



**2017 Regular Session Legislative Report**  
**March 17, 2017**

The Legislature met for three legislative days this week, completing the 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> days of the constitutionally-allotted 30 legislative days per session. Legislators will have a two-week break before reconvening on April 4. The break presents a great opportunity to take a fresh look at the bills we are tracking for you. **Please take a look at the bills below this report and let us know if we need to make adjustments or take additional action.**

Below are some of the highlights from a long week in Montgomery.

**Alabama House Passes General Fund Budget**

The Alabama House passed a budget for the General Fund following hours of debate Tuesday night. The budget would allow \$1.84 billion in state spending, which is almost exactly the same as the current year's budget. The allotment for most agencies would remain roughly the same as well. However, the budget for next fiscal year will set aside \$97 million for potential cost increases and expected revenue decreases in coming years. Specifically, legislative leadership suspects that Congress may make changes to the Affordable Care Act which could cost the state more for Medicaid and the Children's Health Insurance Program. Additionally, the General Fund will receive \$105 million in one-time money from the BP oil spill settlement during the next fiscal year, but that money will not recur in the future, potentially leaving a large hole in future budgets.

The budget passed by the House is \$62 million less than Governor Bentley's proposal. Bentley proposed a four percent cost of living increase for state employees in his budget proposal, but the House declined to include the increase, citing funding concerns. Most of the debate Tuesday night surrounded three amendments that would have approved a one-time pay bonus. Each amendment was tabled. Although the pay increase proposals were defeated, the budget would boost state employees' insurance funding from the General Fund by \$9.6 million.

The General Fund budget bill now moves to the Senate for consideration.

**Committee Approves Education Budget but Senate Postpones Vote**

An education budget came out of committee on Wednesday that would spend \$6.4 billion from the Education Trust Fund (ETF) on K-12 public schools, community colleges, public universities and other programs. A vote in the full Senate, however, was postponed on Thursday in response to the concerns of several senators who said they had not had enough time to review the bill.

The proposed budget would provide funding to hire roughly 150 additional teachers in grades 4-6 and would increase funding for the pre-K program by \$15 million. Overall spending from the ETF would increase by \$90 million over that of the current year.

A Senate vote on the proposed budget is expected following the two-week legislative recess.

### **Senate Passes Prison Bill with Substantial Changes**

After debating several different proposals over the last few weeks, the Senate on Thursday passed a bill that would provide for the construction of new state prisons. The Senate's bill places much of the responsibility for building the new prisons on local authorities rather than the state Department of Corrections. The bill would allow for construction of up to three regional men's prisons, but the plan could only commence if local authorities commit to building at least two of them. The local authorities, which would be partnerships between counties and municipalities, would issue bonds to build the prisons and lease them to the state. The lease payments would be applied to paying the bond debt, and the state would own the prisons at the end of the lease terms. The state bond would be capped at \$325 million (down from \$775 million) for one prison and for renovations to existing prisons.

All but three of the existing men's prisons would close and be consolidated into three larger, regional prisons, leaving a total of six men's prisons. Julia Tutwiler Prison for Women would not be replaced as part of the bill, but the facility would be renovated by using some of the \$100 million that the bill sets aside for renovating existing facilities.

The plan is substantially different than Governor Bentley's proposal, which called for an \$800 million state bond to replace Tutwiler, close all but two of the existing men's prisons, and build three regional men's prisons.

The bill now moves to the House for consideration.

### **Senate Subcommittee Meets Again to Discuss Possible Impeachment Rules**

A subcommittee consisting of four senators met again this week to discuss the drafting of trial rules in the event Governor Robert Bentley is impeached by the House. Several topics were addressed, including whether the rules of criminal procedure and evidence would apply, the powers of the state Supreme Court chief justice, who would preside over a trial, and whether subpoenas could be enforced. The subcommittee also debated whether decisions on admissibility of evidence would be made by the chief justice, whether such decisions would be final, and whether senators, sitting as a jury, could ask questions during the proceedings.

No decisions on key points were made during the meeting. The investigation of Governor Bentley, led by former Montgomery County DA Ellen Brooks, is ongoing.

### **Hearing Set on Special Election for US Senate Seat**

On Tuesday, Montgomery County Circuit Judge J.R. Gaines set a March 21 injunction hearing arising from a lawsuit regarding the timing of the Special Election for the U.S. Senate seat vacated by U.S. Attorney General Jeff Sessions. Last month, Governor Robert Bentley announced that the Special Election to replace Sessions would coincide with the statewide General Election in 2018, which would occur nearly two years after the seat was vacated. In the interim, former Alabama Attorney General Luther Strange was appointed by Bentley to fill the seat. The lawsuit seeks a mandatory injunction requiring the governor to reschedule the election.

### **Senate Bill Would Allow Prisoner Release for Medical Conditions**

The Senate passed a bill Tuesday that would allow for the release of prisoners under certain medical situations. Eligibility for release would be determined by whether two conditions are met: 1) the inmate is unable to perform two basic life functions, including breathing, toileting, eating, walking or bathing, and 2) the inmate has a limited mental or physical ability to the point that they do not pose a threat to the public. Terminally ill inmates would also be eligible for release provided they do not pose a threat to the public. The bill would require the Department of Corrections to annually publish a list of inmates who have been in an infirmary or in the care of a physician for more than 30 days. The Department would use the list to evaluate each inmate's eligibility for release.

The bill now moves to the House for consideration.

Bill	Member	Subject	Committee	Status	Last Updated	Related
SB241	Gerald Allen	Industrial Access Fund, expanded to include certain military property and non-industrial sites, Sec.	Transportation, Utilities and Infrastructure	Engrossed	less than a minute ago	
SB67	Linda Coleman-Madison	Corporate income tax, combined reporting of income required, Secs. 40-18-36, 40-18-38, 40-18-38.1 add	Fiscal Responsibility and Economic Development	Introduced	about 20 hours ago	
HB345	Victor Gaston	Historic buildings, income tax credit authorized for rehabilitation of	Ways and Means Education	Introduced	6 days ago	
SB262	J.T. Waggoner	Historic buildings, income tax credit authorized for rehabilitation of		Introduced	8 days ago	

Bill	Member	Subject	Committee	Status	Last Updated	Related
HB277	Pebblin Warren	Child care facilities, church based, licensing required, Secs. 13A-6-29, 38- 7-2, 38-7-3, 38-13-2, 38-		Introduced	14 days ago	
SB160	Bobby Singleton	Labor, restriction on the percentage of temporary employees a company that received incentives may em	Fiscal Responsibility and Economic Development	Introduced	14 days ago	
SB1	n/a	Civil Rights, privacy, public rest rooms gender appropriate, Alabama Privacy Act established	Judiciary	Introduced	about 2 months ago	

AL Bills list sent to [jblades@bradley.com](mailto:jblades@bradley.com) on behalf of [jblades@bradley.com](mailto:jblades@bradley.com) from the [BillStat.us](http://BillStat.us) legislation tracking and reporting platform.