

**SUMMARIES OF GENERAL LAWS ENACTED  
AND CONSTITUTIONAL AMENDMENTS PROPOSED  
BY THE LEGISLATURE OF ALABAMA AT THE 2017 REGULAR SESSION**

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**Act 2017-42, SB90**, establishes the Judicial Resources Allocation Commission. The act establishes the criteria for determining the need for increasing or decreasing the number of judgeships in the district and circuit courts. The act also provides that, in the event of a district or circuit court judgeship vacancy, the commission will determine whether to reallocate the judgeship to another district or circuit or to fill the vacancy according to law.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-45, HB104**, continues the existence and functioning of the Alabama Board of Licensure for Professional Geologists pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-46, HB105**, continues the existence and functioning of the Board of Nursing pursuant to the Alabama Sunset Law until October 1, 2021. The act also amends Section 34-21-2, Code of Alabama 1975, to allow for the assumption of nominating authority by a successor organization to the Alabama Federation of Licensed Practical Nurses, Inc., the Alabama State Nurses' Association, and the Licensed Practical Nurses Association of Alabama.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-47, HB106**, continues the existence and functioning of the State Board of Pharmacy pursuant to the Alabama Sunset Law until October 1, 2019.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-48, HB107**, continues the existence and functioning of the Board of Dental Examiners of Alabama pursuant to the Alabama Sunset Law until October 1, 2019.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-49, HB109**, continues the existence and functioning of the Alabama Manufactured Housing Commission pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-50, HB110**, continues the existence and functioning of the Board of Examiners of Nursing Home Administrators pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-51, HB111**, continues the existence and functioning of the Board of Physical Therapy pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-52, HB112**, continues the existence and functioning of the Board of Hearing Instrument Dealers pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-53, HB113**, continues the existence and functioning of the State Board of Chiropractic Examiners pursuant to the Alabama Sunset Law until October 1, 2021. The act also amends Section 34-24-165, Code of Alabama 1975, to delete certain conflicting language relating to the renewal date of a license to practice chiropractic or a permit to own a chiropractic practice.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-54, HB114**, continues the existence and functioning of the Alabama Licensure Board for Interpreters and Transliterators pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 6, 2017.

**Act 2017-64, SB61**, amends Section 15-9-34, Code of Alabama 1975, relating to the extradition of fugitives from justice, to authorize the extradition of a person to another state if the person is charged, by an indictment or other criminal procedure, in the other state with committing an act resulting in a crime in the other state.

EFFECTIVE DATE: June 1, 2017.

**Act 2017-66, SB85**, amends Section 22-1-11, Code of Alabama 1975, relating to false statements or claims on applications for payment of medical benefits from the Medicaid Agency, to require that a person must act knowingly to be subject to criminal penalties, provide certain exceptions for activity excepted by federal law, and provide a six-year statute of limitations.

EFFECTIVE DATE: June 1, 2017.

**Act 2017-70, HB108**, continues the existence and functioning of the Elevator Safety Review Board pursuant to the Alabama Sunset Law until October 1, 2018. The act also amends Sections 25-13-2, 25-13-6, and 25-13-9, Code of Alabama 1975, relating to elevator safety, to delete references to the discontinued American Society of Mechanical Engineers' certification of Quality Elevator Inspectors.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-71, HB115**, continues the existence and functioning of the Alabama Board of Optometry pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-72, HB116**, continues the existence and functioning of the Alabama State Board of Veterinary Medical Examiners pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-73, HB117**, continues the existence and functioning of the Alabama Board of Athletic Trainers pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-74, HB118**, continues the existence and functioning of the Alabama Board of Examiners for Speech-Language Pathology and Audiology pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-75, HB119**, continues the existence and functioning of the Alabama Board for Registered Interior Designers pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-76, HB120**, continues the existence and functioning of the Alabama Behavior Analyst Licensing Board pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-77, HB121**, continues the existence and functioning of the State Board of Medical Examiners and Medical Licensure Commission pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-78, HB122**, continues the existence and functioning of the Alabama Board of Examiners in Marriage and Family Therapy pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-79, HB123**, continues the existence and functioning of the State Board of Podiatry pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-80, HB124**, continues the existence and functioning of the Home Builders Licensure Board pursuant to the Alabama Sunset Law until October 1, 2021.

EFFECTIVE DATE: March 14, 2017.

**Act 2017-81, HB320**, proposes an amendment to Amendment 508 of the Constitution of Alabama of 1901, relating to Calhoun County, now appearing as Local Amendments, Calhoun County, Section 1 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, relating to the operation of bingo games for prizes and money in the county, to prohibit bingo permittees and licensees from operating bingo within 1,000 yards of a residential area.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-82, SB86**, adds Section 40-23-197.1 to the Code of Alabama 1975, to allow the Department of Revenue to initiate monthly distributions of the proceeds of the simplified seller's tax to local governments. The act also amends Sections 40-2-11, 40-23-191, 40-23-193, and 40-23-195, Code of Alabama 1975, to: (1) require reporting of retail sales and customer notification when the seller does not collect sales, use, or simplified sellers use tax on Alabama sales transactions; (2) remove the six-month deferral restriction on eligible sellers; (3) modify the requirements of the invoice language for simplified sellers use transactions; and (4) allow disclosure of the names of participating eligible sellers and the dates they began operating or ceasing to operate as an eligible seller.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-87, HB185**, amends Section 28-3A-17.1, Code of Alabama 1975, relating to entertainment districts, to: (1) increase the number of entertainment districts allowed in a Class 2 municipality from two to five; and (2) allow the holder of a retail liquor license in an entertainment district of a Class 2 municipality to sell liquor for

consumption on a municipal sidewalk or deck adjacent to the premises and, during special events, directly outside the entrance to the premises.

EFFECTIVE DATE: March 29, 2017.

**Act 2017-92, HB3**, allows certain nonresident students to purchase certain noncommercial resident hunting and fishing licenses for the same fee as a resident.

EFFECTIVE DATE: June 1, 2017.

**Act 2017-120, SB136**, amends Sections 40-23-211 and 40-23-213, Code of Alabama 1975, relating to the school items annual sales tax holiday, to change the annual sales tax holiday on school items from the first full weekend of August to the third full weekend of July.

EFFECTIVE DATE: March 29, 2017.

**Act 2017-130, SB95**, amends Section 40-10-28, Code of Alabama 1975, relating to the calculation, distribution, and retention of all excess funds arising from the sale of real estate for taxes held by a county, to ratify, validate, and affirm the treatment and disposition of the excess funds and interest held by a county for the sales of real estate for taxes when such treatment and disposition was made prior to July 2, 2017.

EFFECTIVE DATE: July 2, 2017.

**Act 2017-131, SB16**, amends Sections 13A-5-45, 13A-5-46, and 13A-5-47, Code of Alabama 1975, relating to capital cases, to: (1) delete the authority of a court from overriding a jury verdict in a capital case; (2) provide that when a jury returns a verdict of death, the defendant shall be sentenced to death; and (3) provide that when a jury does not return a verdict of death, the defendant shall be sentenced to life without parole.

EFFECTIVE DATE: April 11, 2017.

**Act 2017-147, SB167**, clarifies the rulemaking authority of the State Board of Chiropractic Examiners regarding state and federal anti-trust laws. The act also specifies that the board may adopt an anti-competitive rule if the rule is clearly demonstrated to prioritize patient safety and wellness.

EFFECTIVE DATE: April 18, 2017.

**Act 2017-148, SB178**, specifies the compensation relating to recall repairs paid by a manufacturer to its franchised new motor vehicle dealers when the manufacturer issues a stop-sale order or a do-not-drive order pursuant to a federal safety recall or a federal emissions recall.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-149, SB181**, is the Tax Exemption Reform Act of 2017. The act amends Section 40-9-12, Code of Alabama 1975, relating to tax exemptions, to specify that United Way organizations and United Way member agencies are exempt from the payment of any and all state, county, and municipal taxes, licenses, fees, and charges; and provide definitions for the United Way organizations and other united appeal funds.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-150, HB230**, authorizes a Class 2 municipality (the City of Mobile) to provide for the operation of low-speed vehicles upon certain streets in the municipality under limited circumstances and conditions.

EFFECTIVE DATE: April 18, 2017.

**Act 2017-151, SB62**, proposes an amendment to the Constitution of Alabama of 1901, relating to Shelby County, to require the members of the county board of education and the county superintendent of education to be elected by the qualified electors of the county residing outside of the corporate limits of any city that has a separate board of education.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-162, HB208**, amends Section 30-2-51, Code of Alabama 1975, relating to the division of the marital estate upon divorce, to: (1) remove the discretion of the judge in a divorce proceeding of whether to include retirement benefits in the marital estate; (2) remove the existing requirement that a married couple be married for 10 years before a court may award retirement benefits upon divorce; (3) specify that retirement plans and pensions are included in the marital estate; and (4) further define the marital estate to include interest that either spouse has acquired, received, accumulated, or earned during the marriage.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-164, HB257**, provides that in an action for divorce, separation, or annulment filed after January 1, 2018, the court may award either spouse interim alimony under certain conditions. The act authorizes the court to award fees, costs, and litigation expenses, including discovery, expert witnesses, guardians ad litem, special masters, and attorney fees, to enable each party to have equitable access to the marital property to pursue or defend the action, and specifies that the award is paid for with the marital property. The act requires the court to award rehabilitative or

periodic alimony based on certain factors. The act also provides for the termination and modification of alimony.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-165, HB263**, amends Section 40-16-4, Code of Alabama 1975, relating to financial institutions with income taxed within and outside of the state. The act includes loans and credit card receivables as property in the state of the financial institution for purposes of the excise tax apportionment formula. The act is applicable to all tax years beginning January 1, 2017.

EFFECTIVE DATE: April 20, 2017.

**Act 2017-171, HB163**, amends Sections 16-60-110.1, 16-60-111.4, and 16-60-111.10, Code of Alabama 1975, relating to the Alabama Community College System, to: (1) change the Alabama Community College System from a department of the state to a body corporate; (2) clarify the eligibility of employees of the system and community and technical colleges to participate in the Teachers' Retirement System of Alabama, the Public Education Employees' Health Insurance Plan, the State Employees' Health Insurance Plan, and other qualified health plans established pursuant to the federal Patient Protection Affordable Care Act of 2010; and (3) transfer all property held by or for the benefit of any community or technical college by specified entities to the Board of Trustees of the Alabama Community College System. The act becomes operative on a date or dates prior to October 1, 2017, as determined by the Chancellor of the Alabama Community College System and the Board of Trustees of the Alabama Community College System.

EFFECTIVE DATE: April 20, 2017.

**Act 2017-173, SB32**, requires all students to successfully pass a civics test as a required component for completing the government course required in the high school course of study beginning with the 2018-19 school year. The act specifies that the term civics test means the 100 questions used by officers of the United States Citizenship and Immigration Services as the basis for selecting the questions posed to applicants for naturalization.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-174, SB15**, amends Sections 26-3-13 and 43-2-82, Code of Alabama 1975, relating to the probate courts, to: further revise the circumstances under which a judge of probate may be liable for either not taking a bond or for taking an insufficient bond from a conservator or a personal representative of an estate and to provide that the judge may only be liable for wanton, fraudulent, or intentional misconduct rather than neglect or omission.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-188, HB98**, proposes an amendment to the Constitution of Alabama of 1901, to declare that it is the public policy of the state to support the sanctity of unborn life and the rights of unborn children and to provide that the Constitution of Alabama of 1901 does not protect the right to abortion or require the funding of abortion.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-189, HB95**, is the Health Care Rights of Conscience Act. The act provides that, except in limited circumstances, a health care provider has the right not to participate in a health care service that violates his or her conscience. The act also provides that injunctive relief may be brought for a violation of the act and that upon a finding of a violation, the court may order reinstatement of the health care provider's job position, back pay, and costs of the action.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-190, SB27**, amends Section 5-17-8, Code of Alabama 1975, relating to credit unions, to change how often credit unions are examined by the Alabama Credit Union Administration from every 12 months to every 18 months.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-191, SB143**, requires a person who advertises for the purchase of a salvage or junk branded motor vehicle to disclose his or her company name, address, telephone number, and license number. The act also provides criminal penalties for a violation of the act and exemptions.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-193, HB435**, proposes an amendment to Amendment 671 of the Constitution of Alabama of 1901, relating to Clay County, now appearing as Local Amendments, Clay County, Section 4 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to prohibit the Sheriff of Clay County from participating in the county supernumerary program and to allow the sheriff to elect to participate in the Employees' Retirement System.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-213, HB24**, is the Alabama Child Placing Agency Inclusion Act. The act prohibits the state from refusing to license or otherwise discriminating against any child placing agency that is licensed by the state because the child placing agency



declines to make, provide, facilitate, or refer for placement in a manner that conflicts with the sincerely held religious beliefs of the child placing agency. The act also provides remedies to child placing agencies injured by a violation of the act.

EFFECTIVE DATE: May 3, 2017.

**Act 2017-214, SB4**, creates the Legislative Services Agency, which succeeds to and is vested with all of the functions of the Legislative Reference Service, the Legislative Fiscal Office, and the Alabama Law Institute. The agency consists of three divisions, Legal, Fiscal, and Law Revision. The act amends Sections 29-6-5, 29-6-7, and 41-9-370, Code of Alabama 1975, to change references to the Legislative Reference Service, the Legislative Fiscal Office, and the Alabama Law Institute to the Legislative Services Agency. The act also authorizes the Legislative Council to charge and collect rent from any entity allocated space in the Alabama State House and the Alabama Law Institute to establish a special fund to receive grants for conducting studies and educational programs. The act also repeals Chapter 5 (commencing with Section 29-5-1), Chapter 7 (commencing with Section 29-7-1), and Chapter 8 (commencing with Section 29-8-1) of Title 29 of the Code of Alabama 1975.

EFFECTIVE DATE: October 1, 2017, except for the portion regarding the Alabama Law Institute special fund which is effective May 4, 2017.

**Act 2017-226, HB84**, amends Sections 2-15-41, 2-15-61, 2-15-91, 2-15-92, 2-15-131, and 2-15-133, Code of Alabama, relating to livestock, to update language relating to livestock markets, livestock dealers, and weighmasters regulated by the Department of Agriculture and Industries. The act merges permitting requirements for livestock markets to eliminate duplicative requirements. The act repeals Sections 2-15-93 and 2-15-95, and Sections 2-15-115 to 2-15-127, inclusive, Code of Alabama 1975.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-227, HB87**, authorizes and instructs the Department of Revenue to pursue all reasonable options available to reduce identity theft related tax refund fraud. The act provides that the department shall prescribe the method of filing tax returns, license applications, and method of payments by administrative rule. The act amends Sections 40-18-79 and 40-29-70, Code of Alabama 1975, to: (1) provide that if a bank or other financial institution has given credit to a taxpayer's account whose tax refund was erroneously denied, and the bank has filed a certified petition requesting reimbursement, the department shall reimburse the bank; and (2) provide penalties to persons presenting non-payable electronic funds and money orders to the department for payment of tax liabilities.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-228, HB94**, amends Sections 27-2B-9, 27-29-1, 27-29-4, and 27-29-7, Code of Alabama 1975, to: (1) provide that the Commissioner of Insurance may not testify in a private civil action concerning any confidential documents and materials in Risk Based Capital reports filed with the commissioner; (2) authorize the commissioner to enter into information sharing agreements with certain associations and agencies under the condition that the recipient maintains the confidentiality and privileged status of the information; (3) specify that any sharing of documents or materials does not result in a waiver of any applicable privilege or claim of confidentiality; (4) remove exceptions to the requirement that the ultimate controlling person of every insurer subject to registration under the Alabama Insurance Holding Company Regulatory Act file an annual enterprise risk report; and (5) clarify the legal authority and power of the commissioner to act as a group-wide supervisor for any internationally active insurance groups.

EFFECTIVE DATE: May 4, 2017, with the exception of the amendment to Section 27-29-4, Code of Alabama 1975, which becomes effective January 1, 2019.

**Act 2017-229, HB333**, amends Sections 40-17-160, 40-17-161, 40-17-165, and 40-17-167, Code of Alabama 1975, relating to the liquefied petroleum gas fuel tax, to remove all references to natural gas. The act adds Article 3B (commencing with Section 40-17-168) to Chapter 17 of Title 40, Code of Alabama 1975, to: (1) levy a reduced rate excise tax on compressed natural gas and liquefied natural gas; (2) require public sellers and fleet producers of compressed natural gas or liquefied natural gas to submit an application to the Department of Revenue; (3) require the applicant to obtain a license from the department and file a surety bond upon department approval of the application; (4) require the department to ensure that the applicant's bond is sufficient; (5) provide the circumstances under which the department may refuse to issue licenses; (6) specify that licenses issued pursuant to the act are not transferable; (7) provide for the discontinuance, sale, or transfer of the business of a licensee; (8) require the seller of liquefied natural gas or compressed natural gas to file monthly tax returns; (9) authorize the seller to deduct from each monthly tax return any compressed natural gas or liquefied natural gas sold to certain public and private entities, including: the United States government, any county governing body in the state, the governing body of any incorporated municipality in the state, public school systems, and private and church school systems; (10) require each tax return filed pursuant to the act to be on forms furnished by the department; and (11) provide civil and criminal penalties for any person who fails to obtain a license prior to engaging in an activity for which a license is required.

EFFECTIVE DATE: October 1, 2018, with the exception that Section 3 of the act becomes effective October 1, 2017.

**Act 2017-231, HB96**, is the Assisted Suicide Ban Act. The act makes it a crime for any person to deliberately aid another person in dying and provides that if a person aids or assists another in committing suicide or dying, the personal representative or administrator of the estate of the decedent may bring an action for wrongful

death. The act also provides that if any physician or health care provider violates the act, the appropriate licensing board shall suspend or revoke his or her license.

EFFECTIVE DATE: August, 1, 2017.

**Act 2017-240, HB66**, amends Sections 34-33-1, 34-33-2, 34-33-4, 34-33-5, 34-33-6, 34-33-7, 34-33-9, and 34-33-10, Code of Alabama 1975, relating to fire protection and fire protection sprinkler systems, to: (1) authorize the State Fire Marshal to issue permits to fire protection sprinkler contractors who install, alter, repair, and service single family potable water fire protection sprinkler systems for detached single dwellings and manufactured housing; (2) require a certified licensed engineer to design the plans for any residential fire protection sprinkler system to be installed and to approve any changes made to the system design; and (3) require the State Fire Marshal to collect and publish data on all residential structure fires.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-241, HB227**, provides civil immunity to any person who, acting in good faith, uses force to rescue a child or incapacitated person from an unattended motor vehicle.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-242, HB251**, amends Sections 32-6-63, 32-6-65, 32-6-211, 32-7A-17, 40-12-253, 40-12-258, and 40-12-260, Code of the Alabama 1975, relating to motor vehicle registration renewals, to: (1) provide for a validation decal in lieu of a tag or stamp and require the decal to include the month and year of expiration; (2) authorize dealers who are designated agents to issue a temporary license tag to the buyer of a motor vehicle; (3) allow a person, upon demand for inspection by a law enforcement officer, to present the registration receipt in either a tangible or electronic format; and (4) specify that the use of a cellular phone to display evidence of the registration receipt does not constitute consent for a law enforcement officer to access any other content on the electronic device.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-245, HB168**, amends Section 26-2A-137, Code of Alabama 1975, relating to the protection of property of persons with a disability and minors, to allow a court, without appointing a conservator, to authorize the sale, mortgage, lease, or other transfer of oil, gas, and other mineral rights of a protected person.

EFFECTIVE DATE: May 9, 2017.

**Act 2017-246, SB345**, authorizes any county to establish an agriculture authority to construct and operate facilities to promote agricultural businesses, operations, and

commodities, workforce development, and economic development within the county. The act also: (1) provides procedures for the incorporation and organization of the authority; (2) provides for the composition, membership, terms of office, powers, and duties of the board of directors of the authority; (3) authorizes the authority to develop an agriculture center; (4) authorizes the authority to acquire property by gift, grant, lease, or purchase, or to make and enter into contracts, to accept pledges of revenue, and to borrow money; (5) authorizes the sale of alcoholic beverages for on-site consumption within an agriculture center; (6) exempts any agriculture center from municipal planning and zoning ordinances; and (7) exempts the authority from any sales and use tax and ad valorem tax.

EFFECTIVE DATE: May 9, 2017.

**Act 2017-257, SB96**, amends Section 26-14-3, Code of Alabama 1975, relating to the mandatory reporting requirements of child abuse or neglect, to require the Department of Human Resources to determine the military status of the parent or guardian of a child who is the subject of a child abuse or neglect allegation and to require the department to notify the U.S. Department of Defense of any allegation of child abuse or neglect that involves a child of a military parent or guardian.

EFFECTIVE DATE: May 11, 2017.

**Act 2017-258, SB97**, amends Section 31-12-2, Code of Alabama 1975, relating to the National Guard, to extend the application of the federal Servicemembers Civil Relief Act and the federal Uniformed Services Employment and Reemployment Rights Act to any member of the National Guard of another state who is employed in this state. The act also provides military differential pay and restoration of annual or sick leave under certain conditions.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-259, SB203**, amends Section 16-1-25, Code of Alabama 1975, relating to military recruiters, to require all public schools and public institutions of higher education to allow military recruiters the same access to students and campus facilities that the schools and institutions allow to prospective employers and postsecondary institutions.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-260, SB204**, amends Sections 31-2A-2, 31-2A-5, 31-2A-17, 31-2A-26, 31-2A-32, 31-2A-46, 31-2A-47, and 31-2A-52, Code of Alabama 1975, relating to the Alabama Code of Military Justice, to: (1) specify that the Alabama Code of Military Justice does not apply to a member of the state military who commits an offense while in a duty status with the Armed Forces of the United States under Title 10 of the U.S.C; (2) provide that the trial for an offense subject to prosecution pursuant to the

Alabama Code of Military Justice may be convened in any county of the state; (3) delete the requirement that the presiding military judge of a court-martial proceeding be a member of the same military force as the accused; (4) adopt recent changes in the federal Uniform Code of Military Justice regarding preliminary hearings and victims' rights; (5) clarify the procedures for compelling the appearance of witnesses and the production of evidence; and (6) specify that the constitutional right to a jury does not apply to a court-martial proceeding.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-261, SB309**, makes an appropriation of \$882,997 from the Education Trust Fund to Talladega College for the fiscal year ending September 30, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-262, SB310**, makes an appropriation of \$340,276 from the Education Trust Fund to Lyman Ward Military Academy for the fiscal year ending September 30, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-263, SB311**, makes an appropriation of \$10,595,439 from the Education Trust Fund to Tuskegee University for the fiscal year ending September 30, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-264, HB193**, requires all applicants for a position of employment with every state department or agency and all current employees and contractors of every department or agency who have access to federal tax information to state whether they have been convicted of a crime or whether criminal charges are pending against him or her, be fingerprinted, and submit to state and national criminal history records checks. The act also specifies that criminal history records checks will be conducted by the Alabama State Law Enforcement Agency upon request and that the Secretary of ALEA may charge a fee for the criminal history records.

EFFECTIVE DATE: May 11, 2017.

**Act 2017-269, SB218**, establishes the Military Stability Program within the State Treasury to collect and expend funds appropriated for the retention and expansion of state military bases. The act also provides requirements for receiving monies from the program.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-270, SB238**, amends Section 12-19-310, Code of Alabama 1975, relating to the Circuit Clerk's Judicial Administration Fund, to provide that the money in the Circuit Clerk's Judicial Administration Fund may be used for awarding merit and promotional raises to full-time employees of the clerk's office.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-275, SB247**, establishes the annual salary of the members of the city council of the Class 1 municipality (City of Birmingham) at the median family income in the city, as determined every four years by the State Personnel Board.

EFFECTIVE DATE: May 11, 2017.

**Act 2017-277, SB242**, creates the Alabama Job Creation and Military Stability Commission for the purpose of ensuring the stability of Department of Defense resources assigned to Alabama through the study and evaluation of military organizations, personnel, civilian support personnel, equipment, and infrastructure currently located in the state.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-278, SB63**, authorizes public and nonpublic school students to possess and use over-the-counter sunscreen that is regulated by the federal Food and Drug Administration when the students are at school and school-based events.

EFFECTIVE DATE: May 16, 2017.

**Act 2017-279, SB72**, amends Section 39-2-4, Code of Alabama 1975, relating to bid guarantees on public improvement contracts, to provide a \$10,000 maximum bid guarantee for public improvement contracts generally and a \$50,000 maximum bid guarantee for public improvement contracts awarded by the Department of Transportation.

EFFECTIVE DATE: Effective retroactively to May 3, 2016.

**Act 2017-280, SB140**, amends Section 22-21-33, Code of Alabama 1975, relating to the Department of Public Health, to eliminate the requirement that the department publish and mail a directory of all licensed hospitals in the state to all licensed inpatient hospitals, licensed hospices, and certified home health agencies every three months. The act also requires the department to maintain a searchable online database of all licensed hospitals in the state.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-281, SB102**, authorizes the Secretary of the Alabama State Law Enforcement Agency, in coordination with the Commissioner of the Department of Corrections, to establish a program to issue a nondriver identification card to each parolee upon his or her release from the Department of Corrections.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-282, SB219**, amends Sections 41-28-1, 41-28-2, and 41-28-3, Code of Alabama 1975, relating to information technology, to transfer the responsibility and authority for information technology service delivery from the Department of Finance to the Office of Information Technology and provides certain qualifications and requirements for the Secretary of the Office of Information Technology. The act also transfers the powers, duties, and authority of the Information Services Division of the Department of Finance to the Office of Information Technology and abolishes the Information Services Division.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-283, SB241**, amends Section 23-6-1, Code of Alabama 1975, relating to industrial access roads, to change the definition of the term industrial access roads and bridges to those public roads and bridges that provide access to active military installations or to certain qualifying projects under the Alabama Jobs Act.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-284, SB274**, is the Elder Abuse Protection Order and Enforcement Act. The act provides for the issuance of elder abuse protection orders and ex parte elder abuse protection orders, authorizes certain individuals to petition for the orders, and provides penalties for violations of the orders. The act also amends Section 15-10-3, Code of Alabama 1975, relating to warrantless arrests, to specify that a law enforcement officer may arrest a person without a warrant when the officer has reasonable cause to believe that the person violated an elder abuse protection order or has committed an act of elder abuse.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-293, HB33**, amends Section 12-19-43, Code of Alabama 1975, relating to the probate court, to provide that probate court fees must be collected either at the time a pleading is filed or at the termination of a suit, as determined by the court. The act also provides that the court may order that security deposits be deposited with the court to cover expected court costs.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-294, HB75**, establishes the Wholesale to Retail Accountability Program. The act provides that a person who sells beer, wine, or tobacco products and claims an exemption from the sales and use tax must file a report with the Department of Revenue. The act provides what must be included in the report, other filing requirements, and penalties for failing to properly file the report. The act also requires all information on municipal business privilege license applications for new licenses and renewals issued on or after October 1, 2019, to be electronically transmitted to the department.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-295, HB156**, makes an appropriation of \$169,633 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-296, HB158**, amends Sections 8-17-80, 8-17-87, 8-17-96, 8-17-97, 8-17-99, and 8-17-101, Code of Alabama 1975, relating to petroleum products, to remove references to bonded distributors and changes the term to inspection fee permit holder. The act also removes the five thousand dollar (\$5,000) bonding requirement for the issuance of an inspection fee permit.

EFFECTIVE DATE: May 16, 2017.

**Act 2017-297, HB169**, amends Section 9-17-13, Code of Alabama 1975, relating to oil and gas production, to provide that the risk compensation fee that may be imposed by the State Oil and Gas Board for the actual and reasonable costs of drilling, reworking, testing, plugging back, and deepening an oil well may not be charged against the interest of an owner who does not receive actual notice of the hearing after diligent search and inquiry. The act also provides that the fee is chargeable against the interests of other nonconsenting owners in the unit who were given actual notice of the hearing.

EFFECTIVE DATE: May 16, 2017.

**Act 2017-298, HB211**, suspends, but does not terminate, the Medicaid benefits for a county inmate or child under the jurisdiction of the juvenile court system and detained in a public institution until the inmate or child is no longer eligible for benefits or no longer an inmate of a public institution.

EFFECTIVE DATE: May 16, 2017; operative January 1, 2018.

**Act 2017-299, HB178**, makes an appropriation of \$37,725,742 from the Children First Trust Fund for the fiscal year ending September 30, 2018, to the entities designated



in Section 41-15B-2.2, Code of Alabama 1975. The act provides for the deposit of tobacco settlement revenues in the Children First Trust Fund, requires written notification of anticipated agency allocations by the Director of Finance, and transfers CFT funds allocated to the State Board of Education to the State General Fund. The act also makes an appropriation of \$47,788,069 from other tobacco settlement funds for the fiscal year ending September 30, 2018, to specified entities, including the Medicaid Agency.

EFFECTIVE DATE: May 16, 2017.

**Act 2017-300, HB262**, amends Sections 34-7B-1 and 34-7B-20, Code of Alabama 1975, relating to the licensure of natural hair stylists, to provide that a person may be licensed as a natural hair stylist upon completion of at least 210 clock hours of training in a school of cosmetology or 420 hours of apprenticeship as a natural hair stylist in a licensed shop under the supervision of a licensed or registered cosmetologist or a natural hair stylist who has held a license for at least five years.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-301, HB313**, amends Sections 9-13-80, 9-13-81, 9-13-82, 9-13-84, 9-13-86, 9-13-88, 9-13-93, 9-13-104, and 9-13-108, Code of Alabama 1975, relating to the forest products privilege and severance taxes, to provide alternative tax rates for certain types of timber and exclude from the tax wood residue produced in conjunction with certain forest products manufacturing processes. The act also repeals Section 9-13-85, Code of Alabama 1975, relating to expenditures for forest protection.

EFFECTIVE DATE: July 1, 2017.

**Act 2017-304, HB430**, allows any Class 2 municipality, through the execution of a lien, to enforce the fees, penalties, and abatement costs imposed against a property owner for a violation of the municipality's housing and building codes and allows any Class 2 municipality to proceed with judicial in rem foreclosures of municipal code liens. The act provides for the procedure a municipality can use to recover the taxpayer costs and transfer of title to the property subject to the lien. The act allows non-owner occupied property to be transferred to a responsible owner if the property owner fails to reimburse for costs of enforcement. The act also repeals Sections 11-40-50 through 11-40-54, Code of Alabama 1975, relating to the use and occupancy of buildings.

EFFECTIVE DATE: May 16, 2017.

**Act 2017-313, SB409**, proposes an amendment to the Constitution of Alabama of 1901, relating to Geneva County, to allow a person to be elected or appointed as

judge of probate if the person is not over the age of 75 years at the time of qualifying for election or appointment.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-314, HB574**, amends Sections 40-18-382 and 40-18-383, Code of Alabama 1975, relating to economic development, to continue the eligibility for incentives provided in the Alabama Jobs Act and reduce the maximum balance from an aggregate balance of \$850 million to an annualized balance of \$300 million. The act also specifies that the job incentives created by the Alabama Jobs Act are not available to any project unless at least 80 percent of the jobs created by the qualifying project are full-time.

EFFECTIVE DATE: May 18, 2017.

**Act 2017-315, HB56**, amends Section 24-1-27, Code of Alabama 1975, to provide that any nonprofit corporate agent formed by an Alabama public housing authority and that satisfies certain criteria is a governmental entity and is subject to limited tort liability.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-316, HB138**, adopts the Revised Uniform Fiduciary Access to Digital Assets Act to extend the traditional power of a fiduciary to manage tangible property to include the management of digital assets. The act also restricts a fiduciary's access to certain electronic communications, such as email, text messages, and social media accounts, unless the owner or creator of the electronic communications or social media account has consented to access in a will, trust, power of attorney, or other record, and provides immunity to custodians of digital assets who comply with the requirements of the act in good faith.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-317, HB264**, amends Section 19-3B-508, Code of Alabama 1975, relating to qualified trusts under the federal tax code, to define qualified rollover contribution and to further define the term qualified trusts to include trusts that are formed as part of certain pension plans, qualified stock bonus plans, and profit sharing plans.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-318, HB157**, makes a supplemental appropriation of \$550,000 from the Emergency Forest Fire Fund to the Alabama Forestry Commission for the fiscal year ending September 30, 2017. The act makes a supplemental appropriation of \$800,000 from the DNA Fund to the Department of Forensic Sciences for the fiscal year ending September 30, 2017. The act makes a supplemental appropriation of

\$5,000,000 from the Insurance Department Fund to the Department of Insurance for the fiscal year ending September 30, 2017. The act also makes a supplemental appropriation of \$20,000 from the State Board of Prosthetics and Orthotists Fund to the Alabama State Board of Prosthetics and Orthotics for the fiscal year ending September 30, 2017.

EFFECTIVE DATE: May 18, 2017.

**Act 2017-319, SB21**, provides a definition for the term over-the-counter spectacles, prohibits the over-the-counter sale of nonprescription, ready-to-wear spectacles that do not conform to the definition, and provides for enforcement by the Board of Optometry, a district attorney, or the Attorney General.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-320, SB168**, provides that Class 5 and Class 8 municipalities may establish the position of certified animal control officer, establish local animal control laws, and enforce the laws with civil penalties.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-321, SB201**, requires the Alabama State Law Enforcement Agency to adopt rules regulating the nonconsensual towing of commercial motor vehicles and requires the agency to adopt a service charge dispute resolution process to enable commercial motor vehicle owners to dispute fees and charges related to nonconsensual towing. The act also authorizes the agency to administer disciplinary action, including the assessment of fines, against a towing and recovery service that violates the rules.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-334, HB500**, proposes an amendment to the Constitution of Alabama of 1901, relating to Lamar County, to repeal Amendment 710 to the Constitution of Alabama of 1901, now appearing as Section 1, Local Amendments, Lamar County, Official Recompilation of the Constitution of Alabama of 1901, which authorizes additional court costs to be collected in certain drug cases for the operation and maintenance of a canine unit in the Lamar County Office of the Sheriff. The proposed amendment also ratifies and confirms any actions taken or payments made pursuant to Amendment 710.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-335, SB129**, 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, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-336, SB82**, is the Marshall James Walton Highway Safety Act. The act creates the crime of homicide by vehicle as a Class C felony.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-337, HB284**, amends Sections 10A-20-6.16, 27-21A-23, and 27-54A-2, Code of Alabama 1975, relating to health benefit plans, to require health benefit plans to cover the treatment of Autism Spectrum Disorder under certain conditions.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-338, HB155**, 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, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-339, HB592**, proposes an amendment to the Constitution of Alabama of 1901, relating to Lamar County, to authorize the Lamar County Commission to levy an additional sales and use tax of up to one percent which will be deposited into the Lamar County General Fund.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2017-340, SB108**, amends Section 17-4-2.1, Code of Alabama 1975, relating to voting, to allow the Secretary of State to use electronic poll books instead of printed lists of qualified voters. The act also prohibits any voter from voting in a primary runoff election unless the voter voted in the preceding primary election of the party for which the runoff election is being held.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-347, SB403**, repeals and replaces Section 29-1-2.3, Code of Alabama 1975, to provide for the reapportionment and redistricting of the state into districts for the purpose of electing the members of the Alabama Senate at the General Election in 2018, until the release of the next federal census.

EFFECTIVE DATE: May 23, 2017.

**Act 2017-348, HB571**, repeals and replaces Section 29-1-1.2, Code of Alabama 1975, to provide for the reapportionment and redistricting of the state into districts for

the purpose of electing the members of the Alabama House of Representatives at the General Election in 2018, until the release of the next federal census.

EFFECTIVE DATE: May 23, 2017.

**Act 2017-349, SB315**, amends Sections 31-6-4, 31-6-5, 31-6-6, 31-6-9, 31-6-11, 31-6-15, 31-10-2, 31-10-3, 31-10-4, 31-10-21, and 31-10-22, Code of Alabama 1975, relating to education benefits for veterans and members of the Alabama National Guard, to: (1) increase the minimum disability rating veterans must have to make their dependents eligible to receive educational scholarship benefits under the act; (2) establish residency requirements for veterans and their dependents; (3) establish academic requirements for dependents receiving benefits; and (4) specify that state educational benefits will be applied only after exhausting all other available resources. The act also provides tuition reimbursement for any member of the Alabama National Guard who is in good standing and meets certain criteria at an institution of higher learning and requires reporting to the Legislature certain data relating to education benefits for veterans.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-350, SB322**, amends Sections 35-8B-1, 35-8B-2, and 35-8B-3, Code of Alabama 1975, relating to community development districts, to further define the term community development district to include certain commercial districts that border a lake that was formed by an impounded reservoir of a river, the source of which is in a wilderness area and has a marina that satisfies certain conditions.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-352, SB257**, amends Section 40-18-342, Code of Alabama 1975, relating to the irrigation equipment tax credit, to increase the tax credit on the purchase and installation of certain irrigation equipment fuel conversion costs. The tax credit sunsets December 31, 2022.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-353, SB308**, makes a supplemental appropriation from the Education Trust Fund to the Department of Veterans' Affairs in the amount of \$5,041,468 for the fiscal year ending September 30, 2017. The act also amends Section 3B(21) of Act 2016-199 (the Education Trust Fund Appropriations Act for fiscal year 2017), to distribute \$300,000 of the funds appropriated to the Alabama Historical Commission to the Alabama Bicentennial Commission Foundation to support, create, and execute events and activities that commemorate Alabama's path to statehood.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-354, SB60**, is the Alabama Memorial Preservation Act of 2017. The act prohibits the relocation, removal, alteration, or renaming of any architecturally significant building, memorial building, memorial street, or monument which is on public property and is 40 years old or more. The act also requires the Committee on Alabama Monument Protection, created by the act, to approve the relocation, removal, alteration, or renaming of an architecturally significant building, memorial building, memorial street, or monument located on public property which is more than 20 but less than 40 years old.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-355, SB87**, is the Alabama Medical Parole Act. The act provides for the medical parole of certain inmates, including those who are terminally ill or suffer from chronic illnesses. The act also requires the Department of Corrections to identify all inmates who have spent 30 or more days in an infirmary in the prior calendar year and consider them as candidates for medical paroles and requires the Board of Pardons and Paroles to report to the Legislature certain information relating to medical paroles.

EFFECTIVE DATE: November 25, 2017.

**Act 2017-358, HB29**, is the Deputy Hart Act. The act amends Section 32-6-7.2, Code of Alabama 1975, relating to driver's license restrictions on persons under the age of 18, to: (1) revise the penalties for a violation of the restrictions of the Stage II driver's license; and (2) provide penalties for a parent or legal guardian who knowingly allows his or her child with a Stage I or Stage II driver's license to drive a motor vehicle in violation of the applicable restrictions.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-359, HB47**, amends Sections 35-8B-1, 35-8B-2, and 35-8B-3, Code of Alabama 1975, to create three additional classes of community development districts.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-360, HB377**, amends Section 36-27-1, Code of Alabama 1975, relating to the Employees' Retirement System, to revise the definition of state policeman to include employees hired by the Alabama State Law Enforcement Agency who are certified by the Alabama Peace Officers' Standards and Training Commission and perform law enforcement duties. The act also provides that state policemen will pay the same employee contribution rate and receive the same benefits as Tier II law enforcement officers.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-362, HB14**, authorizes any elected official of a Class 8 municipality who is an ex officio member of a state or local agency, board, or commission to designate another person to serve in his or her place and allows the designated person to assume all of the duties of the elected official, including voting rights.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-363, HB46**, is the Alabama Taxpayer Protection and Assistance Act. The act prohibits any person from providing tax preparation services for an Alabama income tax return unless the return includes the IRS-issued Preparer Tax Identification Number of the preparer and the preparer's signature and provides civil penalties for violations. The act also amends Sections 40-14A-22 and 40-14A-25, Code of Alabama 1975, to ensure that business privilege tax returns are due at the same time as the corresponding federal income tax return and to delete the maximum business privilege tax amount for a Real Estate Investment Trust. The act also directs the Code Commissioner to change the name of the Taxpayer Advocate to the Taxpayer Assistance Officer and provides for multiple Taxpayer Assistance Officers.

EFFECTIVE DATE: For tax returns due on or after January 1, 2018.

**Act 2017-364, HB222**, amends Section 36-25-13, Code of Alabama 1975, relating to ethics and public employees, to allow a municipality to rehire a retired law enforcement officer or a retired firefighter formerly employed by the municipality under certain circumstances. The act also requires the municipality to provide notice to the Director of the Ethics Commission that the former employee is being rehired.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-365, HB292**, authorizes a person who applies for a new driver's license, nondriver identification card, vessel license, learner's license, or permit, or the renewal of a license or permit, to provide the Alabama State Law Enforcement Agency with documentation that the person is deaf. The act also provides that the documentation of deafness will be stored and made available to law enforcement personnel for official use.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-366, HB328**, amends Section 22-27-48, Code of Alabama 1975, relating to solid waste management, to alter the approval process by a local governing body for the siting of a new solid waste management facility and to remove the requirement that a proposed new solid waste management facility or a modification of a permit for an existing facility be evaluated by a regional planning and development commission. The act also adds a new Section 22-27-48.1 to the Code of Alabama 1975, to: (1) require additional information with an application for a permit for a new solid waste management facility; (2) require a notice and comment period after

submission of an application for a facility; and (3) require approval by the circuit court after the local governing body has granted approval of the application.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-367, HB342**, provides for an optional one-time lump sum payment in fiscal year 2017-18 to certain retirees and beneficiaries whose employer participated in the Employees' Retirement System. The act also specifies that the payment is at the election of the employer and is in addition to the regular retirement benefits of the retirees and beneficiaries.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-368, HB381**, requires local school systems to provide information on the influenza disease and its vaccine to parents and guardians of students when other health information is provided. The act also provides immunity from civil liability to any board member or employee of a local board of education for acts or omissions in the implementation of the act.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-369, HB468**, levies an additional excise and privilege tax on every person mining coal or lignite, the proceeds of which are for the exclusive use of the Surface and Mining Commission. The act also provides a civil penalty for failure to comply with the act. The additional tax is repealed August 1, 2019.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-372, HB250**, establishes the Emergency Medical Services Personnel Licensure Interstate Compact to provide reciprocity among member states on matters relating to the discipline and conditions of practice of emergency medical services personnel. The act also amends Section 22-18-6, Code of Alabama 1975, relating to emergency care, to exempt EMS personnel with the privilege to practice in compact states from licensure by the Alabama Board of Health.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-373, HB314**, amends Sections 5-18-4, 5-18-10, 5-18-13, and 5-18-15, Code of Alabama 1975, relating to small loan lenders, to authorize lenders under the Alabama Small Loan Act to lend less than \$1,500. The act also provides that loans of less than \$1,500 made pursuant to the act must have a minimum term for repayment of three months and a maximum term for repayment of 18 months.

EFFECTIVE DATE: May 25, 2017.



**Act 2017-374, HB440**, is the Alabama Youth Residential Facility Abuse Prevention Act. The act establishes registration and regulatory requirements for certain religious nonprofit, other nonprofit, or for-profit youth residential facilities, schools, and programs. The act requires employees, volunteers, and applicants for employment or volunteer positions to undergo a criminal background investigation prior to having unsupervised contact with children. The act allows the Department of Human Resources to charge a registration fee and an annual renewal fee. The act also provides that all youth residential facilities and organizations under the act are subject to a quarterly inspection by the department and requires the facilities and organizations to provide the department with certain information upon request, including: the names of all children enrolled, the names of all personnel currently employed, and the plan of operation and procedures.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-375, HB421**, is the Electronic Toll Collection Act. The act authorizes the Alabama Toll Road, Bridge, and Tunnel Authority and the Department of Transportation to collect toll fees by means of an electronic device or photo-monitoring system. The act authorizes the authority to pursue legal action for non-payment of tolls and authorizes the Secretary of the Alabama State Law Enforcement Agency to suspend the driver's license of any resident for failure to pay a non-payment citation. The act also repeals Section 23-2-163, Code of Alabama 1975.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-376, HB214**, amends Section 32-10-1, Code of Alabama 1975, relating to the duty of a driver at the scene of a motor vehicle accident, to: (1) authorize the driver of a vehicle involved in an accident to move the vehicle from the roadway if no apparent serious physical injury or death to any person has occurred; (2) authorize any employee of the Alabama Department of Transportation or the Alabama State Law Enforcement Agency to move a vehicle, require that a vehicle be moved by the driver or towed, or assist in the moving of a vehicle that creates a traffic hazard or obstructs traffic; and (3) immunize employees of the department or agency for damages caused during the moving of a vehicle pursuant to the act.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-377, HB279**, amends Section 15-27-2, Code of Alabama 1975, relating to the expungement of criminal records, to authorize a person who has been charged with any felony offense, including a violent felony offense, to file a petition in the criminal division of the circuit court in the county in which the charges were filed to expunge records relating to the charge if the person has been found not guilty of the charge. The act also provides for the release of certain expunged records in related civil suits under certain conditions.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-378, HB282**, is the Felony Voter Disqualification Act. The act establishes a comprehensive list of felonies that involve moral turpitude which disqualify a person from exercising his or her right to vote. The act also amends Sections 17-4-3 and 17-4-4, Code of Alabama 1975, relating to voter registration lists, to require each county board of registrars to purge the computerized statewide voter registration list of any person who has been convicted of an offense designated by the act as a felony involving moral turpitude and to require the Board of Pardons and Paroles to provide to parolees certain information relating to disqualification.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-379, HB288**, amends Section 33-5-11, Code of Alabama 1975, relating to the registration of vessels, to further provide for the regulation of distinctive vessel identification stickers and to provide for the distribution of proceeds from additional fees from the sale of distinctive vessel identification stickers.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-380, HB345**, provides an income tax credit against the tax liability of the taxpayer for expenses associated with the rehabilitation, preservation, and development of historic structures. The act also establishes the Historic Tax Credit Evaluating Committee.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-381, HB347**, amends Section 40-26B-21, Code of Alabama 1975, relating to the privilege assessment, the supplemental privilege assessment, and the monthly surcharge on nursing facilities, to extend the current supplemental privilege assessment and monthly surcharge to August 31, 2018.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-382, HB348**, amends Sections 40-26B-70, 40-26B-71, 40-26B-73, 40-26B-75, 40-26B-76, 40-26B-77.1, 40-26B-79, 40-26B-80, 40-26B-81, 40-26B-82, 40-26B-84, and 40-26B-88, Code of Alabama 1975, relating to Medicaid, to extend the 5.5% assessment on net patient revenue on all private hospitals until the fiscal year ending September 30, 2018.

EFFECTIVE DATE: October 1, 2017.

**Act 2017-383, HB315**, adds Sections 34-19-11 to 34-19-20, inclusive, to the Code of Alabama 1975, to establish the State Board of Midwifery to license and regulate the

practice of midwifery. The act amends Section 22-9A-7, Code of Alabama 1975, relating to the registration of births, and Section 34-43-3, Code of Alabama 1975, relating to the definition of therapeutic massage, to include the practice of midwifery in the areas of practice regulated by the sections. The act also repeals Sections 34-19-2 through 34-19-10, inclusive, Code of Alabama 1975, relating to midwifery.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-384, HB231**, authorizes the State Board of Licensure for Professional Engineers and Land Surveyors to adopt rules that define and regulate the practice of engineering and land surveying in a way that prioritizes public health, life, safety, property, and welfare, even if the rule is anti-competitive.

EFFECTIVE DATE: May 25, 2017.

**Act 2017-386, SB75**, exempts the Southern Research Institute from the payment of all state, county, and municipal sales and use taxes.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-387, HB59**, prohibits the release of a sky lantern within 500 yards of a gathering of more than 500 members of the public in an outdoor sporting contest, auto race, concert, festival, political rally, or parade.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-388, HB86**, amends Section 12-13-9, Code of Alabama 1975, relating to the power of a probate court as to punishment for contempt, to provide when the judge of probate is a licensed attorney in this state, the judge has the same power to punish for civil contempt as granted to a judge of the circuit court.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-389, HB215**, is the Alabama Monetary Transmissions Act. The act repeals Chapter 7 (commencing with Section 8-7-1) of Title 8, Code of Alabama 1975, and adds Chapter 7A (commencing with Section 8-7A-1) to Title 8 of the Code of Alabama 1975, to: (1) provide for the regulation of money transmissions by the Alabama Securities Commission and require any person engaging in the business of money transmissions to obtain a license from the commission; (2) specify the licensing requirements; (3) require each licensee to maintain a sufficient amount of security to secure faithful performance of the obligations of the licensee; (4) authorize the commission to conduct an annual examination of each licensee; (5) provide the commission with the power to suspend or revoke a license under certain circumstances; (6) provide for civil penalties up to \$1,000 per day violations; and (7) provide criminal penalties for certain violations of the act.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-390, HB242**, amends Section 25-5-50, Code of Alabama 1975, relating to exemption of workers' compensation coverage, to: (1) authorize an individual limited liability company member to elect to be exempt from the coverage; (2) remove the requirement that the certification of the election to be exempt from workers' compensation coverage be filed annually; and (3) specify that once the exemption takes effect, it remains in effect until revoked and provides procedures for revocation.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-391, HB390**, is the Franchise Business Protection Act. The act provides that certain categories of persons working for a franchisee may not be deemed to be employees of the franchisor, including: the franchisee, employees of the franchisee, and independent contractors working for the franchisee.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-392, HB420**, authorizes and regulates guaranteed asset protection waivers related to motor vehicle loans and provides for enforcement and civil penalties by the Superintendent of Banks.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-393, HB423**, amends Section 23-1-40, Code of Alabama 1975, relating to the duties and power of the State Department of Transportation, to authorize the department to provide compensation for an uncontested claim not exceeding \$5,000 for injury to a person or property or to pay an unpaid vendor invoice without approval of the State Board of Adjustment under certain conditions.

EFFECTIVE DATE: November 22, 2017.

**Act 2017-394, HB467**, amends Section 9-16-83, Code of Alabama 1975, relating to surface coal mining, to provide that the payment of the surface coal mining reclamation permit fee may be paid over the life of the mine, as defined by the act.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-395, HB519**, authorizes the owner of an existing all-terrain vehicle or recreational off-highway vehicle to voluntarily register the vehicle with the Alabama State Law Enforcement Agency. The act also requires a person to make an application for registration to the agency or to the retail dealer when purchasing an all-terrain vehicle or recreational off-highway vehicle from a retail dealer and provides regulations for the initial registration and renewals of registration.

EFFECTIVE DATE: May 26, 2017, operative January 1, 2018.

**Act 2017-396, HB281**, authorizes the Alabama Real Estate Commission to adopt rules that define and regulate the licensing of real estate brokers and salespersons in a way that prioritizes consumer protection, even if the rule is anti-competitive.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-397, HB290**, amends Sections 40-23-4 and 40-23-62, Code of Alabama 1975, relating to exemptions from the sales and use tax, to provide an exemption from sales and use taxes on the gross proceeds of services provided by photographers, including sitting fees and consultation fees, under certain circumstances.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-398, HB5**, is the Kelsey Smith Act. The act requires a wireless communications service provider to provide the call location information concerning the telecommunications device of a user to a law enforcement officer if the law enforcement officer makes the request in the course of his or her official duties for the specific purpose of responding to a call for emergency services or in an emergency situation that involves the risk or threat of death or serious physical harm.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-399, HB50**, requires the Alabama Criminal Justice Information System to collect data regarding allegations of excessive force by state, county, and municipal law enforcement officers. The data collected must include the race of the officer and the victim, the specific facts of the incident, the final disposition of any court action, and the final determination of any local review of the incident. The act also requires ACJIS to compile an annual report using the data collected and present the report to the House Public Safety and Homeland Security Committee and the Senate Judiciary Committee.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-400, HB60**, amends Sections 32-6-250 and 32-6-251, Code of Alabama 1975, relating to the issuance of military veterans distinctive permanent license plates, to provide for a distinctive license plate for recipients of the Distinguished Flying Cross. The act also adds Section 32-6-250.1 to Chapter 6, Title 32, Code of Alabama 1975, to require an applicant for a veterans distinctive license plate to be a veteran of the appropriate conflict and to present form DD214 to the appropriate licensing official in order to obtain the license plate.

EFFECTIVE DATE: Section 2 of the act, adding Section 32-6-250.1, becomes effective May 26, 2017. Section 1 of the act, amending Sections 32-6-250 and 32-6-251, becomes effective January 1, 2018.

**Act 2017- 401, HB89**, requires the Department of Education to implement an electronic notification system designed to allow local schools and school systems to share specific information relating to school delays, early releases, shelter-in-place information, and other emergency related information in one central electronic database that is accessible by the department and the Governor.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-402, HB152**, amends Section 41-16-51, Code of Alabama 1975, relating to the competitive bid law, to exempt the purchase of library and research electronic databases of manuscripts, books, maps, pamphlets, or periodicals from the competitive bid law.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-403, HB176**, establishes the Alabama Space Authority within the Alabama Department of Economic and Community Affairs to: (1) encourage the education and training of aerospace professionals; promote new space exploration; (2) sponsor aerospace conferences; and (3) propose business initiatives, tax credits, and small business incubator programs to stimulate economic development and innovation within the aerospace and space systems communities.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-404, SB234**, amends Sections 28-3A-6 and 28-4A-3, Code of Alabama 1975, relating to alcoholic beverages, to exempt manufacturers of alcoholic beverages from maintaining the name, address, or other personal demographic information for sales of alcohol.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-405, HB346**, is the Individual Income Tax Simplified Short Form Filing Act. The act allows an optional increased standard tax deduction to qualifying individual income tax taxpayers who file as single or married filing joint filing status and meet certain income criteria.

EFFECTIVE DATE: Tax years beginning after December 31, 2017.

**Act 2017-406, HB355**, authorizes banks, savings institutions, and credit unions to conduct a savings promotion contest and specifies that the contests are not to be

construed or interpreted as a lottery or as gambling. The act also limits the amount of money that may be awarded as a prize for winning the contest to \$12,500.

EFFECTIVE DATE: January 1, 2018.

**Act 2017-409, HB550**, amends Section 36-7-21, Code of Alabama 1975, relating to the per diem travel expenses for state officers and employees, to pay for all of the actual and necessary expenses in addition to the actual expenses for transportation for any person traveling in the service of the state for the purpose of attending or assisting in hosting a convention, conference, seminar, or other meeting of a state or national organization of which the state or individual is a dues-paying member. The act also specifies that the President of the Senate is charged with authorizing the travel for members of the Senate.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-412, SB263**, amends Section 13A-11-231, Code of Alabama 1975, relating to criminal penalties for the harassment or injury of service dogs, to apply the penalties to the harassment of a therapy dog.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-413, SB273**, relates to registered therapy dogs and certified facility dogs. Sections 2 through 4 of the act, known as Koda's Law, authorize a court to allow a registered therapy dog, as defined, to accompany a victim or witness while testifying. Section 6 of the act, known as Willow's Law, authorizes a certified facility dog, as defined, to accompany a victim or witness while testifying.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-414, SB301**, creates the crimes of distributing a private image, sexual extortion, assault with bodily fluids, and directing a child to engage in sexual intercourse or deviate sexual intercourse, and further provides for the crime of electronic solicitation of a child. The act also amends Sections 13A-6-122, 15-20A-4, 15-20A-5, 15-20A-7, 15-20A-8, 15-20A-10, 15-20A-11, 15-20A-12, 15-20A-13, 15-20A-14, 15-20A-15, 15-20A-16, 15-20A-18, 15-20A-21, 15-20A-23, 15-20A-24, 15-20A-25, 15-20A-26, 15-20A-27, 15-20A-28, 15-20A-31, 15-20A-32, 15-20A-34, 15-20A-37, 15-20A-42, and 15-20A-43 of the Code of Alabama 1975, to: (1) add crimes to the list of enumerated sex offenses for purposes of registration and notification of sex offenders; (2) require certain sex offenders to notify law enforcement of each place the sex offender resides; (3) provide for the notification requirements associated with establishing a residence or vacating a residence; (4) modify the procedure by which a court may relieve certain sex offenders from registration and notification requirements; and (5) place limits on locations where a sex offender may accept a volunteer position.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-415, SB316**, amends Sections 11-3-11.3, 11-51-194, 11-51-208, and 40-23-241, Code of Alabama 1975, relating to county and municipal taxes, to: (1) provide the applicable interest rate to be used if a self-administered county or municipal governing body elects to pay interest on any refund of tax erroneously paid by a taxpayer; (2) delete certain provisions for increases in the amount paid for a delivery license; and (3) provide that a taxpayer whose gross receipts from deliveries to a municipality are less than \$10,000 per year is exempt from purchasing a delivery license or regular business license if the taxpayer does not maintain an established physical presence in the municipality.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-417, SB187**, is the Fair Justice Act. The act provides that Rule 32.2(c) of the Alabama Rules of Criminal Procedure applies only to non-death penalty cases. The act provides a specific time frame for an appellant to file petitions for post-conviction remedies in death penalty cases and requires appellants to pursue direct appellate remedies and post-conviction remedies under Rule 32 of the Alabama Rules of Criminal Procedure concurrently. The act requires the trial court judge in death penalty cases to appoint an appellate counsel for both direct appeal and post-conviction remedies within a specified period of time. The act also specifies that properly filed petitions for post-conviction relief under Rule 32 of the Alabama Rules of Criminal Procedure that are still pending at the time of the conclusion of the direct appeal and affirmation of death sentence may be considered for a specified amount of time.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-421, HB53**, amends Sections 16-1-46 and 16-3B-2, Code of Alabama 1975, relating to the farm-to-school program, to specify that food purchases for the farm-to-school program may be used for the purchase of unprocessed agricultural products without competitive bids if the cost is equal to or less than the federal simplified acquisition threshold.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-422, HB170**, amends Sections 20-2-90, 20-2-190, 34-23-1, 34-23-3, 34-23-9, 34-23-30, 34-23-32, 34-23-32.1, 34-23-33, 34-23-70, 34-23-92, 34-23-131, 34-23-159, and 34-23-160, Code of Alabama 1975, relating to the Alabama State Board of Pharmacy, to: (1) rename board inspectors as board investigators; (2) clarify that pharmacists licensed by the board are health care providers; (3) list the qualifications a laboratory must satisfy for the board to use its product analysis data; (4) increase certain new pharmacy permit, permit renewal, and permit transfer application fees; (5)



specify fees for certain out-of-state pharmacy permit and permit renewal applications; (6) change registration for certain drug supply chain entities from biennially to annually; (7) require packagers, third party logistic providers, private label distributors, and other pharmacy businesses identified in the drug supply chain to register annually; (8) increase the fees for a permit for transfer of ownership; (9) prohibit any entity identified within a drug supply chain from shipping a legend drug or device into the state without a valid permit and to provide a civil penalty for each violation; (10) require each person who holds a permit to ship a legend drug or device into the state to provide a list of all trading partners upon request of the board; (11) authorize the board to discipline any pharmacist who obtains registration from the board by fraudulent means; and (12) provide further for the initial and renewal registration and continuing education requirements of pharmacy technicians. The act also adds Section 34-23-32.2 to the Code of Alabama 1975, to authorize the board to issue a permit to any manufacturer, manufacturer affiliate, bottler, packager, re-packager, third party logistic provider, wholesale drug distributor, private label distributor, or pharmacy business identified in the supply chain of any drugs, legend drugs, medicines, chemicals, or poisons for medicinal purposes and to clarify adherence to requirements established by the FDA Guidelines in the Drug Quality and Security Act.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-423, HB179**, amends Section 11-89-16, Code of Alabama 1975, to specify that water districts are exempt from taxation.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-431, HB357**, amends Sections 27-9A-9 and 27-9A-13, Code of Alabama 1975, relating to the licensing of independent insurance adjusters, to provide that an individual applicant for an independent adjuster license in this state is not required to complete a pre-licensing course or examination if the applicant holds a certification from a person or entity approved by the Commissioner of Insurance that certifies that the applicant has received the adjuster education and training required as a prerequisite to certification. The act also waives the continuing education requirement for an independent adjuster holding a certification from a person or entity approved by the commissioner that provides adjuster education and training.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-433, HB212**, amends Sections 34-13-1, 34-13-3, 34-13-8, 34-13-10, 34-13-11, 34-13-20, 34-13-21, 34-13-23, 34-13-25, 34-13-26, 34-13-29, 34-13-31, 34-13-51, 34-13-52, 34-13-53, 34-13-54, 34-13-55, 34-13-56, 34-13-57, 34-13-70, 34-13-71, 34-13-74, 34-13-91, 34-13-110, 34-13-111, 34-13-112, 34-13-113, 34-13-115, 34-13-116, 34-13-120, 34-13-121, 34-13-130, 34-13-131, 34-13-132, 34-13-134, Code of Alabama 1975, relating to the Alabama Board of Funeral Service and the Funeral Service Practice Act, and adds Sections 34-13-56.1, 34-13-117, 34-13-120.1, and 34-13-123 to the Code of Alabama 1975, to: (1) provide additional qualifications for the

membership of the board and change the name of the executive secretary of the board to the executive director of the board; (2) include the grandchildren of the decedent in the priority list of those persons eligible to act as an authorizing agent for the decedent; (3) require all appeals of public hearing determinations to be taken to the Circuit Court of Montgomery County; (4) require all prospective licensees of the board to undergo a criminal history background check; (5) require the managing funeral director of a funeral establishment to live within 75 miles of the establishment; (6) impose a biennial renewal of all licenses issued by the board; (7) require a managing funeral director or managing embalmer to be employed at each funeral establishment; and (8) provide for the licensure of cremationists.

EFFECTIVE DATE: August 1, 2017.

**Act 2017-440, HB77**, amends Section 11-3-45, Code of Alabama 1975, relating to the membership of the board of the Alabama Local Government Training Institute, to increase the total membership of the board by increasing the number of members who serve at the pleasure of and are appointed by the Board of Directors of the Association of County Commissions of Alabama. The act also specifies how many members are required for a quorum.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-441, HB234**, amends Section 32-13-4, Code of Alabama 1975, relating to abandoned motor vehicles, to delete the option that current owners, registrants, secured parties, and lienholders of record have to contest a sale of an abandoned motor vehicle by filing a notice of appeal with the Alabama Tax Tribunal. The act requires that the owners, registrants, secured parties, and lienholders of record file a notice of appeal with the circuit court in the county where the sale is scheduled to occur. The act also adds Section 40-2B-1.1 to the Code of Alabama 1975, to provide that the Alabama Tax Tribunal is not subject to the declaratory judgment, declaratory ruling, or contested case provisions of the Alabama Administrative Procedure Act.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-442, HB318**, is the annual codification act. The act adopts and incorporates into the Code of Alabama 1975 the general and permanent laws of the state enacted during the 2015 First Special Session, the 2015 Second Special Session, and the 2016 Regular Session as contained in the 2016 Cumulative Supplement to certain volumes of the code and 2016 Replacement Volumes 15, 15A, 15B, and 17. The act adopts and incorporates into the Code of Alabama 1975, 2016 Cumulative Supplements to local law volumes and makes certain corrections in the replacement volumes and certain volumes of the cumulative supplement. The act specifies that this adoption and incorporation constitutes a continuous systematic codification of the entire Code of Alabama 1975, and that this act is a law that adopts a code. The act declares that the Code Publisher has certified it has discharged its duties regarding the replacement volumes. The act expressly provides that this act

does not affect any 2016 Special Session or 2017 session statutes. The act also specifies the duties of the Secretary of State regarding the custody of these cumulative supplements, and replacement volumes.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-444, HB353**, authorizes the county commission of a county or the municipal governing body of a municipality where the Sunday sale of alcoholic beverages is authorized by law to sell alcoholic beverages for on-premises consumption to 10:00 a.m. The act also provides certain exceptions.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-451, HB556**, amends Act 71 of the 1977 Regular Session, relating to the council-manager form of government for Class 5 municipalities, to: (1) provide that the election of members of the council is done in a manner prescribed by general law; (2) require members of the council to obtain the Basic Certified Municipal Officials Certification through the Alabama League of Municipalities within 30 months of taking office; (3) create the positions of assistant city manager and city planner; (4) require the city manager to consult with the city attorney prior to any employee disciplinary action; and (5) require the city council to adopt rules for contracts and competitive bids in accordance with the minimum standards of Title 41 of the Code of Alabama 1975.

EFFECTIVE DATE: May 26, 2017.

**Act 2017-466, HB69**, amends Section 41-16-52, Code of Alabama 1975, relating to public contracts, to provide an exemption from the competitive bid process for the expenditure of funds paid by a county or municipality or certain instrumentalities of a county or municipality to a dealer or service center authorized by the manufacturer of heavy duty off-highway construction equipment or vehicles with a gross vehicle weight of 25,000 pounds or greater to sell repair parts or make repairs on the vehicles.

EFFECTIVE DATE: May 26, 2017.