2011-691	SB211
2011-567	HB432	2011-634	SB242	2011-692	SB231
2011-568	HB437	2011-635	SB252	2011-693	SB240
2011-570	HB450	2011-636	SB277	2011-694	SB251
2011-571	HB451	2011-637	SB269	2011-695	SB255
2011-572	HB453	2011-638	SB289	2011-696	SB267
2011-573	HB455	2011-639	SB290	2011-697	SB284
2011-574	HB463	2011-640	SB296	2011-698	SB309
2011-575	HB486	2011-641	SB295	2011-699	SB315
2011-576	HB492	2011-642	SB337	2011-700	SB316
2011-577	HB494	2011-643	SB389	2011-701	SB320
2011-578	HB502	2011-644	SB395	2011-702	SB364
2011-579	HB510	2011-645	SB404	2011-703	SB409
2011-581	HB512	2011-646	SB433	2011-704	SB419
2011-582	HB513	2011-647	SB437	2011-705	SB427
2011-583	HB514	2011-648	SB477	2011-706	SB429
2011-589	HB544	2011-655	HB123	2011-707	SB450
2011-612	HB106	2011-656	HB64	2011-708	SB458
2011-613	HB361	2011-657	HB2	2011-709	SB493
2011-614	HB383	2011-672	HB18	2011-710	SB506
2011-615	HB392	2011-673	HB19		
2011-616	HB434	2011-674	HB58		
2011-617	HB60	2011-675	HB389		
2011-618	SB20	2011-676	HB414		
2011-619	SB55	2011-677	HB621		
2011-620	SB65	2011-678	SB440		
2011-621	SB67	2011-679	SB133		
2011-622	SB87	2011-680	SB22		
2011-623	SB94	2011-681	SB47		
2011-624	SB123	2011-682	SB49		
2011-625	SB143	2011-683	SB53		
2011-626	SB172	2011-684	SB81		
2011-627	SB184	2011-685	SB90		

**SENATE BILLS**

**2011 REGULAR SESSION**

<b><u>BILL</u></b>	<b><u>ACT</u></b>	<b><u>BILL</u></b>	<b><u>ACT</u></b>	<b><u>BILL</u></b>	<b><u>ACT</u></b>
SB19	2011-690	SB137	2011-688	SB290	2011-639
SB20	2011-618	SB139	2011-147	SB295	2011-641
SB22	2011-680	SB143	2011-625	SB296	2011-640
SB43	2011-163	SB155	2011-520	SB309	2011-698
SB47	2011-681	SB158	2011-689	SB310	2011-270
SB48	2011-528	SB162	2011-68	SB315	2011-699
SB49	2011-682	SB170	2011-294	SB316	2011-700
SB52	2011-264	SB172	2011-626	SB320	2011-701
SB53	2011-683	SB184	2011-627	SB337	2011-642
SB54	2011-295	SB185	2011-628	SB342	2011-336
SB55	2011-619	SB187	2011-629	SB344	2011-301
SB59	2011-519	SB192	2011-630	SB364	2011-702
SB65	2011-620	SB206	2011-236	SB369	2011-315
SB67	2011-621	SB207	2011-521	SB389	2011-643
SB71	2011-214	SB211	2011-691	SB395	2011-644
SB72	2011-27	SB212	2011-522	SB404	2011-645
SB76	2011-215	SB219	2011-631	SB409	2011-703
SB77	2011-216	SB222	2011-632	SB419	2011-704
SB78	2011-206	SB224	2011-633	SB427	2011-705
SB81	2011-684	SB231	2011-692	SB429	2011-706
SB84	2011-293	SB240	2011-693	SB433	2011-646
SB87	2011-622	SB242	2011-634	SB437	2011-647
SB90	2011-685	SB251	2011-694	SB440	2011-678
SB94	2011-623	SB252	2011-635	SB450	2011-707
SB99	2011-268	SB253	2011-205	SB458	2011-708
SB100	2011-269	SB255	2011-695	SB466	2011-543
SB112	2011-353	SB267	2011-696	SB477	2011-648
SB113	2011-686	SB269	2011-637	SB484	2011-518
SB123	2011-624	SB271	2011-235	SB493	2011-709
SB129	2011-312	SB277	2011-636	SB506	2011-710
SB133	2011-679	SB284	2011-697	SB512	2011-310
SB136	2011-687	SB289	2011-638		

**HOUSE BILLS**  
**2011 REGULAR SESSION**

<b><u>BILL</u></b>	<b><u>ACT</u></b>	<b><u>BILL</u></b>	<b><u>ACT</u></b>	<b><u>BILL</u></b>	<b><u>ACT</u></b>
HB2	2011-657	HB76	2011-537	HB383	2011-614
HB3	2011-529	HB93	2011-538	HB389	2011-675
HB13	2011-530	HB97	2011-539	HB392	2011-615
HB18	2011-672	HB105	2011-540	HB399	2011-565
HB19	2011-673	HB106	2011-612	HB406	2011-297
HB25	2011-531	HB108	2011-541	HB412	2011-247
HB28	2011-532	HB115	2011-542	HB413	2011-248
HB29	2011-533	HB118	2011-174	HB414	2011-676
HB33	2011-164	HB123	2011-655	HB415	2011-249
HB34	2011-151	HB148	2011-256	HB416	2011-250
HB36	2011-165	HB179	2011-544	HB425	2011-566
HB37	2011-152	HB180	2011-545	HB431	2011-252
HB38	2011-153	HB182	2011-546	HB432	2011-567
HB39	2011-172	HB184	2011-260	HB433	2011-261
HB40	2011-173	HB188	2011-547	HB434	2011-616
HB41	2011-154	HB195	2011-548	HB437	2011-568
HB42	2011-166	HB197	2011-549	HB439	2011-352
HB43	2011-317	HB219	2011-550	HB450	2011-570
HB44	2011-318	HB230	2011-551	HB451	2011-571
HB45	2011-167	HB241	2011-552	HB453	2011-572
HB46	2011-168	HB255	2011-553	HB455	2011-573
HB47	2011-169	HB256	2011-554	HB463	2011-574
HB48	2011-170	HB261	2011-555	HB473	2011-564
HB49	2011-171	HB267	2011-556	HB486	2011-575
HB50	2011-258	HB297	2011-557	HB492	2011-576
HB51	2011-534	HB305	2011-558	HB494	2011-577
HB56	2011-535	HB308	2011-559	HB502	2011-578
HB57	2011-3	HB321	2011-296	HB510	2011-579
HB58	2011-674	HB333	2011-560	HB512	2011-581
HB60	2011-617	HB335	2011-561	HB513	2011-582
HB61	2011-155	HB348	2011-562	HB514	2011-583
HB62	2011-259	HB355	2011-563	HB544	2011-589
HB64	2011-656	HB361	2011-613	HB588	2011-316
HB75	2011-536	HB368	2011-257	HB621	2011-677

## **2010 FIRST SPECIAL SESSION SUMMARIES**

Act 2010-759, HB10, prohibits “pass-through appropriations,” defined in the act as public funds passed through from one entity to another at the direction of a member of the Legislature, if the expenditure is not for a purpose specified in a line-item appropriation and provides that any person directing or permitting a pass-through appropriation is subject to disciplinary action or dismissal, or both, and is guilty of a Class C misdemeanor if the person knew or had reason to know of the pass-through appropriation. The act also requires reporting of violations to the Governor and the Ethics Commission and specifies the act does not prevent a legislator from lobbying for or offering support for a legal and valid program of an agency.

EFFECTIVE DATE: December 14, 2010.

Act 2010-760, SB3, is the Legislative Double Dipping Prohibition Act. The act prohibits a member of the Legislature from being employed with any other branch of government, any department, agency, board, or commission of the state, or any public educational institution during the time of serving as a legislator. The act provides certain exceptions to the prohibition, provides for the repayment of compensation earned in violation of the act, and provides for enforcement by the Attorney General.

EFFECTIVE DATE: January 17, 2011.

Act 2010-761, SB2, amends Section 17-17-5, Code of Alabama 1975, to specifically prohibit employees of the state, a county, a city, a local school board, or other governmental agency from arranging for payments by salary deduction, or otherwise, to a political action committee or for dues of a membership organization that uses any portion of the dues for political activities and defines political activity for that purpose.

EFFECTIVE DATE: March 20, 2011.

Act 2010-762, HB11, broadens the definition of lobbying to include activity with the executive, legislative, or judicial branch. The act precludes a member of the Legislature from representing any person, firm, corporation, or other entity before an executive department or agency for a fee, reward, or other compensation in addition to that received in his or her official capacity. The act also requires mandatory ethics training for public officials, public employees, and lobbyists and specifies the curriculum and procedures for the training. The act also requires the Ethics Commission to allow electronic filing of records and to maintain an electronic, searchable database for the public.

EFFECTIVE DATE: January 1, 2011.

Act 2010-763, SB1, amends Sections 36-25-3, 36-25-4, and 36-25-27, Code of Alabama 1975, to revise the procedures for appointment of the State Ethics Commission and to require Senate confirmation of those members. The act provides that at least one member of the commission must be an Alabama-licensed attorney in good standing. The act provides for revised standards and procedures for acting on complaints and authorizing a formal investigation, subpoena power for the commission, new procedures for post-investigation referral, and status reports by the Attorney General or district attorney. The act provides additional criminal penalties for violations of these provisions. The act precludes public disclosure of a complaint until the final disposition of the matter and precludes public disclosure altogether if a complaint is dismissed or found not to have probable cause.

EFFECTIVE DATE: January 1, 2011.

Act 2010-764, SB14, amends Sections 36-25-1 and 36-25-7, Code of Alabama 1975, to revise certain defined terms and define additional terms in the Code of Ethics. The act specifies that no person may offer and no public official may receive anything for the purpose of influencing official action regardless of whether or not the object solicited or received is a thing of value. The act prohibits a lobbyist, a subordinate of a lobbyist, or a principal from offering or providing a thing of value to a public employee or public official or to a family member of the employee or official, with delineated exceptions. The act also directs the State Ethics Commission to report to the Legislature efforts of other states to strengthen state ethics laws.

EFFECTIVE DATE: March 20, 2011.

Act 2010-765, HB9, is the Congressman Mike Rogers/Jeff McLaughlin Campaign Finance Transparency Act. The act amends Sections 17-5-7 and 17-5-15, Code of Alabama 1975, to prohibit campaign contributions, expenditures, and other transfers of funds between political action committees, 527 organizations, or private foundations, including principal campaign committees. The act limits certain political party expenditures of principal campaign committees to \$5,000 per election cycle. The act also limits certain receipts and expenditures of a principal campaign committee to \$1,000 and provides that a violation is a Class C felony.

EFFECTIVE DATE: December 20, 2010.

## **2011 REGULAR SESSION SUMMARIES**

Act 2011-3, HB57, is the Education Trust Fund Rolling Reserve Act. The act provides for the maximum amount that may be appropriated annually from the Education Trust Fund. The act provides for the establishment and operation of a budget stabilization fund and a capital fund for the Education Trust Fund. The act also repeals Section 40-1-32.1, Code of Alabama 1975, relating to the Education Trust Fund Proration Prevention Act of 1988.

EFFECTIVE DATE: March 11, 2011.

Act 2011-27, SB72, amends Sections 16-25-150 and 36-27-170, Code of Alabama 1975, to prohibit new participation in the Deferred Retirement Option Plan and limit interest paid on those accounts. The act also creates a “Keeping Alabama’s Best” Joint Interim Legislative Committee on Teacher and Public Employee Retention to study retention of state employees, including classroom teachers and employees of other public educational institutions.

EFFECTIVE DATE: March 24, 2011.

Act 2011-68, SB162, reduces the 2010 appropriation from the State General Fund to the Alabama Department of Corrections and makes a supplemental appropriation from the DOC Miscellaneous and Federal Funds (Bonus), Estimated to the Alabama Department of Corrections. The act also makes supplemental appropriations from the State General Fund to the Alabama Medicaid Agency, Alabama Department of Senior Services, Alabama Department of Human Resources, Department of Mental Health, Alabama Department of Public Health, Alabama Department of Rehabilitation Services, Alabama Department of Youth Services, Alabama Board of Pardons and Paroles, Alabama Ethics Commission, State Auditor, State Military Department, Departmental Emergency Fund, Alabama District Attorneys, and Department of Forensic Sciences. The act makes a supplemental appropriation from the Archives Services Fund to the Department of Archives and History and deletes certain unexpended line-item appropriations in the Department of Agriculture and Industries.

EFFECTIVE DATE: March 31, 2011.

Act 2011-147, SB139, amends Sections 17-6-2 and 17-6-4, Code of Alabama 1975, to expand those election expenses for which the county may be reimbursed. The act also creates an Election Expense Reimbursement Committee to identify other expenses that are eligible for reimbursement.

EFFECTIVE DATE: April 19, 2011.

Act 2011-151, HB34, continues the existence and functioning of the Alabama Sickle Cell Oversight and Regulatory Commission pursuant to the Alabama Sunset Law until October 1, 2014.

EFFECTIVE DATE: April 21, 2011.

Act 2011-152, HB37, continues the existence and functioning of the Plumbers and Gas Fitters Examining Board pursuant to the Alabama Sunset Law until October 1, 2012. The act also amends Section 34-37-15, Code of Alabama 1975, to exempt plumbing work performed by a property owner, or a maintenance person employed by a property owner, on his or her own property from the requirement of certification by the board.

EFFECTIVE DATE: April 21, 2011.

Act 2011-153, HB38, continues the existence and functioning of the Alabama State Board of Prosthetists and Orthotists pursuant to the Alabama Sunset Law until October 1, 2014.

EFFECTIVE DATE: April 21, 2011.

Act 2011-154, HB41, continues the existence and functioning of the Alabama Historical Commission pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: April 21, 2011.

Act 2011-155, HB61, amends Section 40-18-15.3, Code of Alabama 1975, to increase from 50 percent to 100 percent, the amount a qualifying employee may deduct from Alabama gross income for the amounts he or she may and a qualifying employer is allowed as a deduction in the computation of Alabama taxable income for amounts the employer pays as health insurance premiums on behalf of qualifying employees in connection with an employer provided health insurance plan.

EFFECTIVE DATE: April 21, 2011.

Act 2011-163, SB43, amends Section 16-13-234, Code of Alabama 1975, to allow certain money received by local boards of education from the Public School Fund to be used for debt payments related to public school facilities and for insuring public school facilities.

EFFECTIVE DATE: April 26, 2011.

Act 2011-164, HB33, continues the existence and functioning of the Alabama Athletic Commission pursuant to the Alabama Sunset Law until October 1, 2013. The act amends Sections 41-9-1021, 41-9-1023, 41-9-1024, 41-9-1029, and 41-9-1030, Code of Alabama 1975, to provide further for the regulation of amateur and professional mixed martial arts matches and to require that board members be citizens of this state. The act also repeals Section 41-9-90.1 and 41-9-96, Code of Alabama 1975, relating to the inactive State Athletic Commission.

EFFECTIVE DATE: April 28, 2011.

Act 2011-165, HB36, continues the existence and functioning of the State Licensing Board for General Contractors. The act also amends Sections 34-8-2, 34-8-7, and 34-8-28, Code of Alabama 1975, to allow a licensee to apply for an increase in the amount of his or her bid limit, change his or her classification, or verify his or her license with a reciprocating state for fees not greater than \$75 as set by the board. The act provides for inactive status and clarifies that a subcontractor is not required to sit for any examination before licensure. The act also provides for the distribution of certain fees to institutions of higher education after receipt by the board of all certifications of enrollment packages.

EFFECTIVE DATE: April 28, 2011.

Act 2011-166, HB42, continues the existence and functioning of the Alabama State Board of Examiners of Landscape Architects pursuant to the Alabama Sunset Law until October 1, 2013. The act amends Sections 34-17-2 and 34-17-21, Code of Alabama 1975, to require that board members be citizens of this state and to require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-167, HB45, continues the existence and functioning of the Polygraph Examiners Board pursuant to the Alabama Sunset Law. The act also amends Sections 34-25-4 and 34-25-21, Code of Alabama 1975, to authorize the board to establish the qualifications of consultants by rule. The act also requires that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-168, HB46, continues the existence and functioning of the Alabama State Board of Occupational Therapy pursuant to the Alabama Sunset Law. The act also amends Sections 34-39-6 and 34-39-8, Code of Alabama 1975, to require that board members be citizens of this state and to require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-169, HB47, continues the existence and functioning of the Alabama Board of Massage Therapy pursuant to the Alabama Sunset Law. The act also amends Sections 34-43-3 and 34-43-6, Code of Alabama 1975, to delete the requirement that a massage therapy school be accredited by the State Department of Education. The act also requires representation on the board from each state congressional district.

EFFECTIVE DATE: April 28, 2011.

Act 2011-170, HB48, continues the existence and functioning of the Board of Examiners on Admission to the State Bar pursuant to the Alabama Sunset Law. The act also amends Sections 34-3-2 and 34-3-6, Code of Alabama 1975, to require that board members be citizens of this state and to require that any person who applies for licensure to practice law in this state be a United States citizen or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-171, HB49, continues the existence and functioning of the Alabama Board of Athletic Trainers pursuant to the Alabama Sunset Law until October 1, 2013. The act also amends Sections 34-40-3 and 34-40-8, Code of Alabama 1975, to require the board, in lieu of the Alabama Athletic Trainers Association, to notify licensees of the meeting for electing new board members. The act also specifies that a board member must be a citizen of the United States and this state and clarifies that licenses expire annually.

EFFECTIVE DATE: April 28, 2011.

Act 2011-172, HB39, continues the existence and functioning of the Alabama Onsite Wastewater Board pursuant to the Alabama Sunset Law. The act also amends Section 34-21A-14, Code of Alabama 1975, to require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-173, HB40, continues the existence and functioning of the Alabama Athlete Agents Commission pursuant to the Alabama Sunset Law. The act also amends Section 8-26A-5, Code of Alabama 1975, to require that applicants for registration be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-174, HB118, continues the existence and functioning of the Alabama Security Regulatory Board pursuant to the Alabama Sunset Law. The act also amends Sections 34-27C-2 and 34-27C-4, Code of Alabama 1975, to require that board members be citizens of this state and to require that applicants for licensure be United States citizens or legally present in the United States.

EFFECTIVE DATE: April 28, 2011.

Act 2011-205, SB253, amends Sections 32-8-31 and 40-12-240, Code of Alabama 1975, to establish a license plate category for mini-trucks. The act also exempts mini-trucks from certificate of title requirements and establishes a definition of and safety standards for mini-trucks.

EFFECTIVE DATE: January 1, 2012.

Act 2011-206, SB78, authorizes the expenditure for additional public education purposes of certain unused proceeds, premium income, and investment income of bonds issued pursuant to Act 99-348 of the 1999 Regular Session (Acts 1999, p. 500) and Act 2002-240 of the 2002 Regular Session (Acts 2002, p. 510) for additional public education purposes. The act also authorizes the proceeds of the bonds to be expended for administrative costs.

EFFECTIVE DATE: May 3, 2011.

Act 2011-214, SB71, amends Section 11-42-5, Code of Alabama 1975, to validate and ratify under certain conditions any municipal annexation by any municipality prior to the effective date of this act notwithstanding any procedural defect by the municipality.

EFFECTIVE DATE: May 4, 2011.

Act 2011-215, SB76, amends Section 41-10-27, Code of Alabama 1975, to remove the requirement that a person receiving an industrial development grant from the State Industrial Development Authority receive fair market value for selling land for which the grant was made.

EFFECTIVE DATE: May 5, 2011.

Act 2011-216, SB77, provides that if the state makes a commitment to a company to provide economic development funds after May 4, 2011, the state and the company must enter into a written, mutually acceptable contract within a certain time for the commitment to be valid. The act also provides that any commitment to provide economic development funds made prior to May 4, 2011, that was not memorialized in a written contract will be void after five years from the date of the commitment or May 4, 2012, whichever is later.

EFFECTIVE DATE: May 4, 2011.

Act 2011-235, SB271, amends Section 16-13-231, Code of Alabama 1975, to allow a local board of education, upon approval of the State Superintendent of Education, to make up cancelled instructional days due to weather or other extenuating circumstances by adjusting the hours of actual instruction. The act also provides that, at any time the Governor declares a state of emergency for any part of the state, any affected school system that is closed and loses student or employee days may appeal to the State Superintendent of Education for relief in fulfilling the local school calendar, with no loss of income to employees.

EFFECTIVE DATE: May 5, 2011.

Act 2011-236, SB206, 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 First Special Session and the 2010 Regular Session as contained in the 2010 Cumulative Supplement to certain volumes of the code and 2010 Replacement Volumes 7A, 17A, 18, and 18A. The act adopts and incorporates into the Code of Alabama 1975, 2010 Cumulative Supplements to local law volumes. 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 2010 Special Session statutes or 2011 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: May 5, 2011.

Act 2011-247, HB412, makes an appropriation of \$185,058 from the Education Trust Fund to Lyman Ward Military Academy in Camp Hill, Alabama, for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2012. The act also requires an operations plan and an audited financial statement prior to the release of the funds, as well as quarterly and end-of-year reports.

EFFECTIVE DATE: October 1, 2011.

Act 2011-248, HB413, makes an appropriation of \$9,412,870 from the Education Trust Fund to Tuskegee University in Tuskegee, Alabama, for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2012. The act also requires an operations plan and an audited financial statement prior to the release of the funds, as well as quarterly and end-of-year reports.

EFFECTIVE DATE: October 1, 2011.

Act 2011-249, HB415, provides for transfer to the State General Fund during fiscal year 2012 that portion of the Children First Trust Fund receipts currently allocated for the State Board of Education.

EFFECTIVE DATE: May 5, 2011.

Act 2011-250, HB416, makes an appropriation of \$622,639 from the Education Trust Fund to Talladega College in Talladega, Alabama, for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2012. The act also requires an operations plan and an audited financial statement prior to the release of the funds, as well as quarterly and end-of-year reports.

EFFECTIVE DATE: October 1, 2011.

Act 2011-252, HB431, amends Sections 11-44E-41 and 11-44E-71, Code of Alabama 1975, to change the date to qualify as a candidate for election as mayor and as a member of the city commission in Class 5 municipalities.

EFFECTIVE DATE: August 1, 2011.

Act 2011-256, HB148, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Hale County, to provide for the deposit of tax funds collected in excess of funds utilized for the new jail in the Hale County General Fund. The proposed amendment would also provide for the continuance of the collection of the tax and retroactive application of the amendment to May 21, 1992.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-257, HB368, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Montgomery County, to decrease the term of office of members of the Montgomery County Board of Education from six years to four years.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-258, HB50, amends Sections 22-27-2 and 22-27-3, Code of Alabama 1975, to remove an existing exemption from regulation for fly ash waste, bottom ash waste, boiler slag waste, and flue gas emission control wastes which result primarily from the combustion of coal or other fossil fuels at electric generating plants. The act also authorizes the regulation of these substances as a solid waste and, to the extent permissible under federal law, to allow beneficial uses of coal combustion by-products as an alternative to disposal as part of any adopted state program.

EFFECTIVE DATE: May 25, 2011.

Act 2011-259, HB62, provides that the annual appropriation to the State Ethics Commission in the State General Fund Appropriations Act shall be in an amount equal to one-tenth of one percent of the total State General Fund amount appropriated in the State General Fund Appropriations Act. The act also provides that an appropriation cannot be reduced without approval of two-thirds of the House of Representatives and the Senate.

EFFECTIVE DATE: August 1, 2011.

Act 2011-260, HB184, prohibits the creation of private transfer fee obligations. The act specifies damages recoverable from a person imposing a private transfer fee obligation in his or her favor in violation of the act. The act also requires certain procedures for notice and disclosure relative to private transfer fee obligations imposed prior to May 25, 2011, in order for the obligations to be valid.

EFFECTIVE DATE: May 25, 2011.

Act 2011-261, HB433, provides authority for the State School Superintendant to approve the use of Other Current Expense funds allocated to local boards of education for Child Nutrition Programs in the annual Education Trust Fund Appropriations Act for the fiscal year ending September 30, 2011, for purposes other than pass-through calculations to the Child Nutrition Programs of the local boards of education.

EFFECTIVE DATE: May 25, 2011.

Act 2011-264, SB52, amends Section 16-13-232, Code of Alabama 1975, to require local boards of education to combine fractional teacher and instructional support units to make a whole unit. The act allows the local superintendent of education, with approval of the local board of education, to assign those teacher units. The act also allows the local board of education to use any funds from uncombined fractional teacher units for salaries and benefits.

EFFECTIVE DATE: May 25, 2011.

Act 2011-268, SB99, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Baldwin County, to prohibit the imposition of an occupational tax in Baldwin County.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-269, SB100, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Tuscaloosa County, to prohibit the imposition of an occupational tax in Tuscaloosa County.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-270, SB310, is the Students First Act of 2011. The act provides rights, remedies, procedures, and obligations with respect to employment actions, such as discipline, termination, transfer, and reassignment, affecting or involving certain employees or categories of employees of city and county boards of education, the Alabama Institute for the Blind, educational and correctional institutions under the control of the Department of Youth Services, and two-year educational institutions operated by the Department of Postsecondary Education. The act provides that if an employee is required to attain or hold a license or certificate and the license has been revoked, denied, suspended, or forfeited, or the employee has been determined ineligible for the license or permit, the rights, remedies, and procedures provided in the act do not apply and are not available to the employee. The act repeals existing statutes that are in conflict or that are otherwise inconsistent with the act, specifically, portions of the Teacher Tenure Law, consisting of Article 1, commencing with Section 16-24-1, Code of Alabama 1975; the Fair Dismissal Act, Article 4, commencing with Section 36-26-100, Code of Alabama 1975; and Section 16-24B-7, Code of Alabama 1975.

EFFECTIVE DATE: Subdivision (2) and subdivision (3) of subsection (h) of Section 6 are effective on May 26, 2011. The remainder of the act is effective on July 1, 2011, subject to certain terms and qualifications.

Act 2011-293, SB84, is the Landowners Protection Act. The act limits the liability of landowners who lease property for hunting or fishing purposes unless the lessor has actual knowledge of a dangerous condition existing on the land and does not make the danger known to the lessee or intentionally or willfully causes an injury to a person rightfully using the land pursuant to the lease. The act also specifies that it does not enlarge or diminish the open and obvious doctrine or affect the liability of a third party leasing the land.

EFFECTIVE DATE: August 1, 2011.

Act 2011-294, SB170, prohibits the unauthorized alteration of identification numbers on or the registration information relating to vessels, outboard motors, vessel trailers, or identifiable component parts manufactured or sold after 1985. The act provides criminal penalties for violations of the act, including illegal possession of a vessel, outboard motor, vessel trailer, or an engine, transmission, or other identifiable component part knowing that the identification number has been removed or falsified. The act allows a manufacturer and the Department of Conservation and Natural Resources to place identification numbers on vessels and provides for forfeiture procedures under certain conditions.

EFFECTIVE DATE: January 1, 2012.

Act 2011-295, SB54, eliminates the distinction between county and state at-large notaries public. The act preserves the functions, powers, and commissions of existing notaries public. The act also repeals Article 1, commencing with Section 36-20-1, Chapter 20, Title 36, Code of Alabama 1975, relating to the employment of notaries public by counties, and Article 2, commencing with Section 36-20-30, Chapter 20, Title 36, Code of Alabama 1975, relating to the employment of notaries public for the state at large.

EFFECTIVE DATE: January 1, 2012.

Act 2011-296, HB321, amends Sections 16-46-1 and 16-46-3, Code of Alabama 1975, to clarify the definitions by of profit and nonprofit schools. The act also revises the definitions of “agent or representative” and “course” to account for programs of instruction conducted in person and by other means such as distance learning. The act also allows additional nonprofit schools to apply for exemption from licensure.

EFFECTIVE DATE: August 1, 2012.

Act 2011-297, HB406, places a 24-month moratorium on the issuance of permits by the Alabama Department of Environmental Management and any state and local governmental agency to certain new public solid waste landfills which would receive or are intended to receive waste not generated by the permittee. The act provides that the moratorium does not apply to industrial landfills receiving waste generated in-state only by the permittee. The act also provides a procedure to allow for a waiver for the issuance of new permits for these facilities on a limited basis during the moratorium.

EFFECTIVE DATE: May 31, 2011.

Act 2011-301, SB344, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Marion County, to authorize the Legislature to fix, alter, and regulate court costs in Marion County.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-310, SB512, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Hale County, to provide for the deposit of funds collected in excess of funds utilized for the new jail in the Hale County General Fund. The act provides for the continuance of the collection of the tax and has retroactive application to May 21, 1992. The act also repeals Act 2011-256 of the 2011 Regular Session.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-312, SB129, amends Section 36-21-186, Code of Alabama 1975, to provide for a voluntary contribution to the Alabama Firefighters Annuity and Benefit Fund made by indication on the annual income tax returns and ad valorem statements of the contributor.

EFFECTIVE DATE: September 1, 2011.

Act 2011-315, SB369, proposes an amendment to the Constitution of Alabama of 1901, to reauthorize the Forever Wild Land Trust for a 20-year period from fiscal year 2012-2013 to fiscal year 2031-2032.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-316, HB588, 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 2011-317, HB43, continues the existence and functioning of the Board of Licensure for Professional Engineers and Land Surveyors pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: June 2, 2011.

Act 2011-318, HB44, continues the existence and functioning of the State Board for Registration of Architects pursuant to the Alabama Sunset Law.

EFFECTIVE DATE: June 2, 2011.

Act 2011-336, SB342, amends Act 80-327, 1980 Regular Session (Acts 1980, p. 448), to require any public water works board in a Class 1 municipality in the state to pay interest per annum on all customer security deposits required for services.

EFFECTIVE DATE: June 2, 2011.

Act 2011-352, HB439, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Madison County, to establish a procedure by which a dog in the area of Madison County outside the corporate limits of any municipality can be declared dangerous and be humanely destroyed or by which a dog found to be dangerous, but which has not caused serious physical injury to a person, can be returned to the owner if certain registration requirements are met and the dog is securely enclosed. The proposed amendment establishes an annual fee to register the dangerous dog. The proposed amendment provides for fines and criminal penalties for violations of the procedures and immunity for county officers and employees administering the amendment. The proposed amendment also provides that it is unlawful to make a false report to a law enforcement officer or an animal control officer that a dog is dangerous.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-353, SB112, proposes an amendment to the Constitution of Alabama of 1901, to amend Section 256 as amended by Amendment 111, now appearing as Section 256 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to remove references to segregation of schools by race. The proposed amendment also repeals Article XIV, Section 259, now appearing as Section 259 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, Amendment 90, and Amendment 109, relating to poll taxes.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-518, SB484, repeals and reenacts Section 17-14-70, Code of Alabama 1975, relating to the division of the state into congressional districts, to redistrict the state's congressional districts based upon the 2010 federal census.

EFFECTIVE DATE: June 8, 2011.

Act 2011-519, SB59, amends Sections 6-5-221, 6-5-222, 6-5-225, and 6-5-227, Code of Alabama 1975, to decrease the statute of repose for commencing an action against an architect, engineer, or builder to seven years from 13 years.

EFFECTIVE DATE: September 1, 2011.

Act 2011-520, SB155, authorizes the Board of Pharmacy to establish, by rule, protocols permitting a retail pharmacy to repackage, relabel, and store non-controlled legend drugs for a patient residing in a residential care facility that does not have a pharmacy.

EFFECTIVE DATE: June 9, 2011.

Act 2011-521, SB207, amends Section 8-8-10, Code of Alabama 1975, to lower the rate of interest on judgments, other than judgments based on a contract action, to 7.5 percent. The act specifies that the provisions will apply to all judgments entered on and after September 1, 2011.

EFFECTIVE DATE: September 1, 2011.

Act 2011-522, SB212, amends Section 6-5-410, Code of Alabama 1975, to modify the venue of an action by the personal representative of the deceased in a wrongful death action. The act specifies that a wrongful death action may only be filed in a county where a deceased could have filed a civil action for the alleged wrongful act, omission, or negligence, had he or she lived.

EFFECTIVE DATE: June 9, 2011.

Act 2011-528, SB48, provides that in any county where the judge of probate is required to be learned in the law, the administration of an estate or a guardianship or conservatorship may be transferred to circuit court at any time before the proceeding on final settlement commences. The act also provides for the remand of the administration of the estate or a guardianship or conservatorship to probate court if: (1) the circuit court has issued a final order or judgment on all contested matters pending before the court and the time for appeal has expired; and (2) all interested parties or their representatives request the estate administration be remanded to the probate court.

EFFECTIVE DATE: September 1, 2011.

Act 2011-529, HB3, amends Section 5-19-4, Code of Alabama 1975, to provide for a maximum late charge on a consumer credit transaction in default 10 days or more from the greater of \$10 or five percent of the scheduled payment in default, not to exceed \$100, to the greater of \$18 or five percent of the amount of the scheduled payment in default, not to exceed \$100.

EFFECTIVE DATE: June 9, 2011.

Act 2011-530, HB13, amends Sections 39-2-1, 39-2-6, 41-16-51, and 41-16-57, Code of Alabama 1975, to define the term "life cycle costs" and to clarify the definition of a "public works project" and provide that life cycle costs may be considered by the awarding authority in determining the lowest responsible and responsive bidder. The act allows local governments to purchase goods and services through vendors with a current and valid contract with the Government Services Administration without further competitive bidding.

EFFECTIVE DATE: June 9, 2011.

Act 2011-531, HB25, requires the Department of Finance to produce monthly reports on the condition of the State General Fund and the Education Trust Fund.

EFFECTIVE DATE: June 9, 2011.

Act 2011-532, HB28, enacts the Alabama Uniform Statutory Rule Against Perpetuities. The act provides for the vesting period of interests in property and for the duration of trusts. The act provides for reformation of a disposition in the manner that most closely approximates the transferor's manifested plan of distribution and provides exclusions from the statutory rule against perpetuities. The act applies to a nonvested property interest or a power of appointment that is created on or after January 1, 2012. The act also repeals Section 35-4-4, Code of Alabama 1975, relating to the common-law rule against perpetuities.

EFFECTIVE DATE: January 1, 2012.

Act 2011-533, HB29, is the Alabama Uniform Unsworn Foreign Declarations Act. The act provides for the validity, under certain conditions, of an unsworn declaration if the declarant is outside the territorial limits of the United States and the declaration is signed under the penalty of perjury. The act provides the form for the unsworn declaration.

EFFECTIVE DATE: January 1, 2012.

Act 2011-534, HB51, amends Section 13A-6-68, Code of Alabama 1975, to increase the penalty for a third or subsequent conviction of indecent exposure to a Class C felony.

EFFECTIVE DATE: September 1, 2011.

Act 2011-535, HB56, is the Beason-Hammon Alabama Taxpayer and Citizen Protection Act. The act amends Section 32-6-9, Code of Alabama 1975, to allow a law enforcement officer to verify the immigration status of a person driving without a license and to detain the person under certain conditions. The act requires the Attorney General to negotiate a Memorandum of Agreement with the United States Department of Homeland Security, imposes penalties on state and local officials for limiting the enforcement of federal immigration laws or limiting the enforcement of the act, imposes a duty to report violations of the act on all employees of the state, requires verification of citizenship or lawful presence through the SAVE program for state and local public benefits, prohibits unlawfully present aliens from enrolling in a public postsecondary institution or receiving educational benefits, requires a business entity or employer to use E-Verify to be eligible for state-awarded contracts and imposes business license suspension penalties, and creates the crimes of willful failure to complete or carry an alien registration document, knowingly applying for, soliciting, or performing work if an unauthorized alien, concealing, harboring, or transporting an unlawfully present alien, dealing in false identification documents, vital records identity fraud, the inchoate crimes of solicitation, attempt, or conspiracy to violate a criminal provision of the act, and provides penalties for those crimes. The act gives law enforcement the authority to verify a person's immigration status during a lawful stop, detention, or arrest, prohibits the employment of an unauthorized alien in this state, requires every business entity or employer to enroll in and use E-Verify and imposes business

license suspension penalties, prohibits deductible business expenses for work done by an unauthorized alien and provides penalties, provides for discriminatory hiring practices, allows law enforcement to verify the immigration status of a person charged with a crime for which bail is required or a person confined for any period in any state, county, or municipal jail, provides for the time of transfer of an unlawfully present alien to federal immigration authorities, authorizes a stay on legal proceedings for an unlawfully present alien who is a victim of a crime or critical witness under certain conditions, gives the Alabama Department of Homeland Security the authority to hire law enforcement officers, certain enforcement power, and the authority to coordinate with state and local law enforcement regarding the enforcement of the act, requires the department to file reports with the Legislature, and requires the department to establish and maintain an E-Verify employer agent service. The act gives courts the authority not to enforce a contract with an alien unlawfully present under certain conditions, requires public elementary and secondary schools to compile enrollment data of unlawfully present students and submit an annual report to the state board of education, provides requirements for voter registration, establishes a State Election Board, requires the Department of Public Health to issue free birth certificates for voting purposes, prohibits an unlawfully present alien from entering into or attempting to enter into a business transaction with this state and prohibits a person from doing so on behalf of an unlawfully present alien and provides penalties, and provides that the act does not establish the Real ID Act of 2005, which is a federal law.

EFFECTIVE DATE: The act is generally effective September 1, 2011, although certain portions of the act are effective June 9, 2011, January 1, 2012, and August 1, 2012, respectively.

Act 2011-536, HB75, adopts the Interstate Insurance Product Regulation Compact. The act permits the uniform approval of individual and group annuity, life, disability income, and long-term care insurance policies, allowing the state to become a member of the Interstate Insurance Product Regulation Commission, with the Commissioner of Insurance designated to serve as the representative of this state to the commission. The act specifies that no decision or action by the Interstate Insurance Product Regulation Commission preempts, alters, or modifies any claim or remedy against insurance companies, agents, or other persons or entities regulated under the Alabama Insurance Code, that are available under common law, the Alabama Insurance Code, or other state law.

EFFECTIVE DATE: June 9, 2011.

Act 2011-537, HB76, establishes the Surplus Lines Multi-State Compliance Compact Act. The act provides for exclusive single-state regulatory compliance for multi-state surplus lines and independently procured insurance placements through the establishment of a Surplus Lines Insurance Multi-State Compliance Compact Commission. The act authorizes the commission to create rules and outlines the organization and powers of the commission, as well as a review process for commission decisions. The act provides for uniform premium tax allocation formulas and provides a clearing house to facilitate correct calculations. The act provides for reporting of premium taxes due to the compacting states and specifies that the compact shall become effective and binding upon legislative enactment of the compact into law by two compacting states, and that the commission will become effective for the purposes of adopting rules and creating the clearinghouse when there are a total of 10 compacting states and contract states, or alternatively, when there are contracting states representing greater than 40 percent of the surplus lines insurance premium volume based on records of the percentage of surplus lines insurance premium. The act also amends Section 27-10-31, Code of Alabama 1975, to eliminate a provision specifying the taxes to be imposed if a surplus line policy covers risks or exposures only partially in this state, and provides that these amendments will not be effective if the compact is not enacted into law by two compacting states.

EFFECTIVE DATE: September 1, 2011.

Act 2011-538, HB93, authorizes the appointment of investigators in the office of the district attorney in any judicial circuit. The act delineates the qualifications, authority, and duties of the investigator and provides that the act does not supersede certain local laws in effect on June 9, 2011, or enacted after that date, unless they are expressly repealed.

EFFECTIVE DATE: June 9, 2011.

Act 2011-539, HB97, amends Section 30-3-4.1, Code of Alabama 1975, specifying that grandparents may file a petition seeking visitation with a grandchild no more than once every 24 months and that the fact that one grandparent has petitioned for visitation does not preclude another grandparent from subsequently petitioning for visitation within the 24-month period. The act also provides that a parent may petition for amendment or revocation of an order granting a grandparent visitation once every 24 months with respect to each order of visitation granted to a grandparent.

EFFECTIVE DATE: September 1, 2011.

Act 2011-540, HB105, amends Section 40-12-248, Code of Alabama 1975, to provide for the licensing and registration of motor vehicle wreckers, commonly known as tow trucks, based on the gross vehicle weight of the wrecker without regard to the gross vehicle weight of any motor vehicle to be towed by the wrecker.

EFFECTIVE DATE: June 9, 2011.

Act 2011-541, HB108, provides for the adoption of policies for the management of concussion and head injury in youth sports by the governing body of each sport or recreational organization. The act also mandates that each sports or recreational organization governing body ensure that coaches receive athletic head injury safety training. The act specifies that a youth athlete who is suspected of sustaining a concussion or brain injury in practice or a game shall be immediately removed from participation and may not return until cleared by a licensed physician.  
EFFECTIVE DATE: June 9, 2011.

Act 2011-542, HB115, amends Section 3-1-29, Code of Alabama 1975, to further provide procedures for seizing a dog involved in a charge related to fighting dogs. The act expedites the disposition process of the dog and requires the posting of a bond by the owner of certain dogs under certain conditions for the care of the seized dog. The act also requires the dog to be forfeited under certain conditions after certain procedures are satisfied.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-543, SB466, proposes an amendment to the Constitution of Alabama of 1901, pertaining only to Mobile County, to provide for the transfer of the assets and liabilities of the Water and Sewer Board of the City of Prichard to the Board of Water and Sewer Commissioners of the City of Mobile, presently known as the Mobile Area Water and Sewer System.  
EFFECTIVE DATE: Contingent upon ratification.

Act 2011-544, HB179, is the Homeowners and Storm Victims Protection Act of 2011. The act amends Section 40-8-1, Code of Alabama 1975, to expand and clarify the definition of residential property for ad valorem tax purposes to include single-family dwellings and lots under construction for a certain period of time. The act prescribes procedures for reclassification of a single-family dwelling and the fully-developed underlying lot as Class III rather than Class II and specifies events that terminate the reclassification. The act also provides that, in the event an owner's single-family dwelling is destroyed or damaged to the extent it is uninhabitable, the property shall retain its classification as residential property while it is being rebuilt or restored for a period not to exceed 24 months.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-545, HB 180, limits the liability of successor corporations that have assumed asbestos-related liabilities for asbestos-related claims to the fair market value of the total gross assets of the merged or consolidated corporation on the date of the merger or consolidation. The act provides exceptions to the limitations on damages and the methods by which to establish the fair market value of total gross assets. The act specifies that the fair market value of the total gross assets at the time of the merger or consolidation would increase annually and establishes a methodology by which the fair market value of the assets is increased. The act also provides that the act would not apply to any civil action asserting an asbestos claim in which the trial has not commenced as of September 1, 2011.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-546, HB182, amends Sections 31-9-6 and 31-9-9, Code of Alabama 1975, to expand the emergency management powers of the Governor and local emergency management agencies by authorizing mutual aid agreements with federally recognized Indian tribes.

EFFECTIVE DATE: September 1, 2011.

Act 2011-547, HB188, authorizes the Department of Agriculture and Industries to define by rule and approve agricultural tourist attractions. The act provides for an application fee and annual renewal fees for those applying for approval as an agricultural tourist attraction. The act also allows signs to direct traffic to agricultural tourist attractions under certain conditions.

EFFECTIVE DATE: September 1, 2011.

Act 2011-548, HB195, reserves to the Legislature any regulation of the nutrition labeling of food that is a menu item in restaurants, food establishments, and vending machines. The act also specifies that the provision will not affect the federal regulation of nutrition labeling under existing federal law.

EFFECTIVE DATE: June 9, 2011.

Act 2011-549, HB197, amends Section 2-27-9, Code of Alabama 1975, to provide that registration of pesticides and pesticide devices shall be biennially. The act also provides for the implementation of a new fee schedule for registration with the Board of Agriculture and Industries.

EFFECTIVE DATE: September 1, 2011.

Act 2011-550, HB219, amends Section 13A-6-21, Code of Alabama 1975, to provide that a peace officer employed or under contract while off duty by a private or public entity is a peace officer performing a lawful duty for the purpose of certain assaults. The act provides it is not to be construed as amending, modifying, or extending the classification of a peace officer for workers compensation purposes or municipal liability.

EFFECTIVE DATE: June 9, 2011.

Act 2011-551, HB230, is the Full Employment Act of 2011. The act provides an incentive for job creation in Alabama by allowing an Alabama income and financial institution excise tax credit for small businesses that create new jobs paying more than \$10 per hour.

EFFECTIVE DATE: For tax years beginning on or after January 1, 2011.

Act 2011-552, HB243, amends Section 40-18-140, Code of Alabama 1975, to delete the provision for an income tax refund check-off for the Alabama State Historic Preservation Fund and provide an income tax refund check-off for a contribution to the Alabama Firefighters Annuity and Benefit Fund on the state income tax return form.

EFFECTIVE DATE: For tax years beginning after December 31, 2012.

Act 2011-553, HB255, amends Sections 34-25A-3, 34-25A-5, 34-25A-7, and 34-25A-12, Code of Alabama 1975, to redefine certain defined terms in the Prosthetics and Orthotics Act and to further provide for certain requirements for application for licensure and registration with the Alabama State Board of Prosthetists and Orthotists. The act also expands the duties of the board and provides exceptions to the maximum fee for late renewal.

EFFECTIVE DATE: September 1, 2011.

Act 2011-554, HB256, amends Section 40-12-264, Code of Alabama 1975, to limit the number of dealer license plates that may be purchased by a licensed new motor vehicle dealer, a used motor vehicle dealer, and a new motorcycle dealer. The act removes the provision allowing licensed motor vehicle wholesalers, rebuilders, and reconditioners to purchase dealer license plates and limits the use of dealer license plates to certain individuals and to vehicles in the dealer's inventory. The act permits licensed new and used motor vehicle dealers, wholesalers, rebuilders, and reconditioners to purchase dealer transit license plates and prohibits refunds of dealer license plates fees. The act increases second and subsequent civil penalties for misuse of dealer and dealer transit license plates and provides for a criminal penalty for willful misstatements in the purchase of dealer license plates. The act also authorizes the department to deny a regulatory license to a dealer who has unpaid civil penalties and requires dealers to purchase license plates for vehicles withdrawn from inventory.

EFFECTIVE DATE: October 1, 2011.

Act 2011-555, HB261, amends Section 13A-5-6, Code of Alabama 1975, to provide that certain defendants convicted of certain sex offenses, when the defendant was 21 years of age or older and the victim was six years of age or less at the time the offense was committed, would be sentenced to life imprisonment without the possibility of parole.

EFFECTIVE DATE: September 1, 2011.

Act 2011-556, HB267, permits title insurers to issue closing or settlement protection on forms to be approved by the Commissioner of Insurance and specifies the fees that may be charged by title insurers for issuance. The act requires notice to real estate purchasers of the availability of closing or settlement protection and prohibits a title insurer from providing any other coverage which purports to indemnify against improper acts or omissions with regard to settlement or closing services.

EFFECTIVE DATE: June 9, 2011.

Act 2011-557, HB297, amends Sections 26-10-22, 26-10-24, 26-10-25, 26-10-26, and 26-10-29, Code of Alabama 1975, amends the Adoption Subsidy Act to add definitions, provide for adoption subsidy payments, revise eligibility requirements, and provide for termination of payments upon certain conditions. The act also provides for annual reporting by adoptive parents and provides hearing procedures for appeal of the denial of a subsidy application or when a subsidy is reduced or terminated.

EFFECTIVE DATE: June 9, 2011.

Act 2011-558, HB305, amends Sections 25-4-40.1 and 25-4-54, Code of Alabama 1975, to extend the expiration date of the special assessment relating to the Employment Security Enhancement Fund from September 30, 2011, to September 30, 2013.

EFFECTIVE DATE: September 1, 2011.

Act 2011-559, HB308, amends Section 25-13-6, Code of Alabama 1975, to provide for the use of funds of the Elevator Safety Review Board for the operation of the Department of Labor and authorizes the Director of the Department of Labor to transfer unused funds in the Elevator Safety Review Board Operational Fund to the State General Fund.

EFFECTIVE DATE: June 9, 2011.

Act 2011-560, HB333, amends Sections 9-12-54.1, 9-12-54.2, 9-12-54.3, and 9-12-54.4, Code of Alabama 1975, to increase certain saltwater bait license fees, to provide for the expiration date and purchase of licenses, and to specify that vehicles registered in another state will not be placed on a resident live bait license. The act also provides for the duties of licensees, the regulation of bull minnow traps, and further regulates the sale of dead shrimp and the number of standard shrimp baskets which may be used.

EFFECTIVE DATE: September 1, 2011.

Act 2011-561, HB335, is the Ian Langston Worley Oliver Act. The act authorizes a city or county to install a deaf or blind child area sign on a residential road or street. The act requires the county or city to review the placement of the sign annually to determine if the placement remains applicable.

EFFECTIVE DATE: September 1, 2011.

Act 2011-562, HB348, amends Section 30-3-4.1, Code of Alabama 1975, to allow a grandparent to petition for and in which a court may award to the grandparent visitation of a minor child. The act allows the grandparents of an adopted child to petition for visitation and creates a rebuttable presumption that the parent or parents with whom a child is living know what is in the best interest of the child.

EFFECTIVE DATE: September 1, 2011.

Act 2011-563, HB355, establishes the Alabama Streamlined Sales and Use Tax Commission to identify and develop the programs necessary to comply with the Streamlined Sales and Use Tax Agreement in the event that this state becomes a participating member of the agreement. The act requires the commission to research Alabama's existing tax laws to identify what changes in existing law will be necessary to bring Alabama in compliance with the agreement in the event that federal legislation adopting the agreement becomes law. The act provides for membership, powers and duties, terms, and expenses of the commission.

EFFECTIVE DATE: June 9, 2011.

Act 2011-564, HB473, amends Section 25-4-75, Code of Alabama 1975, to extend the unemployment compensation benefit period based on unemployment figures for weeks of unemployment beginning after December 17, 2010, and remaining in effect until December 31, 2011.

EFFECTIVE DATE: June 9, 2011.

Act 2011-565, HB399, is the Alabama Terminal Excise Tax Act. The act revises the motor fuel tax collection and enforcement system. The act defines certain terms, imposes the tax upon the removal or withdrawal of motor fuel from the terminal using the terminal rack, imposes the tax on blended motor fuel at the point motor fuel is blended, and provides for the levy of the tax on certain products, with exemptions. The act provides for licensing and fees, for returns, disposition of the proceeds of the tax, and penalties for violations. The act amends Sections 40-1-44, 40-2-10, 40-17-171, 40-17-174, 40-17-220, 40-17-221, and 40-17-223, Code of Alabama 1975. The act also repeals Sections 40-12-190, 40-12-191, 40-12-192, 40-12-193, 40-12-194, 40-12-195, 40-12-196, 40-12-197, 40-12-198, 40-12-199, 40-12-200, 40-12-201, 40-12-202, 40-12-204, 40-12-205, 40-12-206, 40-17-1, 40-17-2, 40-17-5, 40-17-6, 40-17-7, 40-17-8, 40-17-9, 40-17-13, 40-17-14, 40-17-18, 40-17-19, 40-17-20, 40-17-22, 40-17-30, 40-17-31, 40-17-32, 40-17-33, 40-17-34, 40-17-35, 40-17-36, 40-17-37, 40-17-38, 40-17-39, 40-17-40, 40-17-43, 40-17-45, 40-17-49, 40-17-50, 40-17-51, 40-17-52, 40-17-70, 40-17-71, 40-17-72, 40-17-73, 40-17-74, 40-17-74.1, 40-17-75, 40-17-76, 40-17-77, 40-17-78, 40-17-79, 40-17-80, 40-17-81, 40-17-82, 40-17-120, 40-17-121, 40-17-122, 40-17-124, 40-17-125, 40-17-200, 40-17-201, 40-17-203, 40-17-222, 40-17-240, 40-17-250, 40-17-290, 40-17-291, 40-17-300, 40-17-301, 40-17-302, 40-17-303, 40-17-304, 40-17-305, 40-17-306, 40-17-307, and 40-17-308, Code of Alabama 1975.

EFFECTIVE DATE: October 1, 2012.

Act 2011-566, HB425, amends Sections 17-13-3 and 17-13-100, Code of Alabama 1975, to change the date of the presidential primary election to the second Tuesday in March beginning in the year 2012. The act provides that the regular primary would also be on the second Tuesday in March in presidential primary years. The act eliminates provisions relating to a presidential primary on the same day as Mardi Gras.

EFFECTIVE DATE: June 9, 2011.

Act 2011-567, HB432, amends Section 37-1-80.2, Code of Alabama 1975, to establish the State Dual Party Relay Fund for the deposit of telephone surcharge fees for services for hearing impaired customers and allow for the transfer of funds from the State Dual Party Relay Fund to the Education Trust Fund in the amount of \$30,000,000 in quarterly increments of \$7,500,000 from October 15, 2011, to July 15, 2012, and an additional \$30,000,000 after July 15, 2012.  
EFFECTIVE DATE: June 9, 2011.

Act 2011-568, HB437, is the First Lady Dianne Bentley Governor's Mansion Preservation Act. The act creates the Governor's Mansion Authority to preserve, operate, and maintain the Alabama Governor's Mansion. The act provides the duties and responsibilities of the authority and provides for the funding and employees of the authority. The act also repeals Sections 41-9-530 to 41-9-532, inclusive, Code of Alabama 1975, relating to the Governor's Mansion Advisory Board.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-570, HB450, creates the crime of soliciting, persuading, encouraging, or enticing a licensed dealer or private seller of firearms to transfer a firearm or ammunition under circumstances in which a person knows violates the laws of this state or the United States, with exceptions. The act also creates the crime of providing a licensed dealer or private seller of firearms or ammunition with false information with the intent to deceive the seller about the legality of the transfer of the firearm or ammunition, with exceptions.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-571, HB451, amends Sections 34-9-2, 34-9-3, 34-9-5, 34-9-6, 34-9-6.1, 34-9-7, 34-9-8, 34-9-9, 34-9-10, 34-9-13, 34-9-15, 34-9-15.1, 34-9-16, 34-9-18, 34-9-20, 34-9-21, 34-9-22, 34-9-24, 34-9-26, 34-9-27, 34-9-28, 34-9-40, 34-9-41, 34-9-43, 34-9-44, 34-9-60, 34-9-63, 34-9-82, and 34-9-89, Code of Alabama 1975, relating to the practice of dentistry and dental hygiene, to remove the maximum fine limitations for violations of the Dental Practice Act. The act also provides for the regulation of bleaching of human teeth and provides further for the regulation of both mobile dental facilities and portable dental operations. The act, among other changes to the laws regulating the practice of dentistry and dental hygiene, provides for dental faculty teaching certificates and dental faculty special teaching permits and provides for the operation of certain 501(c)(3) entities operating dental clinics under the Dental Practice Act.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-572, HB453, amends Section 38-3-1, Code of Alabama 1975, to remove language prohibiting no two of the three at-large members of the board of directors of the Department of Senior Services from having the same religious faith.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-573, HB455, amends Sections 16-9-11 and 16-12-1, Code of Alabama 1975, to extend the deadline for the boards of education to fill the position of county superintendent of education or city superintendant of education from 120 to 180 days and to provide for the appointment of an interim superintendant of education. The act also further provides for notice of vacancy and selection of superintendants.

EFFECTIVE DATE: September 1, 2011.

Act 2011-574, HB463, amends Sections 36-15-1, 36-15-4.2, 36-15-5.1, 36-15-6, 36-15-9, 36-15-10, 36-15-11.1, 36-15-14, 36-15-16, 36-15-17, 36-15-21.1, 36-15-60, and 36-15-62, Code of Alabama 1975, relating to the office of Attorney General, to clarify the authority of the Governor to employ personal counsel, remove the requirement that a written contract designating the Attorney General as the recipient of any fees, fines, restitution, forfeitures, penalties, costs, interest, or judgments be reviewed by the Legislative Oversight Committee, authorize the Attorney General, effective September 30, 2010, to accept attorney's fees, expenses, and penalties only up to the actual expenses of the office, and requires the Attorney General to certify those amounts to the Chairs of the Committee on Finance and Taxation General Fund and the Ways and Means General Fund Committee and the State Budget Officer. The act also permits attorneys licensed outside Alabama to be appointed as deputy attorneys general, updates certain provisions relating to deputy attorneys general, makes it a crime to provide false statements relating to any matter under investigation by the Attorney General, and provides penalties.

EFFECTIVE DATE: September 1, 2011.

Act 2011-575, HB486, is the Garrett Coliseum Redevelopment Act. The act amends Section 2-6-1, Code of Alabama 1975, to revise the composition of the Alabama Agricultural Center Board. The act creates a new public corporation known as the Garrett Coliseum Redevelopment Corporation to manage, develop, operate, and improve Garrett Coliseum. The act authorizes the new corporation to issue certain bonds and designates the use of the proceeds from the sale of bonds issued by the corporation. The act also repeals Article 2 of Chapter 6 of Title 2, Code of Alabama 1975, relating to the Agricultural Center Corporation.

EFFECTIVE DATE: June 9, 2011.

Act 2011-577, HB494, amends Section 41-16-72, Code of Alabama 1975, to provide that the Alabama Medicaid Agency is not subject to certain requirements for the selection of professional service providers for contracts with health professionals which involve only service on agency task forces, boards, or committees.

EFFECTIVE DATE: June 9, 2011.

Act 2011-578, HB502, amends Section 21-7-4, Code of Alabama 1975, to authorize the use of service animals in public places for persons with autism.

EFFECTIVE DATE: September 1, 2011.

Act 2011-579, HB510, amends Section 6-5-332, Code of Alabama 1975, the Good Samaritan Law, to provide civil immunity to any person who, in good faith and without compensation, participates in emergency response activities if the person acts as a reasonably prudent person would have acted under the same or similar circumstances.

EFFECTIVE DATE: September 1, 2011.

Act 2011-581, HB512, amends Sections 13A-6-130, 13A-6-131, 13A-6-132, 13A-6-133, and 13A-6-134, Code of Alabama 1975, to further provide for crimes of domestic violence in the first, second, and third degree. The act provides for the crime of interference with a domestic violence emergency call and domestic violence by strangulation or suffocation. The act also provides that no court cost may be imposed on any victim of domestic violence, stalking, or sexual assault in connection with the prosecution or warrant recall of a domestic violence, stalking, or sexual assault offense in this state.

EFFECTIVE DATE: September 1, 2011.

Act 2011-582, HB513, amends Sections 22-50-1 and 22-50-17, Code of Alabama 1975, to define the term “mental illness or substance abuse treatment.” The act also exempts a licensed professional counselor operating within the scope of his or her license and a church or ministry which provides only religious services from certain certification requirements with regard to the provision of treatment of mental or emotional illness, substance abuse, or services to persons with intellectual disabilities.

EFFECTIVE DATE: September 1, 2011.

Act 2011-583, HB514, amends Section 41-16-60, Code of Alabama 1975, to provide that a board of education member or officer having a financial interest in a publicly bid contract may participate in the public bid process if: (1) the proposed contract was created before the individual began serving in the position; or (2) the individual does not participate in the decision-making process regarding the proposed public contract.

EFFECTIVE DATE: June 9, 2011.

Act 2011-589, HB544, amends Sections 5-2A-12, 5-3A-1, 5-3A-3, 5-3A-4, 5-3A-6, 5-3A-11, 5-5A-1, 5-5A-22, 5-5A-44, and 5-13B-11, Code of Alabama 1975, relating to the State Banking Department, to provide for the regulation of bank holding companies. The act also requires additional information in the application for incorporation of a bank and requires any credit exposure to a person arising from a derivative transaction, repurchase agreement, reverse repurchase agreement, securities lending transaction, or securities borrowing transaction to be included in the computation of total liabilities of a person to a bank.

EFFECTIVE DATE: June 9, 2011.

Act 2011-612, HB106, amends Section 22-22A-5, Code of Alabama 1975, to remove minimum penalty amounts for certain civil penalties assessed for violations of state environmental protection laws and orders.

EFFECTIVE DATE: June 9, 2011.

Act 2011-613, HB361, is the Matthew John Dahl DUI Prevention Act. The act amends Section 32-5A-191, Code of Alabama 1975, to increase the penalties for driving under the influence by requiring persons authorized to drive a motor vehicle after a conviction of driving under the influence to have installed and operating an ignition interlock device for certain periods of time. The act also provides for the installation and certification of ignition interlock devices and provides for fees for the issuance of a restricted license and for the reissuance of a regular license.

EFFECTIVE DATE: September 1, 2011.

Act 2011-614, HB383, amends Sections 40-26B-21, 40-26B-22, 40-26B-23, 40-26B-24, 40-26B-25, and 40-26B-26, Code of Alabama 1975, relating to nursing facilities and the privilege assessment on nursing facilities and Medicaid nursing facility reimbursement aspects, to extend the nursing facility supplemental assessment through August 31, 2013, and, beginning September 1, 2011 to August 31, 2013, to increase the supplemental provider privilege assessment from \$1,063.08 per annum to \$1,603.08 per annum. The act provides that, from October 1, 2011, through September 30, 2013, except for calculating cost center ceilings, the automatic inflation factor applied to overall rates will be zero. The act also authorizes the Medicaid Agency to create a special reimbursement formula for dedicated ventilator care units in nursing facilities.

EFFECTIVE DATE: September 1, 2011.

Act 2011-615, HB392, amends Sections 40-26B-71, 40-26B-73, 40-26B-75, 40-26B-76, 40-26B-77, 40-26B-79, 40-26B-80, 40-26B-81, 40-26B-82, 40-26B-84, and 40-26B-88, Code of Alabama 1975, to extend the private hospital assessment and Medicaid funding program for fiscal years 2012 and 2013. The act changes the base year to fiscal year 2009 for purposes of calculating the assessment and changes the assessment rate for fiscal years 2012 and 2013. The act changes the due date for quarterly payment of the assessment and changes the methodology for base payments for outpatient hospital services for fiscal years 2012 and 2013.

EFFECTIVE DATE: June 9, 2011.

Act 2011-616, HB434, amends Section 40-27-1, Code of Alabama 1975, the Multi-State Tax Compact, to change the sourcing rules for sales other than sales of tangible personal property to provide that the sale is considered in this state if the taxpayer's market is in this state. The act also increases the weight given the sales factor in the apportionment of business income.

EFFECTIVE DATE: The tax years beginning on or after December 31, 2010.

Act 2011-617, HB60, proposes an amendment to the Constitution of Alabama of 1901 to prohibit mandatory participation in any health care system.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-618, SB20, amends Section 11-45-8, Code of Alabama 1975, to further provide for the publication by certain municipalities of a notice of the substance of any ordinance relating to planning or zoning or the licensing of businesses in a newspaper under certain conditions.

EFFECTIVE DATE: September 1, 2011.

Act 2011-619, SB55, establishes the Alabama Electronic Overseas Voting Advisory Committee to determine whether a secure electronic means may be established for use by the Secretary of State to conduct overseas absentee voting. The act provides a procedure for the adoption of rules by the committee and the Secretary of State for conducting overseas absentee voting and requires the committee and Secretary to determine the requirements for a request and receipt of an overseas absentee ballot, as well as other procedures pertaining to the ballot.

EFFECTIVE DATE: June 9, 2011.

Act 2011-620, SB65, amends Section 40-18-140, Code of Alabama 1975, to provide an income tax refund check-off for a contribution to the Alabama State Historic Preservation Fund and the Archives Services Fund on state income tax forms.

EFFECTIVE DATE: The tax years beginning after December 31, 2012.

Act 2011-621, SB67, amends Section 32-5A-191, Code of Alabama 1975, to provide for a mandatory sentence of at least double the minimum punishment for a person convicted of driving under the influence who has 0.15 percent or more by weight of alcohol in his or her blood while operating or being in control of a motor vehicle, as well as a one-year minimum sentence for a misdemeanor offense and a minimum one-year revocation of the person's driving privileges. The act also provides that if a person over 21 has a child under the age of 14 in the vehicle during the offense, the person must be sentenced to at least double the applicable minimum punishment.

EFFECTIVE DATE: September 1, 2011.

Act 2011-622, SB87, amends Section 37-2A-8, Code of Alabama 1975, to further specify and add exceptions to the obligation of the carrier of last resort to provide basic telephone service to the premises of a permanent residence within the franchised service territory of an incumbent local exchange carrier.

EFFECTIVE DATE: September 1, 2011.

Act 2011-623, SB94, amends Sections 34-13-1, 34-13-7, 34-13-9, 34-13-11, 34-13-12, 34-13-20, 34-13-22, 34-13-23, 34-13-26, 34-13-50, 34-13-51, 34-13-52, 34-13-53, 34-13-55, 34-13-56, 34-13-70, 34-13-72, 34-13-73, 34-13-74, 34-13-90, 34-13-94, 34-13-111, 34-13-113, 34-13-114, 34-13-115, 34-13-116, 34-13-120, and 34-13-130, Code of Alabama 1975, to revise the laws governing funeral establishments, mortuary services, funeral directors, and the Alabama Board of Funeral Service related to permitting, licensing, and other funeral-related activities. The act also repeals Section 34-13-28, providing for the reporting of receipts and disbursements of the Alabama Board of Funeral Services to the Governor, and Sections 34-13-150, 34-13-151, and 34-13-152, Code of Alabama 1975, relating to donor eye enucleation licenses.  
EFFECTIVE DATE: October 1, 2011.

Act 2011-624, SB123, prohibits a county or municipal government from adopting any ordinance, rule, or resolution pertaining to the subject of fertilizers. The act also reserves actions relating to the entire subject of fertilizers to the Department of Agriculture and Industries, with certain exceptions.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-625, SB143, amends Section 31-5-3, Code of Alabama 1975, to further provide for nominations for membership on the State Board of Veterans' Affairs by the Alabama Alliance of the Military Officers Association of America, Inc.  
EFFECTIVE DATE: June 9, 2011.

Act 2011-626, SB172, is Beckham's Act. The act amends Section 34-29-131, Code of Alabama 1975, to prohibit the use of gas chambers for the euthanasia of dogs and cats. Within 30 days after January 1, 2012, an animal shelter operating a gas chamber prior to that date must have dismantled and removed the chamber and provide proper documentation to the State Board of Veterinary Medical Examiners.  
EFFECTIVE DATE: December 31, 2011.

Act 2011-627, SB184, amends Sections 6-5-501 and 6-5-521, Code of Alabama 1975, to prohibit a product liability action for relief against sellers that are not manufacturers.  
EFFECTIVE DATE: June 9, 2011.

Act 2011-628, SB185, provides for the use of an electronic uniform non-traffic citation and complaint, except for certain offenses, as an alternative method for issuing tickets. The act provides for a notice to appear in court similar to the e-tickets used for traffic offenses.  
EFFECTIVE DATE: September 1, 2011.

Act 2011-629, SB187, amends Section 12-21-160, Code of Alabama 1975, to provide further for the admissibility of expert witness opinions in civil and criminal proceedings. The act specifies that expert testimony based on a scientific theory, principle, methodology, or procedure is only admissible if: (1) The testimony is based on sufficient facts or data; (2) the testimony is the product of reliable principles and methods; and (3) the witness has applied the principles and methods reliably to the facts of the case.

EFFECTIVE DATE: January 1, 2012.

Act 2011-630, SB192, amends Sections 28-3A-6, 28-4A-2, 28-4A-3, 28-4A-4, and 28-4A-6, Code of Alabama 1975, to revise the alcoholic beverages license provisions for manufacturers and for brewpubs. The act permits a licensee engaged in the manufacture of alcoholic beverages in Alabama to conduct unrestricted tastings or samplings on only one licensed premises by giving away or selling alcoholic beverages manufactured where dispensed for on-premises consumption. The act requires and provides for the collection and payment of taxes on alcoholic beverages dispensed on the premises. The act permits the sale by the brewpub in original, unopened keg or barrel containers to any licensed wholesaler designated by the brewpub licensee and permits the brewpub to buy beer, including draft or keg beer, of other manufacturers in original, unopened containers from any designated, licensed wholesaler for resale on the brewpub's premises. The act also requires the payment of taxes on on-premises sales and provides for the location of brewpubs.

EFFECTIVE DATE: June 9, 2011.

Act 2011-631, SB219, authorizes county and city boards of education to issue interest-bearing warrants for educational purposes, with the approval of the State Superintendent of Education, and payable from the revenues or tax proceeds as are lawfully available. The act also provides that warrants may be sold at public or private sale, and the warrants and interest thereon are tax exempt.

EFFECTIVE DATE: August 1, 2011.

Act 2011-632, SB222, amends Section 36-25-7, Code of Alabama 1975, relating to prohibited offers or gifts or the solicitation of anything for public officers, employees, and their family members for the purpose of influencing official action, regardless of whether the thing solicited is a "thing of value" to clarify that the prohibited offer, gift, solicitation, or receipt must be for the purpose of corruptly influencing official action. The act also defines the term "corruptly."

EFFECTIVE DATE: June 9, 2011.

Act 2011-633, SB224, amends Sections 32-8-87, 40-12-412, and 40-12-116, Code of Alabama 1975, to provide for transfer of certain motor vehicles without a title to an automotive dismantler and parts recycler or secondary metals recycler. The act requires a statement from the owner containing certain information and the maintenance of records by parts recyclers. The act also requires the Department of Revenue to maintain an electronic lien verification system and allows for the release of liens under certain circumstances.

EFFECTIVE DATE: Section 1 of the act is effective on January 1, 2012, and the remaining sections are effective October 1, 2011.

Act 2011-634, SB242, makes an appropriation of \$42,112,181 from the Children First Trust Fund for the fiscal year ending September 30, 2012, to the entities delineated in Section 41-15B-2.2, Code of Alabama 1975. The act also provides for the deposit of tobacco settlement revenues in the Children First Trust Fund. The act also makes an appropriation of \$45,966,572 from other tobacco settlement funds for the fiscal year ending September 30, 2012, to certain entities. The act makes a conditional appropriation and allocation of additional tobacco revenues upon the recommendation of certain legislative committees.

EFFECTIVE DATE: June 9, 2011.

Act 2011-635, SB252, amends Section 32-2-84, Code of Alabama 1975, to provide that funds transferred from the Public Road and Bridge Fund of the Department of Transportation to the Department of Public Safety pursuant to Act 91-797 may be expended for the operations of the Department of Public Safety for fiscal years ending September 30, 2012, 2013, and 2014.

EFFECTIVE DATE: June 9, 2011.

Act 2011-636, SB277, prohibits manufacturers, distributors, and dealers from selling recreational vehicles without having first entered into a manufacturer and dealer agreement. The act delineates requirements for the agreement and provides for termination, cancellation, nonrenewal, or alteration of the agreement. The act provides for repurchase of inventory, and provides for the transfer of an ownership interest in a dealership, and lists the duties of a warrantor. The act provides for mediation under certain circumstances. The act also amends Section 8-20-2, Code of Alabama 1975, to provide that the Motor Vehicle Franchise Act will not apply to any recreational vehicle manufacturer and dealer agreement.

EFFECTIVE DATE: October 1, 2011.

Act 2011-637, SB269, provides for the qualifications and procedures for the licensing of independent insurance adjusters, apprentice independent adjusters, and emergency independent adjusters. The act requires independent adjusters to pass a written examination, with exceptions, and complete a minimum continuing education curriculum on a biennial basis. The act gives the Commissioner of Insurance authority to promulgate regulations necessary to administer and enforce independent adjuster regulation. The act amends Section 27-4-2, Code of Alabama 1975, to include an examination fee of \$100. The act also repeals Chapter 9, commencing with Section 27-9A-1, of Title 27, Code of Alabama 1975, relating to insurance adjusters.

EFFECTIVE DATE: January 1, 2012.

Act 2011-638, SB289, amends Section 32-9A-2, Code of Alabama 1975, to remove the requirement that the operator of certain commercial motor vehicles carry in the vehicle, and produce on demand, his or her certification in proper load securement.

EFFECTIVE DATE: June 9, 2011.

Act 2011-639, SB290, provides that unexpended funds for the President Pro Tempore of the Senate for the fiscal year ending September 30, 2011, appropriated pursuant to Act 2010-553 of the 2010 Regular Session (Acts 2010, p. 994), may be used for any purposes outlined under the guidelines developed by the Examiners of Public Accounts for the Office of the President Pro Tempore.

EFFECTIVE DATE: June 9, 2011.

Act 2011-640, SB296, is the Alabama Sex Offender Registration and Community Notification Act. The act revises the current system for registration by adults and juveniles convicted of certain sex offenses. The act provides a system of notification to victims and other members of the general public or information pertaining to certain sex offenders. The act also repeals Sections 13A-11-200, 13A-11-201, and 13-11-202, as well as Sections 15-20-1 to 15-20-38, inclusive, Code of Alabama 1975, relating to certain registration procedures and other laws governing sex offenders.

EFFECTIVE DATE: July 1, 2011.

Act 2011-641, SB295, establishes the Individual Development Account Program in the Department of Human Resources. The act authorizes certain persons with low income to enter into agreements developed with a fiduciary organization for the establishment of an individual development account. The act mandates that the agreement must provide for the amount of savings deposits, match fund rates, asset goals, and financial literacy education classes to be completed, additional training specific to the asset, and financial counseling the individual will attend, as well as other services designed to increase the financial independence of the person. The act also specifies who may administer the program, as well as certain eligibility requirements.

EFFECTIVE DATE: September 1, 2011.

Act 2011-642, SB337, amends Sections 40-23-35 and 40-23-77, Code of Alabama 1975, to change the distributions of the Sales Tax Discount and the Use Tax Discount to the General Fund for fiscal years ending September 30, 2012, and September 30, 2013.

EFFECTIVE DATE: October 1, 2011.

Act 2011-643, SB389, is the Strengthen Alabama Homes Act. The act establishes the Strengthen Alabama Homes Program to aid homeowners in retrofitting insurable property to resist loss due to hurricane, tornado, or other catastrophic windstorm events.

EFFECTIVE DATE: June 9, 2011.

Act 2011-644, SB395, provides an income tax deduction not to exceed the lesser of 50 percent of the costs of retrofitting or upgrading new or existing homes to help resist damages associated with a hurricane, tornado, other catastrophic wind event, or rising flood events or \$3,000. The act provides that all rate filings and related actuarial information for homeowners insurance coverage will be treated as public information, available for review in the office of the Commissioner of Insurance and via the Internet.

EFFECTIVE DATE: The act is generally effective June 9, 2011, except for the provisions related to status of rate filings and related actuarial information, which are effective September 1, 2011.

Act 2011-645, SB404, amends Section 32-8-84, Code of Alabama 1975, to allow the issuance of a title on a stolen vehicle to an insurance company where settlement has occurred between the insured and insured's insurance company.

EFFECTIVE DATE: January 1, 2012.

Act 2011-646, SB433, amends Section 2-14-4, Code of Alabama 1975, to further provide for penalties for certain violations provisions regulating honeybees shipped or brought into this state. The act provides for the destruction, under certain conditions, of hives brought into this state in violation of the act after notice to the owners. The act specifies that it does not apply to bees brought into the state pursuant to a compliance agreement with the Department of Agriculture and Industries.

EFFECTIVE DATE: September 1, 2011.

Act 2011-647, SB437, amends Section 8-29-3, Code of Alabama 1975, to define retainage and to limit the amount of retainage in construction contracts covered by the Prompt Pay Act.

EFFECTIVE DATE: September 1, 2011.

Act 2011-648, SB477, is the Tariff Credit Act of 2011. The act provides transferable economic development incentives to offset business transition costs of companies that invest a certain minimum capital investment which creates a certain minimum number of new jobs in this state.

EFFECTIVE DATE: June 9, 2011.

Act 2011-655, HB123, 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, 2012.

EFFECTIVE DATE: October 1, 2011.

Act 2011-656, HB64, proposes an amendment to Amendment 579 to the Constitution of Alabama of 1901, now appearing as Section 177 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to provide that the right of individuals to vote at elections for public office, public votes on referenda, or designation of employee representation by secret ballot is guaranteed.

EFFECTIVE DATE: Contingent upon ratification.

Act 2011-657, HB2, amends Sections 16-49-20, 16-49-21, and 16-49-23, Code of Alabama 1975, to establish residency requirements for certain members the Board of Trustees of Alabama A&M University. The act establishes a nominating committee and provides for membership, powers and duties, and terms of the committee. The act also provides for filling vacancies on the board, board training, and board responsibilities. The act repeals Section 16-49-25, Code of Alabama 1975, relating to vacancies on the board.

EFFECTIVE DATE: June 9, 2011.

Act 2011-672, HB18, is the Alabama Pain-Capable Unborn Child Protection Act. The act prohibits elective abortions at and after 20 weeks of pregnancy. The act requires physician reporting of abortions to the Office of Vital Statistics. The act amends Section 22-9A-13, Code of Alabama 1975, to require the Office of Vital Statistics to annually gather information and issue a public report regarding pregnancy terminations. The act provides civil remedies and criminal penalties for violations and provides for anonymity of women in court proceedings relating to the termination of a pregnancy.

EFFECTIVE DATE: Except for the amendments to Section 22-9A-13, Code of Alabama 1975, which become effective January 1, 2012, the act becomes effective September 1, 2011.

Act 2011-673, HB19, amends Section 17-9-30, Code of Alabama 1975, to require a voter to present a valid photo identification in order to vote. The act requires the Secretary of State to issue photo identification cards at no cost to individuals who have no valid photo identification and includes a penalty for making a fraudulent application for a card.

EFFECTIVE DATE: June 15, 2011.

Act 2011-674, HB58, requires the public disclosure of the names of public officials or candidates or spouses of public officials or candidates who are employed by the state or the federal government or who have a contract with the state or the federal government or who work for a company that receives 50 percent or more of its revenue from the state.

EFFECTIVE DATE: August 14, 2011.

Act 2011-675, HB389, provides that one or more counties may establish a radio/alert notification communications district comprised of the territory wholly within the county or, in the case of more than one county, the respective counties. The act provides for a board of directors, provides the powers and duties of the board, and provides an opt-out provision for fire, medical, and law enforcement purposes in a county that has created a radio/alert notification communications district.

EFFECTIVE DATE: September 1, 2011.

Act 2011-676, HB414, amends Section 12-18-5, 12-18-52, 12-18-82, 16-25-21, 36-27-24, and 36-27-59, Code of Alabama 1975, to provide for increases in judicial and certain employee contributions to the retirement system.

EFFECTIVE DATE: June 15, 2011.

Act 2011-677, HB621, repeals and reenacts Section 16-3-1.1, Code of Alabama 1975, to redistrict the State Board of Education districts based upon the 2010 federal census.

EFFECTIVE DATE: June 15, 2011.

Act 2011-678, SB440, amends Sections 12-19-252, 15-12-1, 15-12-4, 15-12-5, 15-12-6, 15-12-20, 15-12-21, 15-12-22, 15-12-23, 15-12-26, 15-12-27, 15-12-29, 15-12-40, 15-12-41, 15-12-42, 15-12-43, 15-12-44, 15-12-45, and 15-12-46, Code of Alabama 1975, to create the Office of Indigent Defense Services to operate as a division of the Department of Finance and at the direction of the Director of Finance. The act provides for the director, duties, and responsibilities of the Office of Indigent Defense Services and provides for an indigent defense advisory board in each judicial circuit. The act provides further for compensation of appointed counsel and contract counsel. The act provides for the employment contract, compensation, and attorney-client communications of public defenders. The act repeals Sections 15-12-2, 15-12-3, 15-12-24, and 15-12-24.1, Code of Alabama 1975.

EFFECTIVE DATE: June 14, 2011.

Act 2011-679, SB133, 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, 2012.

EFFECTIVE DATE: October 1, 2011.

Act 2011-680, SB22, amends Section 11-45-9, Code of Alabama 1975, to recodify the penalties which may be imposed for misdemeanor violations of municipal ordinances under a single statute. The act also repeals Section 13A-5-12.1, Code of Alabama 1975.

EFFECTIVE DATE: June 14, 2011.

Act 2011-681, SB47, amends Sections 15-22-23 and 15-22-36, Code of Alabama 1975, relating to the Board of Pardons and Paroles, to provide 30-days notification of meetings to victims and to provide for victims' and other persons' contact information for notification purposes. The act allows the victim to choose to not be notified. The act also creates the Implementation Task Force to support the implementation of a statewide automated victim notification system.

EFFECTIVE DATE: January 1, 2012.

Act 2011-682, SB49, amends Section 9-11-84, Code of Alabama 1975, to add yellow perch raised in farm ponds to the list of game fish exempt from the prohibition against sale under certain conditions.

EFFECTIVE DATE: September 1, 2011.

Act 2011-683, SB53, is the Alabama Uniform Power of Attorney Act. The act provides for definitions and applicability and provides for when a power of attorney is durable. The act provides for the execution, validity, meaning, effect, and termination of a power of attorney and provides for the nomination of a conservator or guardian. The act provides a power of attorney form and a form for an agent's certification. The act specifies its effect on existing powers of attorney and provides for health care powers of attorney executed after January 1, 2012. The act also amends Section 26-1-2, Code of Alabama 1975, relating to a durable power of attorney.

EFFECTIVE DATE: January 1, 2012.

Act 2011-684, SB81, amends Section 41-16-27, Code of Alabama 1975, to allow the awarding authority of a public contract to issue a secondary award to certain companies owned and operated by certain individuals certified under the federal HUBZone program or any small business enterprise located within the state not to exceed 20 percent of the original contract value, with exceptions.

EFFECTIVE DATE: September 1, 2011.

Act 2011-685, SB90, amends Sections 14-6-1 and 36-22-3, Code of Alabama 1975, to specify the sovereign immunity protections granted to persons employed by the sheriff when acting for and under the direction and supervision of the sheriff.

EFFECTIVE DATE: June 14, 2011.

Act 2011-686, SB113, authorizes the Alabama Department of Corrections to accept and redispense unused prescription medications under certain conditions.

EFFECTIVE DATE: June 14, 2011.

Act 2011-687, SB136, amends Section 17-5-8, Code of Alabama 1975, to require the filing of campaign reports at more frequent intervals for the 2012 and 2014 election cycles. The act subjects Section 527 political organizations that contribute to a state or local election or campaign to file campaign finance disclosure reports. The act also requires daily filing the eight days before an election for any day on which the committee receives or spends more than \$5,000 and requires electronic reporting beginning with the 2014 election cycle. The act also requires the Secretary of State to establish and maintain an electronic database of all campaign contributions and expenditures required to be filed with the Secretary of State.

EFFECTIVE DATE: September 1, 2011.

Act 2011-688, SB137, amends Sections 32-7-19, 32-7-20, 32-7-22, 32-7-24, 32-7A-2, 32-7A-3, 32-7A-4, 32-7A-5, 32-7A-6, 32-7A-7, and 32-7A-8, Code of Alabama 1975, to require the verification of motor vehicle liability insurance or other methods of financial responsibility allowed by law prior to motor vehicle registration and re-registration. The act also allows the Department of Revenue and law enforcement to electronically verify motor vehicle liability insurance or other methods of financial responsibility allowed by law with an online insurance verification system. The act also repeals Sections 32-7A-9 to 32-7A-22, Code of Alabama 1975.

EFFECTIVE DATE: Sections 2, 5, and 7 are effective June 14, 2011, and Sections 1, 3, 4, and 6, are effective January 1, 2013, except that portion of Section 3 amending Section 32-7A-12, Code of Alabama 1975, which is effective June 14, 2011.

Act 2011-689, SB158, is the Neighborhood Infrastructure Incentive Plan Act of 2011. The act allows homeowners and business owners to form neighborhood infrastructure authorities in existing neighborhoods to manage and finance local projects. The act also provides for the organization of authorities and provides tax credits for assessments paid by individuals and businesses that participate in infrastructure authority projects. The act automatically expires on December 31, 2014, unless specifically extended by the legislature; however, all authorities in existence on that date will continue in existence until all existing projects of the authority are completed and the authority seeks dissolution.

EFFECTIVE DATE: June 14, 2011.

Act 2011-690, SB179, amends Sections 41-10-22 and 41-10-25, Code of Alabama 1975, relating to the State Industrial Development Authority, to add the Director of the Alabama Development Office as a member of the authority in the place of the Director of the Alabama Industrial Development Advisory Board.

EFFECTIVE DATE: June 14, 2011.

Act 2011-691, SB211, is the Domestic Violence Protection Order Enforcement Act. The act amends and renumbers Sections 30-5A-1, 30-5A-2, 30-5A-3, and 30-5A-4, Code of Alabama 1975. The act increases the mandatory minimum sentences, extends the act to orders issued by courts of Indian tribes or United States territories, and makes other changes.

EFFECTIVE DATE: September 1, 2011.

Act 2011-692, SB231, authorizes one or more municipalities, counties, or any combination thereof to create a public authority for the purpose of promoting and developing tourism. The act provides for the duties, powers, and board membership of such an authority and authorizes the authority to create a tourism promotion and development district with specified boundaries.  
EFFECTIVE DATE: June 14, 2011.

Act 2011-693, SB240, makes an appropriation of \$259,182 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2012. The act requires an operations plan and an audited financial statement prior to the release of any funds and requires quarterly and end-of-year performance reports.  
EFFECTIVE DATE: October 1, 2011.

Act 2011-694, SB251, amends Section 2-6-12, Code of Alabama 1975, providing a continual annual appropriation under certain conditions to the Agriculture Center Board for the purpose of renovating Garrett Coliseum, to delay for one year the beginning fiscal year of the appropriation.  
EFFECTIVE DATE: June 14, 2011.

Act 2011-695, SB255, amends Sections 41-7A-43 and 41-7A-45, Code of Alabama 1975, relating to the Entertainment Industry Incentive Act of 2009, to clarify the qualifying production expenditures for a television series, miniseries, or single commercial, extend the rebates to music videos, and limit the tax exemptions to the state portion of sales, use, and lodging taxes. The act also caps the rebate for certain amounts in excess of allowed production expenditures.  
EFFECTIVE DATE: June 14, 2011.

Act 2011-696, SB267, amends Sections 15-22-54 and 15-22-54.1, Code of Alabama 1975, to further provide for the revocation and suspension of probation and to define an administrative violation, eligible offender, nonviolent offender, and a new offense. The act further specifies when a successive petition for resentencing may be considered.  
EFFECTIVE DATE: June 14, 2011.

Act 2011-697, SB284, amends Sections 17-5-2, 17-5-8, and 17-5-12, Code of Alabama 1975, to provide, with certain exceptions, that electioneering communications and paid political advertisements paid for by an organization or entity shall disclose the names of the source of the funding of the organization or entity.  
EFFECTIVE DATE: July 1, 2011.

Act 2011-698, SB309, amends Sections 36-29-1, 36-29-7, 36-29-8, 36-29-10, 36-29-19.4, and 36-29-19.7, Code of Alabama 1975, relating to the State Employees' Health Insurance Plan, to provide that an employer contribution may include adjustments or surcharges based on a covered spouse's eligibility for other health insurance. The act provides that all employees retiring after December 31, 2011, must have at least 10 years of creditable coverage in the State Employees' Health Insurance Plan to be eligible for retiree coverage. The act provides that postsecondary institutions must contribute to the State Employees Insurance Fund for each of its employees retiring after December 31, 2011. The act provides for employees retiring after December 31, 2011, who are not Medicare eligible, to pay a portion of the cost and employees retiring after December 31, 2011, with less than 25 years of service, to pay an increased percentage of the cost. The act makes additional procedural changes to the State Employees' Health Insurance Plan.

EFFECTIVE DATE: June 14, 2011.

Act 2011-699, SB315, amends Section 28-1-6, Code of Alabama 1975, to delete the requirement for de novo review by the circuit court of certain decisions of a Class 2 municipality denying alcoholic beverage licenses.

EFFECTIVE DATE: June 14, 2011.

Act 2011-700, SB316, amends Sections 35-9A-141, 35-9A-163, 35-9A-303, 35-9A-401, 35-9A-421, 35-9A-423, and 35-9A-426, Code of Alabama 1975, to provide further for unenforceable rental agreements under the Uniform Residential Landlord and Tenant Act. The act provides access to a landlord's property under certain circumstances and further provides for the tenant to recover reasonable attorney's fees under certain conditions in the event of noncompliance by the landlord. The act also includes certain noncurable acts or omissions by a tenant or occupant and further provides for the landlord's remedy after a tenant's abandonment of rental property.

EFFECTIVE DATE: August 1, 2011.

Act 2011-701, SB320, is the Alabama Real Estate Appraiser and Appraisal Management Company Registration Act. The act designates existing Chapter 27A, consisting of Sections 34-27A-1 to 34-27A-29, inclusive, of Title 34, Code of Alabama 1975, as Article 1 and adds Article 2, consisting of Sections 34-27A-50 to 34-27A-63, inclusive, to Chapter 27A of Title 34, Code of Alabama 1975. The act amends Sections 34-27A-1, 34-27A-2, and 34-27A-4, Code of Alabama 1975, to provide for the registration of real estate appraisal management companies by the State of Alabama Real Estate Appraisers Board and to include a representative of an appraisal management company on the board.

EFFECTIVE DATE: October 1, 2011.

Act 2011-702, SB364, makes an appropriation from the Alabama Indian Children's Scholarship Fund in the State Treasury to the Alabama Indian Affairs Commission in the amount of \$154,989 for the fiscal year ending September 30, 2012.

EFFECTIVE DATE: June 14, 2011.

Act 2011-703, SB409, authorizes the Chief Examiner of the Department of Examiners of Public Accounts to enter into contracts for recovery audits to recover overpayments of state funds. The act provides for appropriation of funds recovered.

EFFECTIVE DATE: June 14, 2011.

Act 2011-704, SB419, amends Sections 16-25A-1, 16-25A-8.1, 16-25A-17.1, 16-25A-20, and 16-25A-22, Code of Alabama 1975, relating to the Public Education Employees' Health Insurance Plan "PEEHIP," to provide that the employer contribution may include adjustments or surcharges based on a covered spouse's eligibility for other health insurance. The act provides that all employees retiring after December 31, 2011, with certain exceptions, will be subject to a new sliding scale premium calculation based on years of service and based on the difference between the age of the employee at retirement and the Medicare entitlement age. The act makes additional procedural changes to the PEEHIP.

EFFECTIVE DATE: June 14, 2011.

Act 2011-705, SB427, is the Sudden Unexplained Infant Death Investigation Act. The act provides for investigation of suspected cases of sudden unexplained infant death. The act creates the Alabama Sudden Unexplained Infant Death Investigation Team and delineates its duties and provides for coordination with certain county officials, law enforcement, and medical or emergency personnel. The act provides immunity from civil and criminal liability under certain conditions.

EFFECTIVE DATE: December 1, 2011.

Act 2011-706, SB429, authorizes a parent listed on a report of fetal death to request a Certificate of Birth Resulting in Stillbirth from the State Registrar. The act provides the procedures for the issuance of the certificate and affords rulemaking authority to the State Board of Health.

EFFECTIVE DATE: September 1, 2011.

Act 2011-707, SB450, repeals Article 2, commencing with Section 41-15A-10, of Chapter 15A of Title 41, Code of Alabama 1975, known as the "John L. Buskey Trust Fund Matching Act of 1993," requiring the State of Alabama to provide a one-to-one match to the Penny Trust Fund for those monies deposited into the Penny Trust Fund during each fiscal year.

EFFECTIVE DATE: September 30, 2011.

Act 2011-708, SB458, amends Section 25-13-18, Code of Alabama 1975, relating to the Elevator Safety Review Board, to further provide for the regulation of elevators and other conveyances. The act provides for the inspection of elevators installed in private residences after September 1, 2011, and requires the inspection to note compliance with the code relating to hoistway openings. The act further provides for the administration of the chapter when elevators or conveyances are out of compliance and preempts local legislation.

EFFECTIVE DATE: September 1, 2011.

Act 2011-709, SB493, is the Tornado Recovery Tax Incentive Protection Act of 2011. The act provides that tax abatements for economic development projects would not be affected by the delay caused by damage related to the outbreak of tornadoes in 2011.

EFFECTIVE DATE: June 14, 2011.

Act 2011-710, SB506, amends Sections 40-8-1 and 40-9-19, Code of Alabama 1975, to provide that the classification of property as residential property or a homestead would not be affected under certain conditions when property is damaged by natural disasters.

EFFECTIVE DATE: September 1, 2011.