

**SUMMARIES OF GENERAL LAWS ENACTED AND CONSTITUTIONAL  
AMENDMENTS PROPOSED BY THE LEGISLATURE OF ALABAMA AT THE  
2016 REGULAR SESSION**

**Act 2016-18, HB174**, is the Alabama Uniform Minimum Wage and Right-to-Work Act. The act prohibits local governmental entities from requiring minimum leave, wages, or other benefits for employees, classes of employees, or independent contractors of employers and provides that the state has the exclusive authority to regulate collective bargaining under federal labor laws, wages, leave, and benefits provided by an employer.

EFFECTIVE DATE: February 25, 2016.

**Act 2016-29, SB22**, is Ava's Law. The act amends Section 13A-6-2, Code of Alabama 1975, to provide that a person commits the crime of murder if he or she commits or attempts to commit aggravated child abuse and causes the death of another person during the commission or attempt.

EFFECTIVE DATE: May 1, 2016.

**Act 2016-30, SB25**, continues the existence and functioning of the Board of Boilers and Pressure Vessels pursuant to the Alabama Sunset Law. The act also repeals Section 25-12-22, Code of Alabama 1975, to remove the board from the sunset review process.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-31, SB27**, continues the existence and functioning of the State Board of Social Work Examiners pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-32, SB28**, continues the existence and functioning of the Alabama Board of Funeral Service pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-33, SB29**, continues the existence and functioning of the Alabama Board of Court Reporting pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-34, SB30**, continues the existence and functioning of the Department of Insurance pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-35, SB31**, continues the existence and functioning of the Alabama Board of Examiners in Counseling pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-36, SB33**, continues the existence and functioning of the Alabama Board of Electrical Contractors pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-37, SB34**, continues the existence and functioning of the Alabama Electronic Security Board of Licensure pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-38, SB36**, continues the existence and functioning of the Alabama State Board of Respiratory Therapy pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-39, SB37**, continues the existence and functioning of the Alabama Real Estate Commission pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-40, SB38**, continues the existence and functioning of the Alabama Securities Commission pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-41, SB39**, continues the existence and functioning of the Board of Examiners of Assisted Living Administrators pursuant to the Alabama Sunset Law. The act also amends Section 34-2A-3, Code of Alabama 1975, to remove the requirement that the physician member of the board be actively engaged in the practice of geriatric medicine.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-42, SB40**, continues the existence and functioning of the Alabama Behavior Analyst

Licensing Board pursuant to the Alabama Sunset Law until October 1, 2017.

EFFECTIVE DATE: February 29, 2016.

**Act 2016-43, SB23**, creates the crime of aggravated child abuse of a child less than six years old. The act provides that a responsible person, as defined in existing law, is guilty of a Class A felony if: (1) he or she, on more than two occasions, commits torture or willful abuse of a child under 6 years of age; (2) commits torture or willful abuse of a child under 6 years of age and is in violation of a court order or injunction; or (3) commits torture or willful abuse of a child under 6 years of age and causes serious physical injury to the child.

EFFECTIVE DATE: June 1, 2016.

**Act 2016-55, SB32**, continues the existence and functioning of the Alabama State Board of Public Accountancy pursuant to the Alabama Sunset Law. The act also amends Section 34-1-3, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-56, SB35**, continues the existence and functioning of the Alabama Liquefied Petroleum Gas Board pursuant to the Alabama Sunset Law. The act also amends Section 9-17-101, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-57, SB41**, continues the existence and functioning of the State Board of Heating, Air Conditioning, and Refrigeration Contractors pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-58, SB42**, continues the existence and functioning of the State Pilotage Commission pursuant to the Alabama Sunset Law. The act also amends Section 33-4-1, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-59, SB43**, continues the existence and functioning of the Alabama Plumbers and Gas Fitters Examining Board pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-60, SB44**, continues the existence and functioning of the Alabama Real Estate Appraisers Board pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-61, SB45**, continues the existence and functioning of the Statewide 911 Board pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-62, SB46**, continues the existence and functioning of the Alabama Alcoholic Beverage Control Board pursuant to the Alabama Sunset Law. The act also amends Section 28-3-40, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-63, SB47**, continues the existence and functioning of the State Board of Auctioneers pursuant to the Alabama Sunset Law. The act also amends Section 34-4-50, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-64, SB48**, continues the existence and functioning of the Alabama Private Investigation Board pursuant to the Alabama Sunset Law. The act also amends Section 34-25B-27, Code of Alabama 1975, to clarify the minimum age for certification as a trainer and assisted trainer.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-65, SB49**, continues the existence and functioning of the State Board of Examiners in Psychology pursuant to the Alabama Sunset Law. The act also amends Section 34-26-21, Code of Alabama 1975, to require diversity in the membership of the board.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-66, SB50**, continues the existence and functioning of the Public Service Commission pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-67, SB51**, continues the existence and functioning of the Alabama Historical Commission pursuant to the Alabama Sunset Law until October 1, 2019.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-68, SB52**, continues the existence and functioning of the Board of Examiners in Mine Personnel pursuant to the Alabama Sunset Law. The act amends Section 25-9-9, Code of Alabama 1975, to require diversity in the membership and also removes the board from the sunset review process.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-69, SB94**, amends Section 12-17-20, Code of Alabama 1975, to delete the provision providing for the establishment of an additional circuit judgeship in the 29<sup>th</sup> Judicial Circuit. The act also repeals Sections 9, 10, and 11 of Act 85-546 of the 1985 Regular Session (Acts 1985, p. 795), as last amended by Act 2009-552, 2009 Regular Session (Acts 2009, p. 1595), providing for an additional circuit judgeship in the 29<sup>th</sup> Judicial Circuit.

EFFECTIVE DATE: March 7, 2016.

**Act 2016-86, HB37**, proposes an amendment to the Constitution of Alabama of 1901, to declare that it is the public policy of this state that the right of persons to work may not be denied or abridged due to membership or nonmembership in a labor union or labor organization. The proposed constitutional amendment also: (1) prohibits an agreement to deny the right to work, or to condition prospective employment, on account of membership or nonmembership in a labor union or labor organization; (2) prohibits an employer from requiring an employee to abstain from union membership as a condition of employment; (3) prohibits an employer from requiring a person, as a condition for employment or continuation of employment, to pay dues, fees, or other charges of any kind to any labor union or labor organization.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-96, SB138**, amends Sections 22-8A-2, 22-8A-3, 22-8A-7, and 22-8A-8, Code of Alabama 1975, relating to the Natural Death Act, to provide for the use of portable do not attempt resuscitation orders (“DNAR”) anywhere in the state in addition to advance directives for health care, subject to the same conditions. The act also requires the State Board of Health to adopt a form to be used for a portable DNAR order.

EFFECTIVE DATE: June 1, 2016.

**Act 2016-97, HB176**, amends Sections 28-3-1, 28-3A-6, and 28-4A-3, Code of Alabama 1975, to allow a licensed brewery manufacturing less than 60,000 barrels per year to sell at retail up to 288 ounces of its beer per day to a customer for off-premises consumption, provided that the beer is sealed, packaged, labeled, and taxed in accordance with existing state and federal laws, rules, and regulations. The act also defines the term “keg,” allows a brewpub to deliver up to two donated kegs of its beer to a licensed charitable event, and deletes the restriction that brewpubs be located in certain historic or economically distressed areas or in those wet counties in the state in which beer was brewed for public consumption prior to Prohibition.

EFFECTIVE DATE: June 1, 2016.

**Act 2016-101, HB7**, amends Section 8-32-2, Code of Alabama 1975, relating to service contracts, to define the term “road hazard” and to specify which damages to a motor vehicle caused by a road hazard (e.g., repair or replacement of tires or wheels, removal of dents, dings, or creases, repair of chips and cracks, replacement of a key or key-fob, or other services approved by the Commissioner of Insurance) may be recovered under a service contract.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-102, HB34**, is the Alabama Renewal Act. The act creates tax credits for increased use of the state’s port facilities capped at \$5,000,000 annually, with a cumulative cap of \$12,000,000 for the life of the program. Port credits issued for economic development project agreements with the state may have allocations made by the Governor and approved by the Renewal of Alabama Commission, created by the act, not to exceed \$3,000,000, provided a company commits to investing at least \$20,000,000 and creates 75 net new jobs. Port credits under project agreements may not be granted for more than three years, and income tax estimate payments cannot be offset before October 1, 2016. The act also creates the Growing Alabama Credit which provides a credit for contributions of cash to a local economic development organization approved by the Renewal of Alabama Commission. The maximum credit amount is 50 percent of the tax liability for the current year, which may be carried forward for no more than five years. This credit amount may not exceed \$5,000,000 in fiscal year 2016 and \$10,000,000 for fiscal years 2017 through 2020. The Commission must reserve at least 25 percent of the credits for projects in targeted counties and taxpayer contributions cannot exceed the amounts set by the Renewal of Alabama Commission. The Growing Alabama Credit sunsets in 2020.

EFFECTIVE DATE: July 3, 2016.

**Act 2016-107, SB123**, makes an appropriation of \$169,633 from the State General Fund to the Coalition Against Domestic Violence for the fiscal year ending September 30, 2017.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-108, SB124**, makes an appropriation of \$37,430,811 from the Children First Trust Fund for the fiscal year ending September 30, 2017, to the entities designated 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, requires written notification of anticipated agency allocations by the Director of Finance, and conditions the allocations on the receipt of tobacco revenues. The act makes an appropriation of \$44,537,126 from other tobacco settlement funds for the fiscal year ending September 30, 2017, to specified entities, including the Medicaid Agency. The act also makes conditional appropriations of additional tobacco revenues.

EFFECTIVE DATE: April 4, 2016.

**Act 2016-109, SB127**, amends Section 13A-8-1, Code of Alabama 1975, to create new crimes for theft of cargo in commercial transportation and fifth wheel tampering. The criminal penalties for theft of cargo range from Class A misdemeanors to Class B felonies, contingent upon the value of the cargo. A violator may be disqualified from driving a commercial motor vehicle for one year upon a first conviction and for life upon a second or subsequent conviction. The act provides that the crime of fifth wheel tampering is a Class C felony.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-110, SB233**, amends Sections 40-23-191 and 40-23-198, Code of Alabama 1975, to allow eligible sellers to remain in the voluntary Simplified Seller Use Tax Remittance Program unless: (1) a presence through a physical business address for making instate retail sales is established; or (2) collection is required through an affiliate.

EFFECTIVE DATE: April 4, 2016.

**Act 2016-111, SB219**, amends Section 28-3A-25, Code of Alabama 1975, to allow, with specific limitations, tastings of wine and distilled liquor to be held in stores licensed to sell liquor for off-premises consumption only and in state liquor stores. The act also requires the Alabama Alcoholic Beverage Control Board to regulate the procedures for tastings of wine and distilled liquor.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-112, SB18**, amends Sections 34-14-1, 34-14-2, 34-14-3, 34-14-4, 34-14-5, 34-14-6, 34-14-7, 34-14-8, 34-14-9, 34-14-11, 34-14-30, 34-14-32, and 34-14-33, Code of Alabama 1975, relating to the Board of Hearing Instrument Dealers, to remove specific dollar amounts for board fees and to allow the board to adopt fees by administrative rule. The act also clarifies reciprocity requirements to reflect the board's adoption of international standardized test procedures, and requires an apprentice to be under the direct supervision of a licensed dispenser.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-113, SB26**, continues the existence and functioning of the Alabama Board of Cosmetology and Barbering pursuant to the Alabama Sunset Law until October 1, 2020.

EFFECTIVE DATE: April 4, 2016.

**Act 2016-114, SB58**, to provide that the regulation of the cultivation, harvesting, production, processing, registration, labeling, marketing, sale, storage, transportation, distribution, possession, planting, or other uses of seeds is reserved to the Board of Agriculture and Industries and the Commissioner of Agriculture and Industries pursuant to general law. The act also prohibits a local governmental entity from regulating seeds.

EFFECTIVE DATE: April 4, 2016.

**Act 2016-116, SB125**, 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, 2017.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-120, SB225**, proposes an amendment to the Constitution of Alabama of 1901, relating only to Pickens County, to provide that a person elected or appointed to the office of Judge of Probate of Pickens County may not be over the age of 75 years at the time of qualifying for election or at the time of his or her appointment.

EFFECTIVE DATE: Contingent upon ratification.



**Act 2016-127, SB128**, amends Section 40-3-26, Code of Alabama 1975, relating to property tax appeals from the board of equalization, to provide that the county commission, by resolution, may secure legal counsel for the state and county regarding appeals based on the valuation of real property for ad valorem tax assessment purposes. The act also provides that any associated expenses related to the appeal are included in the county's equalization budget and paid as provided by law or through the county's self-insurance fund.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-128, SB141**, amends Section 36-25-13, Code of Alabama 1975, to authorize a retired director, department chief, or division chief of a governmental agency to contract with his or her former governmental employer for providing assistance during the transitional period following his or her retirement, with certain limitations and approval by the Director of the Ethics Commission. The act also provides that the prohibition against a former governmental official or employee serving as a lobbyist or otherwise representing clients before his or her former employer for a period of two years following employment continues to apply when the former governmental official or employee worked pursuant to a consulting agreement, agency transfer, or while on loan.

EFFECTIVE DATE: April 11, 2016.

**Act 2016-129, SB95**, amends Sections 12-15-301, 12-15-314, 12-15-315, 38-12-32, 38-12-35, 38-12-36, 38-12-37, 38-12-38, and 38-12-40, Code of Alabama 1975, relating to foster care and kinship guardianship, to provide for the appointment of successor guardianships when a kinship guardian dies or is incapacitated, with certain limitations. The act requires the juvenile court to consider services needed to assist the child in making the transition from foster care to independent living for a child aged 14, rather than 16, defines age or developmentally appropriate childhood activities, provides for a reasonable and prudent parent standard for caregivers of children in foster care, and provides that the reasonable and prudent parent standard must be applied for the purposes of caregiver liability.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-130, SB132**, amends Section 28-3A-6, Code of Alabama 1975, to allow a licensed alcoholic beverage manufacturer or distillery to sell at retail up to 750 milliliters of its product per day to a customer for off-premises consumption, provided that the distillery keeps records of those sales and the liquor sold is sealed, labeled, packaged, and taxed in accordance with current state and federal laws, rules, and regulations.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-131, SB166**, amends Sections 28-3A-6 and 28-7-18, Code of Alabama 1975, to allow a licensed winery manufacturing less than 50,000 gallons of table wine per year in the state to obtain a permit from the Alcoholic Beverage Control Board to operate one additional off-site tasting room in addition to its on-site tasting room, for the purpose of tasting or sampling and selling at retail the winery's table wines. The act also allows an association representing a majority of wineries and grape growers in the state to establish and operate one off-site tasting room. The act limits the quantity of the wine sold at the off-site tasting rooms to one case of wine per customer per day. The act also allows a licensed winery to donate and deliver up to two cases of its table wine to a licensed charitable special event operated by, or on behalf of, a nonprofit organization.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-132, SB168**, provides criminal penalties for harassing, injuring, or causing the death of a service dog, or allowing a dog that is not contained by a fence, a leash, or other containment system to harass or cause injury to a service dog. A person convicted under the act is also required to make full restitution for damages, including incidental and consequential expenses, incurred by the service dog or its user.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-133, SB209**, amends Sections 5-17-2, 5-17-4, 5-17-6, 5-17-7, 5-17-8, 5-17-10, 5-17-11, 5-17-12, 5-17-13, 5-17-19, 5-17-21, 5-17-22, 5-17-42, 5-17-45, 5-17-46, 5-17-47, 5-17-51, 5-17-52, 5-17-54, and 5-17-55, Code of Alabama 1975, relating to credit unions, to: (1) clarify that the power of state credit unions includes the offering of any product or service authorized or permitted to any federal credit union; (2) require administrators and employees of the Alabama Credit Union Administration (ACUA) to be bonded under the Department of Finance Division of Risk Management; (3) further provide for appellate rights of persons affected by a suspension of operation of a credit union; (4) clarify what costs may be reimbursed to the ACUA by a credit union; (5) specify certain authority of the administrator for dissolution and merging of credit unions; (6) enable the administrator to examine persons under oath for ACUA investigations; (7) give authority regarding the sharing of information related to investigations; and (8) provide for the confidentiality of certain hearings of a credit union.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-139, HB41**, amends Sections 16-16B-1 and 16-16B-2, Code of Alabama 1975, relating to the Alabama Ahead Act, to delete, commencing with the 2016-2017 school year, the requirement that tablets and mobile computers be pen-enabled, the phase-in provisions, and the reassignment provisions. The act establishes an Alabama Ahead Oversight Committee to evaluate applications by school systems to participate in Alabama Ahead and provides that participation is voluntary. The act provides that certain funds be used to purchase and install, maintain, or upgrade a high-quality, standards-based, broadband Wi-Fi infrastructure and mobile digital computing devices to enable access to digital instructional materials in all public school classrooms. The act also revises the effective date of the Alabama Ahead Act as enacted in 2012.

EFFECTIVE DATE: April 11, 2016.

**Act 2016-140, HB45**, is the Unborn Infants Dignity of Life Act. The act allows parents of deceased unborn infants to provide for the final disposition of the bodily remains. The act: (1) prohibits the sale or other unlawful disposition of the bodily remains of deceased unborn infants for research, therapy, transplantation, or experimentation; (2) prohibits the use, for compensation, of an unborn infant, living or deceased, including fetal tissue, organs, or other bodily remains in research, therapy, transplantation, or experimentation; and (3) prohibits a person from performing or offering to perform an abortion so that the bodily remains may be used for research, therapy, transplantation, or experimentation. The act provides criminal penalties for violations and authorizes disciplinary action against health care providers who violate the act.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-141, SB220**, is the Protection of Vulnerable Adults from Financial Exploitation Act. The act requires certain qualified individuals, such as agents, investment adviser representatives, or a person serving in a supervisory or legal capacity of a broker-dealer or investment adviser, who reasonably believe that financial exploitation of a vulnerable adult has occurred or may occur to promptly notify the Department of Human Resources and the Alabama Securities Commission and provides immunity for disclosures made in good faith. The act also allows the disclosure of certain information to third parties related to the vulnerable adult, prohibits disclosure of certain information to third parties who are suspected of the exploitation, and provides that broker-dealers and investment advisers may delay disbursing funds from a vulnerable adult's account, with administrative and civil immunity for the delay in disbursement.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-144, HB339**, proposes an amendment to the Constitution of Alabama of 1901, relating only to Calhoun County, to provide that any territory located in the county is subject only to the police jurisdiction and planning jurisdiction of a municipality located wholly or partially in the county.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-145, SB260**, proposes an amendment to the Constitution of Alabama of 1901, relating to the state parks system, to: (1) prohibit any monies from the State Parks Fund, the Parks Revolving Fund, or any fund receiving revenues currently deposited in the State Parks Fund or the Parks Revolving Fund from being transferred for another purpose other than the support, upkeep, and maintenance of the state parks system, except that, if guest revenues to the Parks Revolving Fund exceed \$50 million, as annually adjusted by increases in the consumer price index, in a fiscal year, the sales and use tax and cigarette tax revenue distributed to the State Parks System must be reduced by the amount in excess of that threshold and distributed to the State General Fund the following fiscal year; and (2) amend Amendment 617 of the Constitution of Alabama of 1901, now appearing as Section 213.32 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to authorize entities other than the Department of Conservation and Natural Resources to operate certain state park facilities.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-147, HB33**, proposes an amendment to the Constitution of Alabama of 1901, relating only to Montgomery County, to abolish prospectively the supernumerary program for the Sheriff of Montgomery County and allow the Montgomery County Sheriff to participate in the Employees' Retirement System in lieu of participating in the supernumerary program or system.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-148, HB449**, proposes an amendment to the Constitution of Alabama of 1901, relating only to Fayette County, to abolish prospectively the supernumerary program for the sheriff and other county officials and allow the sheriff and officials to participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-149, SB54**, amends Sections 41-23-140 and 41-23-141, Code of Alabama 1975, relating to the Alabama Trails Commission, to further provide for the membership of the commission and the advisory board, to increase commission terms from two to four years, and to provide that the commission may be transferred for administrative and staff purposes to another state agency or department upon a vote of the commission and approval by the Director of the Department of Economic and Community Affairs and the director of the state agency or department accepting the transfer.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-150, SB180**, establishes the Alabama Transportation Safety Fund for the receipt of designated revenues from portions of gasoline and diesel fuel taxes to be utilized for the maintenance, improvement, replacement, and construction of roads and bridges. The act allows these funds to be expended for the payment of road or bridge projects or as matching funds for any federally-funded road or bridge projects and provides for the establishment of the Alabama Transportation Rehabilitation and Improvement Program Advisory Committee to approve the expenditure of funds for county projects and to enter into agreements with funding authorities or banks authorized to issue tax exempt bonds for infrastructure purposes in order to pledge the annual revenue proceeds as payment for such debt. The act also requires public notice of new projects and periodic reporting on ongoing projects. The act prohibits the expenditure of funds for: (1) administrative salaries and benefits; (2) purchasing or maintaining equipment; or (3) construction of buildings not related to road and bridge construction.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-151, SB271**, amends Section 32-2-83, Code of Alabama 1975, to allow the Secretary of the Alabama Law Enforcement Agency to dispose of agency vehicles or property and to allow the agency to sell vehicles and property to any state department or agency or any county or municipal law enforcement agency or entity. The act specifies that proceeds from the sales of vehicles or property must be paid into the Public Safety Fund for use by the agency, to be earmarked for state troopers. The act also allows the agency to apply for any grants and to accept any lawful gifts or donations.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-152, SB259**, amends Sections 32-5A-195, 32-5A-304, 32-6-49.11, and 32-6-49.14, Code of Alabama 1975, to reduce the number of days in which a court must forward to the Alabama Law Enforcement Agency a record of conviction of certain traffic offenses and to revise the penalties for persons operating commercial vehicles who are convicted of specified offenses relating to railroad-highway grade crossings. The act also reduces the number of days in which the agency must notify the driver's license issuing authority in the licensing state of a nonresident who is convicted of certain commercial vehicle traffic offenses and requires the retention of certain information on a person's driving record relating to DUI offenses by commercial drivers.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-153, SB147**, amends Section 9-11-235, Code of Alabama 1975, to prohibit the nighttime hunting of protected birds and animals unless authorized by rule of the Department of Conservation and Natural Resources and to define “nighttime hours” and “between daylight and sunset.”

EFFECTIVE DATE: July 1, 2016.

**Act 2016-166, SB215**, is the Alabama School Bus Safety Act. The act allows the operation of a school bus violation enforcement program using automated devices to capture the unlawful passing or approaching of a school bus by: (1) a local board of education or the governing body of a school system after entering into an intergovernmental agreement with city, county, or state law enforcement agencies willing to review violations occurring in their respective jurisdictions; or (2) a local board of education using a trained technician. The act makes the owner of a motor vehicle presumptively responsible for the payment of a civil fine associated with a violation and provides procedures to contest the payment of the fine. The act provides for jurisdiction of the civil offenses in district court and municipal court, provides for the distribution of the civil fines collected, and allows local governing entities to enter into agreements with contractors providing automated devices.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-188, HB36**, is the Alabama Small Business and Agribusiness Jobs Act. The act allows a small business employer, defined as an employer with 75 or fewer employees, to claim a nonrefundable one-time income tax credit effective for tax years beginning on or after January 1, 2016, equal to \$1,500 for each new job created paying more than \$40,000 per year. The employer may claim the credit authorized by this act or the credit provided by the Full Employment Act of 2011. The act also allows an employer to carry forward the credit for up to three years if the credit exceeds the amount of taxes owed and provides that the tax credit expires on January 1, 2019, unless extended by the Legislature. The act also requires the Department of Revenue to create and implement programs to promote to small business owners, tax professionals, and other appropriate parties various tax credits, including the tax credit provided by this act.

EFFECTIVE DATE: July 25, 2016.

**Act 2016-189, HB35**, amends Section 34-25-22, Code of Alabama 1975, to require an applicant for licensure as a polygraph examiner to provide two sets of fingerprints to the Board of Polygraph Examiners to be forwarded to the State Bureau of Investigations for a state and national criminal background check, to require the applicant to provide consent to the release of the results of the background check, and to require the applicant to pay the costs of the background check.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-190, HB88**, amends Section 32-9-20, Code of Alabama 1975, to revise the weight allowance exemption for concrete mixing trucks operating within 50 miles of home base to require that a truck must not exceed the maximum allowable gross weight.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-191, HB270**, amends Sections 27-31B-2, 27-31B-3, 27-31B-6, 27-31B-8, 27-31B-9, 27-31B-12, 27-31B-16, 27-31B-19, 27-31B-20, 27-31B-22, and 27-31B-24, Code of Alabama 1975, relating to captive insurers, to: (1) revise the licensure requirements of captive insurance companies; (2) allow risk retention groups to operate as captive insurance companies; (3) allow captive insurance companies to be formed as a series limited liability corporation; (4) allow for a 60-day provisional license of a captive insurance company in certain circumstances; (5) alter the initial capital requirements needed to form a captive insurance company; (6) cap the premium tax at \$100,000 and allow proration of the tax if the captive insurance company is licensed for less than 12 months and has written premiums for which the tax is less than specified minimums; and (7) provide for the governance and taxation of protected cell captive insurance companies. The act also repeals Section 27-31B-23, Code of Alabama 1975, relating to qualifications of sponsors of a sponsored captive insurance company.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-192, HB119**, makes an appropriation of \$310,276 from the Education Trust Fund to Lyman Ward Military Academy for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2017.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-193, HB294**, allows medical practitioners to prescribe single dose epinephrine auto-injectors to authorized entities, such as day care centers, summer camps, youth sports leagues, amusement parks, sports arenas, restaurants, and places of employment, for use by laypersons to administer to an individual experiencing a severe allergic reaction. The act also provides immunity from actions resulting from the dispensing or administration of the auto-injector under certain conditions and authorizes the State Board of Health to adopt related rules.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-197, HB118**, makes an appropriation of \$882,997 from the Education Trust Fund to Talladega College for the fiscal year ending September 30, 2017.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-198, HB121**, provides that certain education employees will receive a pay increase beginning October 1, 2016, as follows: (1) a four percent salary increase for public K-12 education employees of the several local boards of education, the Alabama Institute for Deaf and Blind (AIDB), the Department of Youth Services School District (except employees covered under the state's merit system), the Alabama School of Fine Arts, and the Alabama High School of Mathematics and Science, that earn less than \$75,000 annually; (2) a two percent salary increase for public K-12 education employees of the several local boards of education, the AIDB, the Department of Youth Services School District, except employees covered under the state's merit system, the Alabama School of Fine Arts, and the Alabama High School of Mathematics and Science, that earn more than \$75,000 annually; and (3) a four percent salary increase for all education employees of two-year postsecondary institutions under the Board of Trustees of the Alabama Community College System.

EFFECTIVE DATE: April 26, 2016.

**Act 2016-199, HB117**, 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, 2017.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-200, HB490**, proposes an amendment to Amendment 819 of the Constitution of Alabama of 1901, now appearing as Local Amendments, Lauderdale County, Section 4.10 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to revise the term of office of a circuit or district court judge appointed to fill a vacancy in Lauderdale County as provided in Section 153 of the Constitution of Alabama of 1901.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-201, SB243**, is the University Authority Act of 2016. The act removes the right and power of public colleges or universities operating schools of medicine to create health care authorities under the provisions of the existing Health Care Authorities Act of 1982 and reinstates that right under this act. The act provides that authorities and university affiliates established under the act are instrumentalities of the sponsoring university and further authorizes



authorities established by constitutionally created public universities in the state or public universities operating schools of medicine under the Health Care Authorities Act of 1982 to reincorporate under this act. The act specifies the powers of the authority, including the power to form university affiliates, the power of eminent domain, and the power to incur indebtedness. This bill would authorize an authority to exercise its powers even if doing so would be deemed anticompetitive or monopolistic under federal or state antitrust laws.

EFFECTIVE DATE: April 28, 2016.

**Act 2016-202, SB133**, amends Section 41-9-243, Code of Alabama 1975, relating to the Alabama Historical Commission, to include an appointee nominated by the Alabama Black Heritage Council and to require that one of the at-large members of the commission must reside within the Tennessee Valley Authority Service Area.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-203, SB322**, amends Sections 25-2-1.1 and 25-2-6, Code of Alabama 1975, relating to the Department of Labor, to change the title and designation of the head of the department from Commissioner of Labor to Secretary of Labor.

EFFECTIVE DATE: July 1, 2016.

**Act 2016-222, HB69**, amends Sections 35-8B-1, 35-8B-2, and 35-8B-3, Code of Alabama 1975, to create additional classes of community development districts and to provide for the incorporation and powers of the districts.

EFFECTIVE DATE: April 28, 2016.

**Act 2016-223, HB120**, makes an appropriation of \$10,595,439 from the Education Trust Fund to Tuskegee University for the support and maintenance of the educational program of the institution, for the fiscal year ending September 30, 2017. The act provides that at least \$2,000,000 must be expended for the agricultural research and extension service state match.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-246, HB15**, exempts LifeSouth Community Blood Centers from the payment of all state, county, and municipal sales and use taxes.

EFFECTIVE DATE: August 1, 2016.

**Act 2016-247, HB19**, amends Section 41-9-410, Code of Alabama 1975, relating to the Women's Commission, to modify the membership of the commission.

EFFECTIVE DATE: August 1, 2016.

**Act 2016-248, HB123**, makes a supplemental appropriation from the Education Trust Fund Advancement and Technology Fund to the Alabama Community College System in the amount of \$5,866,947 to be expended for equipment and deferred maintenance. The act also makes an appropriation from the Education Trust Fund to the Department of Education in the amount of \$15,546,351 to be allocated among various local school systems for the fiscal year ending September 30, 2017, and provides that all funds not expended by the end of fiscal year 2016 must be carried forward and expended for the purposes originally appropriated, which are as follows: (1) to provide funds to local school systems for the installation of wireless networks in all public schools; (2) to provide matching funds to local school systems that apply for funding from the federal E-Rate program; or (3) to provide funds to implement a local school system's state-approved technology plan for systems with wireless networks in place that meet the required standards.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-256, SB80**, requires rules to be adopted pursuant to the Administrative Procedure Act by boards or commissions which regulate a profession, and in which the board or commission has a controlling number of members who are active market participants in the profession, to be reviewed by the Legislative Reference Service to determine whether the proposed rule may significantly lessen competition and, if so, whether the proposed rule was made pursuant to a clearly articulated state policy to displace competition. If the Legislative Reference Service makes those determinations, the Joint Committee on Administrative Regulation Review is required to review the proposed rule and determine whether the rule should be approved, disapproved, disapproved with a suggested amendment, or allowed to be withdrawn. The act also authorizes those boards and commissions to submit previously adopted rules and proposed actions for a similar review and allows the Legislative Reference Service to impose a fee for providing the review.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-257, SB92**, amends Section 23-1-40, Code of Alabama 1975, to authorize the Department of Transportation to enter into various types of construction and financing agreements for construction of public roads, bridges, or tunnels and related work. The act requires the department to adopt an evaluation process and procedures for selecting projects under the act.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-258, SB106**, amends Section 9-11-231, Code of Alabama 1975, to establish specific permits and fees issued and collected by the Department of Conservation and Natural Resources for the collection of any protected wild invertebrate or vertebrate species, or their eggs, for propagation or scientific purposes. The act provides that a person who fails to obtain the appropriate permit is guilty of a misdemeanor and must pay a fine of three times the amount of the applicable permit. The act does not apply to the Opp Rattlesnake Rodeo.

EFFECTIVE DATE: August 1, 2016.

**Act 2016-259, SB142**, amends Sections 16-38A-1, 16-38A-2, 16-38A-4, 32-5A-191, and 32-5A-191.2, Code of Alabama 1975, to rename the Impaired Drivers Trust Fund the Alabama Head and Spinal Cord Injury Trust Fund.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-260, SB175**, amends Sections 23-1-2 and 39-2-4, Code of Alabama 1975, to increase from \$10,000 to \$50,000 the maximum amount of the bid guarantee required to be filed under certain conditions by a bidder on public works projects when the Department of Transportation is the awarding authority.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-261, SB203**, amends Sections 16-47-76, 16-47-77, 16-47-78, 16-47-79, 16-47-80, and 16-47-81, Code of Alabama 1975, relating to the Board of Dental Scholarship Awards, to establish the Alabama Dental Service Program, funded by the Education Trust Fund, under which loans based upon economic need may be awarded by the board to applicants who are enrolled in the University of Alabama School of Dentistry or other educational institution accredited by the Council on Dental Education of the American Dental Association. As a condition for approval, an applicant for a loan must agree to repay the loan by working in full-time clinical practice as a licensed dentist in an area of critical need as established by the board, for a specified length of time. The act also provides penalties for breaches of loan repayment contracts.

EFFECTIVE DATE: May 3, 2016.

**Act 2016-265, SB410**, amends Section 34-13-1, Code of Alabama 1975, relating to the Alabama Board of Funeral Service, to delete from the definitions of “funeral directing” and “funeral director”, for purposes of licensing, the sale and selection of funeral merchandise and funeral supplies.

EFFECTIVE DATE: August 1, 2016.

**Act 2016-267, HB311**, proposes an amendment to the Constitution of Alabama of 1901, to allow a municipality or county that has established a tax increment district within a Major 21<sup>st</sup> Century Manufacturing Zone the sole discretion to determine the amount and type of consideration to be received by the municipality or county for the redevelopment, rehabilitation, or conservation of property. The proposed amendment also validates and confirms the Major 21<sup>st</sup> Century Manufacturing Zone Act.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-268, HB61**, is Leni's Law. The act establishes an affirmative and complete defense to prosecution for the unlawful possession of marijuana in the second degree if the defendant used or possessed cannabidiol (CBD), as defined by the act: (1) because he or she has a debilitating medical condition; or (2) he or she is the parent or legal guardian of a minor who has a debilitating medical condition, and the CBD is being used by the minor. The act also prohibits the state or a political subdivision of the state, including a law enforcement agency, from removing a child from a home and initiating child protection action proceedings based solely upon the parent's or the child's use of CBD as authorized under the act.

EFFECTIVE DATE: June 1, 2016.

**Act 2016-269, HB312**, proposes an amendment to Amendment 804 of the Constitution of Alabama of 1901, now appearing as Local Amendments, Shelby County, Section 4.10 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to revise the term of office of a circuit or district court judge appointed to fill a vacancy in the 18<sup>th</sup> Judicial Circuit for consistency with Section 153 of the Constitution of Alabama of 1901.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-270, HB396**, proposes an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to authorize the Legislature by general or local law to provide for the incorporation of a toll road and bridge authority as a public corporation in the county and to provide that the authority may issue revenue bonds to finance the toll road and bridge projects. See Act 2016-274.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-271, HB456**, proposes an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to authorize a municipality in the county to permit the limited operation of golf carts on a municipal street or public road with certain limitations. The proposed amendment would require the driver of the cart to have a driver's license, to have liability insurance if operating the cart on a municipal street or public roadway, and to authorize the municipality to assess civil penalties for violations.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-272, HB472**, proposes an amendment to Amendment 334 of the Constitution of Alabama of 1901, as amended by Amendment 607, now appearing as Local Amendments, Madison County, Section 8 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to revise the term of office of a circuit or district court judge appointed to fill a vacancy in Madison County for consistency with Section 153 of the Constitution of Alabama of 1901.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-273, HB476**, proposes an amendment to Amendment 660 of the Constitution of Alabama of 1901, as amended by Amendment 780, now appearing as Local Amendments, Baldwin County, Section 6 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to revise the term of office of a circuit or district court judge appointed to fill a vacancy in Baldwin County for consistency with Section 153 of the Constitution of Alabama of 1901.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-274, HB510**, proposes an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to authorize the Legislature by general or local law to provide for any municipality in the county to incorporate a toll road and bridge authority as a public corporation within the municipality and to provide that the authority may issue revenue bonds to finance the toll road and bridge projects. See Act 2016-270.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-275, HB517**, proposes an amendment to the Constitution of Alabama of 1901, relating to Marion County, to provide for the levy and collection of an additional three mill property tax for fire protection in the county.

EFFECTIVE DATE: Contingent upon ratification.

**Act 2016-276, HB399**, amends Section 2 of Act 2015-164 of the 2015 Regular Session, to specify that two members of a municipal water works board serving water customers or having assets in certain counties other than the county where the authorizing municipality is principally located would be appointed by the mayor of the authorizing municipality and four members would be appointed by the municipal governing body of the authorizing municipality.

EFFECTIVE DATE: January 1, 2017

**Act 2016-278, SB385**, amends Section 5-5A-44, Code of Alabama 1975, to provide definitions of terms and require a person or group of persons to apply to and obtain approval from the State Banking Department in order to acquire a 25 percent or more share in the voting securities of a state bank or a 10 percent or more share in the voting securities of a state bank if no other person owns, controls, or holds the power to vote a majority of that class of voting securities immediately after the transaction.

EFFECTIVE DATE: May 6, 2016

**Act 2016-279, SB226**, amends Section 20-2-3, Code of Alabama 1975, to add mitragynine and hydroxymitragynine, commonly known as Kratom, to Schedule I of the controlled substances list.

EFFECTIVE DATE: May 10, 2016

**Act 2016-280, HB400**, prohibits taxpayers from applying any new or amended credit allowed to a financial institution against the financial institution excise tax on or after January 1, 2016, with the exception of the sales tax credit, to the portion of financial institution excise tax liability distributable to a municipality or county.

EFFECTIVE DATE: May 10, 2016

**Act 2016-281, HB411**, is Angelynn and Courtney's Law. The act requires the Alabama Law Enforcement Agency to promote organ donation through the application and renewal process for driver's licenses.

EFFECTIVE DATE: May 10, 2016

**Act 2016-282, HB433**, is the Alabama Human Trafficking Safe Harbor Act. The act provides a safe harbor provision in current law for a child who engages in the act of prostitution by providing that a sexually exploited child may not be adjudicated delinquent or convicted of a crime of prostitution, but that the child may be adjudicated a child in need of supervision or a dependent child. The act also: (1) prohibits the transfer of a case involving a sexually exploited child who commits an act of prostitution from the jurisdiction of juvenile court to any adult court; (2) provides that a juvenile court retains jurisdiction over a sexually exploited child and may issue any requisite order or conduct any hearing necessary to protect the health or safety of a sexually exploited child that is determined to be in the best interests of the child; (3) provides that certain social and community services must be made available to sexually exploited children; (4) authorizes the assessment of an additional fine of \$500 upon conviction of the crimes of promoting prostitution and certain other crimes relating to prostitution; (5) allows the detention for 72 hours of a foreign national who does not speak English if the person is arrested for the crime of prostitution to ensure that the person has access to certain resources, such as health care, shelter, and counseling; and (6) requires a domestic or interstate business engaging in an escort business of companionship in this state to register with the Secretary of State and provides criminal penalties for violations.

EFFECTIVE DATE: August 1, 2016

**Act 2016-283, HB451**, amends Section 40-16-4, Code of Alabama 1975, relating to the financial institution excise tax, to remove the requirement that the Department of Revenue use the allocation and apportionment formula for financial institutions recommended by the Multistate Tax Commission.

EFFECTIVE DATE: May 10, 2016

**Act 2016-292, HB1**, amends Section 32-5-171, Code of Alabama 1975, to authorize a law enforcement officer to issue a traffic citation to a driver of a vehicle when, based on personal investigation, the officer has prima facie evidence demonstrating grounds to believe that the person has violated traffic laws.

EFFECTIVE DATE: August 1, 2016

**Act 2016-293, HB393**, is the Alabama Industrial Hemp Research Program Act. The act authorizes the Department of Agriculture and Industries to administer an industrial hemp research program and to license growers to grow industrial hemp, with authorization to assess fees for permits and licenses. The act also amends Section 20-2-2, Code of Alabama 1975, to revise the definition of “marijuana” to exclude industrial hemp as defined in the act.

EFFECTIVE DATE: August 1, 2016

**Act 2016-294, HB66**, amends Section 6-5-338, Code of Alabama 1975, to extend civil immunity to licensed firefighter paramedics or firefighter emergency medical technicians employed by a county or municipality and operating on-duty in direct support of a tactical law enforcement unit.

EFFECTIVE DATE: August 1, 2016

**Act 2016-295, HB87**, repeals Chapter 44 of Title 11, Code of Alabama 1975, providing for the commission form of municipal government and Article 3 of Chapter 46 of Title 11, Code of Alabama 1975, providing special election procedures for the commission form of government. The act also allows any municipality operating under the commission form of government to continue to operate as the law existed prior to May 10, 2016, until the next municipal election cycle, after which it shall operate under Chapter 43 of Title 11, Code of Alabama 1975.

EFFECTIVE DATE: May 10, 2016

**Act 2016-296, HB129**, amends Section 27-25-3, Code of Alabama 1975, relating to the licensure of title insurance agents by the State Insurance Department, to exempt licensed attorneys in good standing from licensure requirements.

EFFECTIVE DATE: May 10, 2016

**Act 2016-297, HB168**, amends Section 16-28-4, Code of Alabama 1975, relating to school enrollment, to allow a child who is six years of age on or before December 31 or the date on which school begins to enroll in first grade in the enrolling school district.

EFFECTIVE DATE: May 10, 2016

**Act 2016-298, HB170**, amends Sections 16-13B-2, 16-13B-7, 41-16-51, and 41-16-57, Code of Alabama 1975, relating to competitive bid laws, to revise an exemption to the state's competitive bid laws for local boards of education by: (1) limiting an exemption for goods purchased through a purchasing cooperative sponsored by the National Association of Counties or another national or regional governmental cooperative purchasing program and expanding the exemption to services, except for voice or wireless communication services; and (2) allowing an exemption for goods or services from vendors that have been awarded a current and valid General Services Administration (GSA) contract, provided that the prices paid for the goods or services provided by the GSA vendor do not exceed the lowest competitively bid price for the goods or services or the price on an existing state purchasing program. The act also extends the length of time that competitive bid contracts entered into by local boards of education for the purchase of personal property or contractual services are let from three years to not more than five years.

EFFECTIVE DATE: May 10, 2016



**Act 2016-299, HB191**, amends Sections 40-26B-70, 40-26B-71, 40-26B-73, 40-26B-77.1, 40-26B-79, 40-26B-80, 40-26B-81, 40-26B-82, 40-26B-84, 40-26B-86, and 40-26B-88, Code of Alabama 1975, to extend the private hospital assessment and Medicaid funding program for fiscal year 2017, and to change the base year from fiscal year 2011 to fiscal year 2014 for purposes of calculating the assessment. If approved by the Centers for Medicare and Medicaid Services, the act discontinues the use of certified public expenditures for inpatient and outpatient public hospital services at the end of fiscal year 2016 and provides that all federal matching funds for public hospital payments shall be made through intergovernmental transfers (IGTs). The act provides a \$324,858,765 limit on IGTs if Regional Care Organizations are implemented on or before September 30, 2017 and provides that, if RCOs are not implemented on or before September 30, 2017, the total IGTs must equal the amount of state funds necessary for the agency to obtain only those federal matching funds necessary to pay publicly owned and state owned hospitals. The act also repeals Section 40-26B-77, Code of Alabama 1975, relating to hospital certified public expenditures.

EFFECTIVE DATE: October 1, 2016

**Act 2016-300, HB204**, amends Section 17-6-25, Code of Alabama 1975, to reorder the offices and candidates' names as they appear on an election ballot.

EFFECTIVE DATE: August 1, 2016

**Act 2016-301, HB250**, amends Section 23-1-271 and 23-1-274, Code of Alabama 1975, relating to outdoor advertising on certain federally funded highways to further define "business area" and "primary highway." The act also revises the spacing requirements for certain signs for consistency with the February 10, 1972 Agreement between the United States Department of Transportation and the Alabama Department of Transportation.

EFFECTIVE DATE: May 10, 2016

**Act 2016-302, HB276**, clarifies the rulemaking authority of the Board of Dental Examiners of Alabama to allow the adoption of rules that prioritize patient health, safety, and welfare, but may appear to be anti-competitive or have an anti-competitive effect.

EFFECTIVE DATE: May 10, 2016

**Act 2016-303, HB271**, 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 2015 Regular Session as contained in the 2015 Cumulative Supplement to certain volumes of the code and 2015 Replacement Volumes 12, 12A, 14, and 14A. The act initially adopts and incorporates into the Code of Alabama 1975, 2015 Volume 22J (Local Laws Lamar to Lee Counties) and adopts and incorporates into the Code of Alabama 1975, 2015 Cumulative Supplements to local law volumes. The act makes certain corrections in certain volumes of the cumulative supplement. The act also specifies that this adoption and incorporation constitutes 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 other statutes enacted in 2016, and specifies the duties of the Secretary of State regarding the custody of the cumulative supplements, replacement volumes, and initial volume.

EFFECTIVE DATE: May 10, 2016

**Act 2016-304, HB272**, amends Section 16-25A-18, Code of Alabama 1975, relating to generic equivalent medications under Public Education Employees Health Insurance Programs, to allow a prescribing physician to indicate that a generic equivalent drug should not be used by indicating such by mark or signature in the appropriate place on the prescription or by indicating such in an electronic prescription.

EFFECTIVE DATE: August 1, 2016

**Act 2016-305, HB285**, amends Section 22-26-2, Code of Alabama 1975, to remove the requirement that certain plumbing inspections or permitting be performed by the county boards of health. The act also repeals Section 22-26-5, Code of Alabama 1975, relating to permits for installation of plumbing outside the jurisdiction of municipal corporations.

EFFECTIVE DATE: May 10, 2016

**Act 2016-306, HB332**, abolishes common-law marriages entered into on or after January 1, 2017, and specifies that common-law marriages entered into prior to that date remain valid.

EFFECTIVE DATE: January 1, 2017

**Act 2016-307, HB379**, provides that the State Health Officer or a county health officer may publish the standing order or orders, including any necessary guidelines or other requirements that must be followed, for dispensing opioid antagonists under existing law. The act provides that any individual who is otherwise qualified, and who dispenses opioid antagonists in accordance with the standing order and other requirements from the State Health Officer or a county health officer has authority to dispense opioid antagonists as provided existing law. The act also amends Section 20-2-280, Code of Alabama 1975, to clarify that rescue squads and volunteer fire departments may dispense opioid antagonists and to clarify that the State Health Officer, a county health officer issuing standing orders, or a registered nurse employed by the State Health department or a county health department has the same immunity afforded to physicians and dentists.

EFFECTIVE DATE: May 10, 2016

**Act 2016-309, SB184**, to designate the Lane Cake as the official state cake.

EFFECTIVE DATE: May 10, 2016

**Act 2016-310, SB11**, is the Jason Flatt Act. The act amends Section 16-28B-8, Code of Alabama 1975, relating to student health in grades K-12 public school systems, to require annual suicide awareness and prevention education training for certified school system employees and to require each local school system to adopt a policy on student suicide prevention. The act also requires the State Department of Education to create an advisory committee to assist the department in developing rules to provide for the required training and to develop a list of approved training materials.

EFFECTIVE DATE: August 1, 2016

**Act 2016-311, SB73**, amends Section 17-3-5, Code of Alabama 1975, to increase from \$60 to \$80 the daily state salary for each member of a county board of registrars. The act authorizes a county commission to allow the chair or any member of the county board of registrars who has served at least 16 years to participate in any health insurance program provided by the county, excluding certain health insurance plans administered by the state.

EFFECTIVE DATE: October 1, 2016

**Act 2016-312, SB81**, prohibits a governmental entity from entering into certain public contracts with a business entity unless the contract includes a representation that the business is not currently engaged in, and an agreement that the business will not engage in, the boycott of a person or an entity based upon the person or business doing business with a jurisdiction with which the state can enjoy open trade. The prohibition does not apply if a business offers to provide goods or services for at least 20 percent less than the lowest certifying business entity or to a contract with a value less than \$15,000.

EFFECTIVE DATE: August 1, 2016

**Act 2016-313, SB82**, amends Sections 34-30-1, 34-30-3, 34-30-5, 34-30-20, 24-30-22, 34-30-24, 34-30-30, 34-30-31, and 34-30-33, Code of Alabama 1975, relating to the State Board of Social Work Examiners, to further define the practice of social work to include assessment and opinions and to redesignate the licensure classification of "graduate social worker" to "master social worker" and the licensure classification of "certified social worker" to "independent clinical social worker.”

EFFECTIVE DATE: August 1, 2016

**Act 2016-314, SB90**, is the Apprenticeship Tax Credit Act of 2016. The act allows an employer to claim a nonrefundable income tax or financial institution excise tax credit of \$1,000 for each apprentice employed, not to exceed five claims per year. The employer may claim the credit if the apprentice is employed for at least seven full months of the taxable year and may only claim the credit for an individual apprentice for a maximum of four taxable years. The credit is capped annually at \$3,000,000 and sunsets in 2021. The act also requires the Workforce Development Division of the Department of Commerce to administer the program and provide an annual report to the Legislature on the effectiveness of the program.

EFFECTIVE DATE: May 10, 2016

**Act 2016-315, SB93**, amends Section 20-2-213, Code of Alabama 1975, relating to the Controlled Substances Prescription Database, to delete veterinarians from those practitioners required to report the dispensing of Class II, Class III, Class IV, and Class V controlled substances.

EFFECTIVE DATE: August 1, 2016

**Act 2016-316, SB104**, clarifies the rulemaking authority of the Board of Medical Examiners and the Medical Licensure Commission to allow the adoption of rules that prioritize patient health, safety and wellness, even if the rules are anti-competitive.

EFFECTIVE DATE: May 10, 2016

**Act 2016-317, SB200**, amends Section 17-4-2, Code of Alabama 1975, to authorize the Secretary of State to implement a pilot program for the use of electronic poll books in lieu of printed lists of qualified voters in any county upon the consent of the county commission and judge of probate.

EFFECTIVE DATE: August 1, 2016

**Act 2016-318, SB206**, creates the Alabama Physician's Assistant Service Program, to be administered by the Board of Medical Scholarship Awards and funded by direct appropriation from the Education Trust Fund for the purpose of awarding loans for training in any accredited master's degree program for physician assistant studies at a medical school or college, subject to execution of a three-year contract to practice in an area of critical need. The act also requires the board to annually report to the Governor and the Legislature on the condition of the program.

EFFECTIVE DATE: May 10, 2016

**Act 2016-320, SB291**, requires that certain health care contracts issued, amended, or renewed on or after January 1, 2017, between a health insurer or its contracted vendor or a regional care organization and a covered health care provider must include specific language stating that a provider's request that a health care plan conduct a payment transaction with the provider using a transfer of electronic funds through the Automated Clearing House network must be honored. The act also allows covered health care providers to be paid through the use of alternative electronic funds transfer methods, including wire transfer and payment by card or through a private card network.

EFFECTIVE DATE: May 10, 2016

**Act 2016-321, SB312**, amends Sections 40-18-370 and 40-18-376.2, Code of Alabama 1975, relating to the Alabama Jobs Act, to provide that companies with projects located within a former active duty military installation closed by the Base Realignment and Closure process that employed eligible employees are entitled to an additional 0.5 percent jobs credit on the wages paid during the prior year to its employees. The act also revises the definition of an enterprise zone to include a county with a population of 25,000 or fewer, as is reflected in the Alabama Jobs Act, effective October 1, 2016.

EFFECTIVE DATE: May 10, 2016

**Act 2016-322, SB354**, amends Section 34-27-32, Code of Alabama 1975, relating to the Alabama Real Estate Commission, to require the commission to conduct both state and national criminal history background checks of an applicant and require each applicant to submit required information to the appropriate state and federal agencies or a fingerprint processing service.

EFFECTIVE DATE: August 1, 2016

**Act 2016-335, HB16**, amends Section 11-2A-4, Code of Alabama 1975, relating to compensation increases for local elected county officers, to remove the limitation on granting compensation increases at the time of adoption of the county budget and to provide for compensation increases when increases are granted equally to all county employees.

EFFECTIVE DATE: August 1, 2016

**Act 2016-336, HB11**, amends Section 32-6-1, Code of Alabama 1975, relating to driver's licenses, to provide that an applicant may renew a license within 180 days, rather than 30 days, prior to the expiration of the license. The act also exempts active duty members of the United States Armed Forces from the 180-day limit upon proof that he or she is unable to renew during the 180-day period because of deployment.

EFFECTIVE DATE: August 1, 2016

**Act 2016-337, HB27**, amends Section 17-6-81, Code of Alabama 1975, relating to the Fair Ballot Commission, to require that the commission's ballot statement be posted on the website of the Secretary of State rather than on the Legislature's website.

EFFECTIVE DATE: August 1, 2016

**Act 2016-338, HB51**, amends Section 41-21-1, Code of Alabama 1975, to reduce the number of copies of the Code of Alabama 1975, including supplements and replacement volumes, that the Secretary of State is required to distribute to certain departments, agencies, boards, commissions, and other entities of the state.

EFFECTIVE DATE: May 12, 2016

**Act 2016-339, HB94**, amends Sections 32-6-130 and 40-12-244, Code of Alabama 1975, relating to motor vehicle license plates for disabled veterans who require special mechanical control devices or are more than 50 percent disabled, to authorize the disabled veteran to apply the registration fee for a disabled plate to any license plate category in which the disabled veteran is otherwise qualified to obtain a license plate.

EFFECTIVE DATE: January 1, 2017

**Act 2016-340, HB96**, allows a circuit or district court judge to issue a warrant for the installation, retrieval, maintenance, use, and monitoring of a tracking device used to track the movement of a person or object. The act also provides procedures and limitations for the use and monitoring of tracking devices by law enforcement officers.

EFFECTIVE DATE: August 1, 2016

**Act 2016-341, HB97**, amends Section 27-9A-9, Code of Alabama 1975, relating to the licensure of independent insurance adjusters by the Department of Insurance, to authorize the licensure of an individual with at least 20 years of experience as an adjuster with an insurance company in this state even if the person has not taken a pre-licensing course or examination provided that the person submits his or her application for licensure within 12 months of leaving the employment of the insurance company.

EFFECTIVE DATE: May 12, 2016

**Act 2016-342, HB98**, allows retired military veterans, as defined by the act, to obtain or renew a pistol permit without paying the associated fee, provided he or she meets all other conditions for issuance or renewal of the permit.

EFFECTIVE DATE: August 1, 2016

**Act 2016-343, HB101**, is the Ricky Morgan Act. The act prohibits a dump truck from operating on any highway, road, or street with the bed of the truck raised to more than a 20-degree angle, except when it is actively dumping its load, and provides criminal penalties for violations.

EFFECTIVE DATE: August 1, 2016

**Act 2016-344, HB105**, makes a supplemental appropriation from the State Bureau of Investigation Cost of Evidence Fund to the Alabama Law Enforcement Agency in the amount of \$118,125 for the fiscal year ending September 30, 2016.

EFFECTIVE DATE: May 12, 2016

**Act 2016-345, HB109**, grants a deduction on the Alabama Individual Income Tax return for contributions made to health savings accounts on or after January 1, 2018, in an amount to coincide with the annual deduction amount for health savings account contributions allotted by federal law.

EFFECTIVE DATE: Effective for taxable years beginning after December 31, 2017.

**Act 2016-346, HB122**, makes a supplemental appropriation from the Education Trust Fund to the following for the fiscal year ending September 30, 2016: (1) the Department of Education in the amount of \$1,600,000, for the Governor's Local School and School System and Financial Improvement (At-Risk) Program and the Governor's High Hopes for Alabama Students Program; (2) the Department of Archives and History in the amount of \$77,000, for professional development and curriculum development for K-12 teachers; (3) the Alabama Commission on Higher Education in the amount of \$75,000, for the Police Officer's and Firefighter's Survivor's Educational Assistance Program; (4) the Sickle Cell Oversight and Regulatory Commission in

the amount of \$15,632.45; and (5) the Department of Education in the amount of \$799,527, for statewide student assessments.

EFFECTIVE DATE: May 12, 2016

**Act 2016-347, HB124**, amends Section 16-9-24, Code of Alabama 1975, relating to county superintendents of education, to allow the superintendent to maintain an office in any location other than the county seat as provided for by local law in counties with a population of 100,000 or more persons.

EFFECTIVE DATE: August 1, 2016

**Act 2016-348, HB126**, amends Section 11-91A-2, Code of Alabama 1975, to authorize the Alabama Network of Children's Advocacy Centers and its member Children's Advocacy Centers to participate in the Local Government Health Insurance Program.

EFFECTIVE DATE: May 12, 2016

**Act 2016-350, HB189**, amends Section 35-8A-410, relating to the Alabama Uniform Condominium Act, to: (1) define certain terms used in a condominium contract, including "hard costs" and "qualified purchaser"; (2) require that the escrow agent be located in this state and that a declarant may accept a letter of credit in lieu of a portion or all of a deposit; (3) allow a declarant to withdraw certain deposits to pay hard costs associated with construction under certain circumstances and would limit the withdrawal; and (4) require that the contract provide clear written notice that certain deposits may be used for certain hard costs.

EFFECTIVE DATE: August 1, 2016

**Act 2016-351, HB215**, amends Section 9-3-17, Code of Alabama 1975, to further provide minimum standards for the certification of volunteer fire departments by the Alabama Forestry Commission, to authorize the decertification of departments under certain conditions, and to authorize the commission to adopt rules providing for the certification and decertification of volunteer fire departments. The act also requires the commission to publish on its website a current list of all certified volunteer fire departments.

EFFECTIVE DATE: August 1, 2016

**Act 2016-352, HB218**, is Lexi's Law. The act amends Section 16-6B0-2, Code of Alabama 1975, to require that instruction in handwriting for elementary school students include instruction in cursive writing by the end of the third grade year.

EFFECTIVE DATE: August 1, 2016



**Act 2016-353, HB228**, creates a Loan Repayment Program for Advanced-Practice Nursing, to be administered by the Board of Nursing. The program allows the board to award three-year scholarships for recipients pursuing a master's degree and four-year scholarships for recipients pursuing a doctorate degree and who agree to work in areas of critical need throughout the state. The loans are funded by a direct appropriation from the Education Trust Fund and may not exceed \$15,000, but may be increased annually to reflect rising tuition costs. The act also provides for the repayment of the advance-practice nursing loans and penalties for non-fulfillment of loan contracts.

EFFECTIVE DATE: May 12, 2016

**Act 2016-354, HB238**, amends Sections 13A-6-80, 13A-6-81, 13A-6-82, 15-20A-5, 15-25-31, 26-14-3, and 38-7-2, to further provide for the penalties for certain sexual offenses by school employees perpetrated upon students and to subject certain school volunteers to the criminal penalties. The act also: (1) provides that out-of-court statements made by a child under 12 years of age at the time the statement was made are admissible in criminal proceedings involving child physical offense, sexual offense, and exploitation; (2) references a specific definition of child abuse or neglect for mandatory child abuse and neglect reporting purposes; (3) authorizes an individual under 19 years of age who has graduated from a high school with a Child Development Associate Credential to work in a day care center and revises the definition of "day care center" to include pre-kindergarten; and (4) provides specific criminal penalties for sexual offenses by foster parents against foster children thereby requiring that a conviction would subject a defendant to registration under the Alabama Sex Offender Registration and Community Notification Act.

EFFECTIVE DATE: May 12, 2016

**Act 2016-355, HB246**, provides for the issuance of distinctive license plates for domestic violence prevention programs, with proceeds distributed to the district attorney for the county in which the plate was issued to be used for the benefit of domestic violence prevention programs.

EFFECTIVE DATE: January 1, 2017

**Act 2016-356, HB253**, creates the Alabama Commission on Tick Borne Illness to coordinate and fund research on the prevention of tick borne illness in the state and to make recommendations for the treatment and reduction of the prevalence of tick borne illnesses in the state. The commission dissolves on September 30, 2021, unless continued by an act of the Legislature.

EFFECTIVE DATE: August 1, 2016

**Act 2016-357, HB255**, amends Section 8-20-4, Code of Alabama 1975, relating to unfair and deceptive trade practices of manufacturers and distributors of new motor vehicles, to provide that

manufacturers and distributors who own an interest in a new motor vehicle dealership, operate or control a dealership, make direct sales or leases of new motor vehicles to the public, or control a facility for the performance of warranty service or repair work are exempt from the unfair and deceptive trade practice provisions if the entity manufactures or distributes engines or performs warranty or repair service work for certain vehicles having a gross weight rating of more than 16,000 pounds, with certain other limitations.

EFFECTIVE DATE: August 1, 2016

**Act 2016-358, HB280**, amends Sections 32-8-30, 32-8-31, 32-8-42, and 32-8-46, Code of Alabama 1975, to update title requirements for motor vehicles based on the age of the vehicle including passenger vehicles, semi-trailers, travel trailers, utility trailers, and moving collapsible folding campers, and to exempt certain vehicles from the title requirements. The act further designates the penalty imposed when a motor vehicle dealer violates the title law to a Class A misdemeanor and requires a 35-days' notice to the Department of Revenue prior to certain involuntary transfers of motor vehicles by operation of law. The act also clarifies that Act 2015-470 only applies to the sale of an abandoned motor vehicle for which the notice of sale is published on or after July 1, 2016.

EFFECTIVE DATE: Section 1 of the act is effective January 1, 2017, and Section 2 of the act is effective July 1, 2016.

**Act 2016-359, HB319**, amends Section 13A-8-113, Code of Alabama 1975, relating to the crime of encoded data fraud, to expand the crime to include the possession of a purported credit or debit card that was not legitimately issued by a financial institution or other entity with intent to commit an unlawful act or to defraud.

EFFECTIVE DATE: August 1, 2016

**Act 2016-360, HB323**, amends Sections 13A-5-2, 13A-5-39, 13A-5-43, and 13A-6-2, Code of Alabama 1975, relating to capital offenses, to provide that a person convicted of a capital offense committed when the person was under the age of 18 years may be sentenced to life imprisonment. The act also provides generally that a person convicted of a non-homicide crime committed when under the age of 18 years is subject to a maximum sentence of life imprisonment, rather than life imprisonment without parole. The act also provides that if a defendant is sentenced to life imprisonment on a capital offense, the defendant must serve a minimum of 30 years, day for day, prior to first consideration of parole.

EFFECTIVE DATE: May 12, 2016

**Act 2016-361, HB327**, requires the Alabama Law Enforcement Agency to develop procedures to review each motor vehicle incident in which a traffic citation was issued to determine if the driver of a vehicle involved in the incident was given a citation for failure to comply with the

Mandatory Motor Vehicle Liability Insurance Law. The act requires the agency to make an independent determination whether the requirements of the act were satisfied by the driver when no traffic citation was issued and authorizes the agency to assess civil penalties for failure to comply with the liability insurance requirements, subject to certain hearing requirements.

EFFECTIVE DATE: August 1, 2016

**Act 2016-362, HB334**, establishes procedures by which certain grandparents may petition for visitation with their grandchildren, with certain limitations and upon the satisfaction of the required burden of proof. The act also repeals Section 30-3-4.1, Code of Alabama 1975, the prior grandparent visitation law declared unconstitutional by the Alabama Supreme Court.

EFFECTIVE DATE: August 1, 2016

**Act 2016-363, HB335**, amends Sections 12-21-131 and 15-1-3, Code of Alabama 1975, relating to interpreters in certain criminal and juvenile proceedings, to expand the types of proceeding for which an interpreter may be requested, including a juvenile court intake process and a protection from abuse proceeding, and to clarify those persons who may request an interpreter.

EFFECTIVE DATE: August 1, 2016

**Act 2016-367, HB370**, adds provisions specific to federal home loan banks established pursuant to the Federal Home Loan Bank Act and insurer members of those banks in delinquency proceedings. The act also limits the authority of receivers and of federal home loan banks regarding collateral pledged by its insurer members involved in the delinquency proceedings.

EFFECTIVE DATE: August 1, 2016

**Act 2016-371, HB529**, amends Section 13A-11-163, Code of Alabama 1975, relating to defamation, to revise the crime to provide that a person who, with knowledge that a statement is false or with reckless disregard of whether the statement is false or not, publishes or otherwise disseminates any accusation against a private citizen that falsely and maliciously imports the commission of a felony or any other indictable offense involving moral turpitude by the citizen is guilty of a Class B misdemeanor.

EFFECTIVE DATE: August 1, 2016

**Act 2016-377, HB530**, amends Sections 22-6-156, 22-6-159, and 22-6-162, Code of Alabama 1975, relating to the Medicaid Agency, to authorize the agency to delay the time frame for an organization to obtain regional care organization certification and to allow the agency to extend the date on which the probationary certification of a regional care organization expires.

EFFECTIVE DATE: August 1, 2016

**Act 2016-378, HB534**, creates the Governor's Office of Minority Affairs, managed by a director appointed by the Governor, to advise the Governor on issues affecting minorities, including women, focusing on the overall quality of life of minorities, specifically in the areas of education, health, economics, political participation and empowerment, housing, employment, civil rights, criminal justice, and race relations. The act also creates an Advisory Board on Minority Affairs with members appointed by the Governor to serve as a resource for the director.

EFFECTIVE DATE: May 12, 2016

**Act 2016-379, HB202**, amends Sections 10A-1-1.03, 10A-1-1.06, 10A-1-1.08, 10A-1-4.26, 10A-1-6.02, 10A-1-6.13, 10A-1-6.25, 10A-1-7.07, 10A-5A-1.10, 10A-5A-4.01, 10A-5A-5.04, 10A-5A-7.01, 10A-5A-7.02, 10A-5A-10.03, 10A-5A-10.04, 10A-5A-10.07, and 10A-5A-10.08, Code of Alabama 1975, relating to the Alabama Limited Partnership Law, to: (1) harmonize the existing limited partnership law and the existing limited liability company law by reducing the differences between the two laws; (2) harmonize, to the extent possible, the various processes of formation, filings, notice, amendment and restatement of certificates of formation, admission of limited partners and general partners, contributions and distributions, dissociation of partners and the effects thereof, transfers of interests, charging orders, rights of personal representatives, dissolution and winding up, direct and derivative actions, and conversions and mergers; (3) specify various default provisions which would apply to a partnership agreement unless modified by the partners in the partnership agreement; (4) provide that certain obligations, such as the implied contractual covenant of good faith and fair dealing, could not be modified in the partnership agreement; (5) continue the requirement that the filings necessary to form, dissolve, merge, or convert a limited partnership include information necessary to notify the state and third parties that the limited partnership exists and how to contact it; (6) specify that a partnership could be dissolved by filing a statement of dissolution rather than by amending the certificate of formation; and (7) specify that when both the converting entity and the converted entity are domestic entities, the statement of conversion and the certificate of formation would be filed simultaneously with the Secretary of State. The act also repeals Sections 10A-9-1.01 to 10A-9-12.08, inclusive, Code of Alabama 1975, relating to the existing Alabama Uniform Limited Partnership Law of 2010.

EFFECTIVE DATE: January 1, 2017

**Act 2016-384, SB103**, amends Section 9-11-433, Code of Alabama 1975, relating to the issuance of stamps for waterfowl hunting, to increase the stamp fee from \$5 to \$10 and to authorize the Department of Conservation and Natural Resources to make periodic adjustments to the fee.

EFFECTIVE DATE: August 1, 2016

**Act 2016-385, SB159**, amends Sections 36-21-101, 36-21-102, 36-30-1 to 36-30-5, inclusive, and 36-30-7, Code of Alabama 1975, to allow certain surviving beneficiaries of a member of a

rescue squad who is killed or becomes permanently disabled in the line of duty to receive free college tuition and compensation.

EFFECTIVE DATE: August 1, 2016

**Act 2016-386, SB170**, to require insurers domiciled in this state, with certain exceptions, to perform internal risk and solvency self-assessments and to require submission of a report on the findings from the risk and solvency assessments to the Commissioner of Insurance. The act provides that all documents and other information submitted to the commissioner by an insurer would be confidential and privileged, except for limited exceptions provided in the act, and authorizes the commissioner to assess monetary penalties against insurers who fail to timely file the required reports.

EFFECTIVE DATE: January 1, 2017

**Act 2016-387, SB186**, amends Section 15-22-36.1, Code of Alabama 1975, relating to Certificates of Eligibility to Register to Vote for certain convicted persons, to revise some of the application procedures for the restoration of eligibility to vote and to expedite the process to within a specified time frame. The act also requires each state or county correctional facility, prison, or jail to post materials provided by the Secretary of State and the Board of Pardons and Paroles relating to the requirements and procedures for restoring one's right to vote.

EFFECTIVE DATE: August 1, 2016

**Act 2016-388, SB205**, prohibits the Alabama Department of Public Health from issuing or renewing health center licenses to abortion clinics or reproductive health centers that perform abortions and are located within 2,000 feet of a K-8 public school.

EFFECTIVE DATE: August 1, 2016

**Act 2016-389, SB208**, requires each state agency that administers economic tax incentives, as defined by the act, to report to the Legislature information regarding each economic tax incentive it administers including an assessment of each incentive based on specified criteria. The act requires the Department of Revenue to develop a form to be used for submission of the required reports and requires the department to prepare every four years a four-year schedule of the economic tax incentives to be reported to the Legislature.

EFFECTIVE DATE: May 12, 2016

**Act 2016-390, SB217**, creates the crime of unlawful entry of critical infrastructure, including, but not limited to, chemical manufacturing facilities, refineries, electrical power generating facilities, electrical transmission towers and substations, switching stations, water treatment

facilities, natural gas transmission compressor stations, liquefied natural gas terminals and storage facilities, natural gas and hydrocarbon storage facilities, and transportation facilities.

EFFECTIVE DATE: August 1, 2016

**Act 2016-391, SB218**, amends Section 11-40-10, Code of Alabama 1975, to provide that after May 12, 2016, an extension of the police jurisdiction of municipalities would not extend beyond the corporate boundaries of the municipality without an affirmative vote of the municipal governing body. The act also allows a municipality that has a police jurisdiction of three miles may reduce its jurisdiction to one and one-half miles by ordinance, but may not thereafter extend the jurisdiction, except by local law.

EFFECTIVE DATE: May 12, 2016

**Act 2016-392, SB248**, amends Section 32-5C-4, Code of Alabama 1975, relating to medical exemptions from the window tinting law, to provide that the exemption applies to all areas of the windshield and windows if prescribed by a physician in a written statement on behalf of a patient diagnosed with light-sensitive porphyria. The act also requires the Alabama Law Enforcement Agency to provide a decal to be issued to each person granted an exemption, subject to a reasonable fee, to be placed on the windshield of a motor vehicle operated by the person.

EFFECTIVE DATE: August 1, 2016

**Act 2016-394, SB339**, amends Sections 22-18-3 and 22-18-40, Code of Alabama 1975, to provide for additional members on the State Medical Control Committee, to specify the voting rights of committee members, and to delete references to the EMS Advisory Board. The act also repeals Section 22-18-5, Code of Alabama 1975, providing for the EMS Advisory Board.

EFFECTIVE DATE: May 12, 2016

**Act 2016-395, SB344**, amends Section 25-4-70, Code of Alabama 1975, relating to unemployment compensation, to provide that an employee of a private company that provides direct services to schools may not receive unemployment benefits during breaks in employment caused by a school vacation period or holiday recess.

EFFECTIVE DATE: August 1, 2016

**Act 2016-396, SB353**, amends Sections 27-40-1 and 27-40-8, Code of Alabama 1975, relating to insurance premium finance companies, to authorize the companies to provide wind mitigation construction financing, subject to approval by the Commissioner of Insurance.

EFFECTIVE DATE: August 1, 2016

**Act 2016-397, SB363**, is the Alabama Unborn Child Protection from Dismemberment Abortion Act. The act would prohibit a person from performing or attempting to perform a dismemberment abortion unless necessary to prevent serious health risk to the mother of the unborn child and provides criminal penalties for violations. The act provides for a hearing before the State Board of Medical Examiners to determine whether the procedure was necessary to prevent serious risk to the unborn child's mother. The act also allows certain individuals to obtain an injunction preventing a person from performing or attempting to perform a dismemberment abortion and to pursue a cause of action for civil damages.

EFFECTIVE DATE: August 1, 2016

**Act 2016-398, SB366**, amends Sections 16-25-23 and 36-27-28, Code of Alabama 1975, to provide that certain pension, annuity, or retirement benefits under the Teachers' Retirement System and the Employees' Retirement System are subject to recovery actions involving restitution, fines, court costs, fees, or any other financial obligations in a felony criminal case ordered by a circuit or district court judge.

EFFECTIVE DATE: August 1, 2016

**Act 2016-399, SB372**, amends Section 26-15-3.3, Code of Alabama 1975, to provide that a mother does not violate the Alabama Child Abuse Act, including provisions relating to the chemical endangerment of a child, for exposing an unborn child to a controlled substance if she was, or there is a good faith belief that she was, taking a controlled substance pursuant to a lawful prescription. The act also provides no one is criminally liable for the assistance or conduct exposing an unborn child to a medication or substance if the conduct or assistance is allowed by a lawful prescription or at the discretion or recommendation of a physician or health care provider. The act also relieves individuals from mandatory child abuse reporting requirements if an unborn child was exposed to a controlled substance if there is a good faith belief that the mother was taking a controlled substance pursuant to a lawful prescription.

EFFECTIVE DATE: May 12, 2016

**Act 2016-400, SB379**, amends Sections 34-5A-3, 34-5A-4, 34-5A-6, and 34-5A-7, Code of Alabama 1975, relating to the Alabama Behavior Analyst Licensing Board, to establish the board within the Department of Mental Health, to provide further for the qualifications of initial board members, to revise the quorum requirements, to require criminal background checks on applicants for licensure, to further provide for the expiration, renewal, revocation, and reinstatement of licenses, including associated fees, and to establish the Alabama Behavior Analyst Licensing Board Fund in which all receipts by the board will be deposited.

EFFECTIVE DATE: August 1, 2016

**Act 2016-401, SB392**, amends Section 36-25A-2, Code of Alabama 1975, relating to the Alabama Open Meetings Act, to exclude a series of gatherings by the trustees of a statutorily created four-year institution of higher education in the state, or of Athens State University, from the definition of “serial meeting.”

EFFECTIVE DATE: May 12, 2016

**Act 2016-402, SB416**, amends Section 13A-7-1, Code of Alabama 1975, relating to definitions for crimes of trespass and burglary, to specify that the posting of property in a conspicuous manner includes signs posted on the property or the placement of identifying purple paint marks on trees or posts on the property, provided the marks meet certain requirements.

EFFECTIVE DATE: August 1, 2016

**Act 2016-403, HB201**, amends Section 40-9B-5, Code of Alabama 1975, relating to the granting of abatements, to provide that if a municipality, county, or industrial development board or authority abating a county or municipal tax receives payments, contributions, or other financial or in-kind awards from a private user in exchange for the abatement, the funds or awards shall be divided between the municipality and county based upon the portion of the tax proceeds the municipality or county would have been paid if the tax were not abated. The act also removes the exception for industrial development boards or authorities that have board members appointed by the affected county commission and one or more municipalities located within the county and authorizes a county or municipality subject to abatement to waive these requirements by resolution.

EFFECTIVE DATE: August 1, 2016

**Act 2016-404, HB99**, amends Section 26-2A-108, Code of Alabama 1975, to establish a procedure by which a relative who has been isolated from an incapacitated family member who is the subject of a guardianship may petition the court with jurisdiction over the guardianship for reasonable visitation rights. The act allows the Department of Human Resources to conduct interviews and gather information regarding the requested visitation and report its findings to the court.

EFFECTIVE DATE: January 1, 2017

**Act 2016-405, HB169**, amends Section 40-9B-5, Code of Alabama 1975, to: (1) allow a municipality or public industrial authority to abate county taxes only if the corresponding municipal tax is abated and the abatement is limited to the same rate of taxation as the corresponding municipal tax; or (2) if the municipality does not have a corresponding municipal tax, allow the municipality to abate a county tax upon resolution adopted by a majority of the members of the county governing body.



EFFECTIVE DATE: May 13, 2016

**Act 2016-406, SB335**, amends Sections 40-2A-3, 40-2A-6, 40-2A-12, 40-2A-13, 40-2A-14, and 40-2A-15, Code of Alabama 1975, relating to the Alabama Taxpayers' Bill of Rights and Uniform Revenue Procedures Act to: (1) further define terms; (2) require signed and dated written authorization be given by a self-administered municipality or county to any person examining the books and records of a taxpayer on behalf of the self-administered municipality or county before the person can examine those books and records; (3) require certain disclosures be made by a person examining a taxpayer's books and records; (4) further provide for the time frame in which a private auditing or collecting firm engaged by a self-administered municipality or county may commence an examination under certain conditions; (5) subject a private auditing or collecting firm to certain confidentiality requirements, require the taxing authority to use an independent hearing or appeals officer, and require a public official or employee of the taxing authority sign the final assessment; (6) provide that the minimum education requirement for the certification of an examiner of a private auditing or collecting firm by the Alabama Local Tax Institute of Standards and Training Board be a bachelor's degree in accounting and satisfactory completion of the certification program adopted by the board; and (7) require the Alabama Local Tax Institute of Standards and Training Board to establish a hotline to receive taxpayer complaints related to the activities of a private auditing or collecting firm.

EFFECTIVE DATE: January 1, 2017

**Act 2016-407, SB270**, amends Section 8-19-10, Code of Alabama 1975, relating to the Alabama Deceptive Trade Practices Act, to specify that the limitation that prevents a consumer from bringing an action on behalf of a class except through a district attorney of the Attorney General is substantive in nature and that to allow such actions would abridge, enlarge, or modify the substantive rights created by the act. The act also limits class action damages to actual damages plus attorney's fees and costs.

EFFECTIVE DATE: August 1, 2016

**Act 2016-408, SB163**, amends Sections 32-6-64.1, 32-6-68, 32-6-150.1, 32-6-250, 32-6-251, and 32-6-630, Code of Alabama 1975, relating to motor vehicle license plates to: (1) provide for the design and issuance of a distinctive license plate for the State Parks System; (2) exempt veteran, military, and replacement license plates from the additional \$5 fee in the year the plate is issued; (3) further provide for the fee for distinctive plates with certain exceptions and provide for the distribution of the fee; (4) exclude certain designated distinctive plates from the additional fee levied on distinctive license plates unless the plate is personalized; (5) provide Silver Star recipients with a distinctive permanent license plate; and (6) provide the Alabama Gold Star Family Organization with consultation concerning distinctive license plate design.

EFFECTIVE DATE: Section 1 is effective January 1, 2017, and Sections 2 and 3 are effective August 1, 2016.

**Act 2016-409, SB262**, requires drivers associated with a transportation network company (TNC) to maintain specified levels of liability insurance and requires TNCs to disclose in writing to drivers the insurance coverage and limits of liability, as well as other disclosures. The act also allows insurers to exclude any and all coverage under a policy issued to an owner or operator of a personal vehicle for any loss or injury that occurs while a TNC driver is logged on to a digital network of a TNC or while a TNC driver provides a prearranged ride.

EFFECTIVE DATE: August 1, 2016

**Act 2016-410, SB310**, relates to the powers and duties of the Alabama State Board of Pharmacy, to clarify rulemaking authority of the board regarding state and federal anti-trust laws and to establish that anti-competitive rules which prioritize patient safety and wellness are permissible.

EFFECTIVE DATE: May 13, 2016

**Act 2016-411, SB169**, recodifies the Standard Nonforfeiture Law for Life Insurance to: (1) provide consistent minimum cash value requirements for various new life insurance products; (2) provide a more appropriate allowance for acquisition expenses; (3) remove the exemption for group life insurance products; and (4) provide further for the regulation of life insurance by amending the Standard Valuation Law to make Alabama's law substantially similar to the current version of the model Standard Valuation Law developed by the National Association of Insurance Commissioners. The act also repeals Sections 27-15-28 and 27-36-7, Code of Alabama 1975, relating to the existing statute relating to standard nonforfeiture law for life insurance and the existing Standard Evaluation Law, respectively.

EFFECTIVE DATE: January 1, 2017

**Act 2016-412, SB263**, amends Sections 40-18-27, 40-18-39, and 40-18-42, Code of Alabama 1975, to further provide for the due dates of certain state income tax returns to correspond with the due dates of federal income tax returns. The act also requires that payment be made on the original due date of the state income tax returns.

EFFECTIVE DATE: For taxable years beginning on or after January 1, 2016.

**Act 2016-413, SB273**, amends Sections 23-1-21.4 and 23-1-22, Code of Alabama 1975, relating to the Department of Transportation, to delete provisions that the salary of a deputy director would be set by the director with the approval of the Governor and that one of the deputy directors may be the chief engineer. The act also provides that a deputy director and a chief engineer appointed after May 13, 2016, would be in the unclassified service under the state Merit System law.

EFFECTIVE DATE: May 13, 2016

**Act 2016-414, SB300**, amends Section 13A-10-190, Code of Alabama 1975, relating to destructive devices, to define manufacturing for purposes of certain crimes as the mixing or combining of two or more components to produce a destructive device, as defined. The act creates the crime of unlawful manufacture of a destructive device or bacteriological or biological weapon in the second degree for any person, not otherwise authorized by law, to manufacture or possess the precursor substances necessary with the intent to manufacture, as a Class B felony and the crime of unlawful manufacture of a destructive device or bacteriological or biological weapon in the first degree for any person guilty of committing the crime in the first degree in conjunction with certain other conditions, as a Class A felony. The act also authorizes the State Fire Marshal, by rule, to establish qualifications and procedures for issuing a permit to lawfully manufacture a destructive device or bacteriological or biological weapon.

EFFECTIVE DATE: August 1, 2016

**Act 2016-415, SB317**, is the Revised Uniform Athlete Agents Act. The act repeals the current Uniform Athlete Agents Act and replaces it with the Revised Uniform Agents Act. The act updates the definition of athlete agent and student athlete, provides for reciprocal registration with other states that have enacted similar legislation, requires agents to notify notification requirements to educational institutions prior to contacting athletes, and allows athletes to sue agents for violations of acts causing damages to the athlete. The act repeals Chapter 26A (commencing with Section 8-26A-1) of Title 8, Code of Alabama 1976, the current Uniform Athlete Agents Act.

EFFECTIVE DATE: October 1, 2016.

**Act 2016-416, SB240**, amends Sections 34-26-21, 34-26-41, 34-26-43.1, 34-26-62, 34-26-65, and 34-26-66, Code of Alabama 1975, relating to the Alabama Board of Examiners in Psychology, to clarify the number and qualifications of members of the board, to further provide for inactive status of licensees and to authorize the collection of an associated fee not to exceed \$500, to require a criminal background check of each applicant for a license, and to increase the criminal penalty for unauthorized practice by licensed psychological technicians from a Class C misdemeanor to a Class B misdemeanor. The act also repeals Section 34-26-20, Code of Alabama 1975, relating to creation of the board.

EFFECTIVE DATE: August 1, 2016

**Act 2016-417, SB264**, amends Section 25-8-59, Code of Alabama 1975, relating to the Alabama Child Labor Law, to allow the Department of Labor to file an action for the collection of civil

penalties imposed under the law against an employer in the circuit court of the county in which the violation occurred.

EFFECTIVE DATE: August 1, 2016

**Act 2016-418, SB268**, provides that, beginning May 13, 2017, a person who is otherwise eligible for Medicaid benefits and is sentenced to custody in a city or county jail or to the Department of Corrections has his or her Medicaid eligibility suspended but not terminated when the person is in custody. The act provides that an inmate of a public institution under the administrative control of the Department of Corrections who is Medicaid eligible is eligible for temporary reinstatement of Medicaid for care received outside of the institution as an inpatient in a medical institution for more than 24 hours. The act also requires the Medicaid Agency to evaluate the impact of expanding eligibility to county or municipal inmates and report its findings to the Legislature.

EFFECTIVE DATE: May 13, 2016

**Act 2016-419, SB269**, amends Section 21-2-2, Code of Alabama 1975, to clarify that the preference state agencies must give for the purchase of products provided by certain individuals with disabilities under the direction of the Department of Adult Blind and Deaf of the Alabama Institute for Deaf and Blind applies to the purchase of services provided by those individuals. The act also requires the board to fix a fair market price for all articles offered for sale to ensure that approved services do not adversely impact services provided under the federal law relating to operations of vending services on state and federal property by blind persons.

EFFECTIVE DATE: May 13, 2016

**Act 2016-420, SB269**, amends Section 13A-3-23, Code of Alabama 1975, relating to the use of force in defense of self or another person, to require, at the defendant's request, a pretrial hearing in which a defendant claiming self-defense must prove by a preponderance of the evidence that the force, including deadly force, was justified. The act provides that if the defendant does not meet his or her burden at the pretrial hearing, he or she may continue to pursue the defense at trial.

EFFECTIVE DATE: August 1, 2016

**Act 2016-421, HB146**, amends Section 33-5-11, Code of Alabama 1975, relating to the registration of vessels, to require, beginning October 1, 2016, the Alabama Law Enforcement Agency to issue five-year identification number stickers to be placed on both sides of the bow of a registered vessel at a cost of \$20, plus a \$2 issuance fee. The issuance fee is to be paid to the

issuing officer for the operation of the office of the licensing official and the proceeds from the \$20-fee are to be paid to the Department of Conservation and Natural Resources earmarked for state parks. The act also authorizes the owner of a vessel to obtain identification stickers supporting any organization authorized to obtain a distinctive motor vehicle license tag. The design of these various stickers is subject to approval by the Joint Legislative Oversight Committee on License Tags and the secretary of the agency. The cost of distinctive identification stickers would be \$50, with \$25 earmarked for the supported organization or fund and \$25 earmarked to the Department of Conservation and Natural Resources for the operation of the state parks.

EFFECTIVE DATE: May 13, 2016