

# Arise Bills of Interest

## 2014 Regular Session

April 21, 2014

*The Alabama Legislature adjourned sine die on April 3, bringing the 2014 regular session to an end. During the session, 1,781 bills and resolutions were introduced. Arise followed legislation related to our legislative priorities throughout the session. “(CA)” indicates a bill is a proposed constitutional amendment. Measures in **blue** are Arise’s priority legislation. Measures in **yellow** and with a **boldface** status were enacted. Measures with an underlined status were not enacted.*

### Adequate state budgets

ETF and GF budget bills:

**HB235/SB198** (Clouse/Orr) – FY 2015 General Fund budget. **HB235 was enacted as Act 2014-284.** *An executive amendment to HB235 became law when the House adjourned sine die before voting on the amendment. SB198 is no longer significant.*

**HB245/SB184** (Poole/Pittman) – FY 2015 Education Trust Fund budget. **SB184 was enacted as Act 2014-456.** *HB245 is no longer significant.*

Health care:

**HB66/SB123** (Clouse/Blackwell) – Ends the Alabama Health Insurance Plan (AHIP) and transfers all unobligated AHIP funds to the General Fund. **SB123 was enacted as Act 2014-219.** *HB66 is no longer significant.*

**HB138/SB437** (Todd/Coleman) – Allows pharmacies run in or on behalf of HIV clinics to redispense unused prescription drugs under certain conditions. *HB138 passed in the House but died on the Senate calendar, and SB437 was indefinitely postponed in the Senate.*

**HB147/SB220** (Moore, B./Fielding) – Purports to nullify certain provisions of the Affordable Care Act, forbids Alabama to create a health insurance exchange and allows the attorney general to seek injunctions for people harmed by the law. *HB147 died in the House Health Committee, and SB220 was indefinitely postponed in the Senate.*

**HB270** (Melton) – Requires the governor to accept Medicaid expansion under the Affordable Care Act (CA). *HB270 died in the House Ways & Means General Fund Committee.*

**HB407** (Scott) – Requires the Department of Corrections to work with Medicaid to reduce overpayments for inmate health care. *HB407 died in the House Ways & Means General Fund Committee.*

**HB415** (Beech) – Requires the Department of Public Health to submit annual action plans and budget blueprints regarding diabetes and obesity. *HB415 died in the House Health Committee.*

**HB504** (Patterson) – Requires the Alabama Medicaid Agency to work with the Department of Public Health and other agencies to develop a plan to reduce chronic disease and improve chronic care coordination. *HB504 died in the House Health Committee.*

**HB533** (Wren) – Requires the Department of Corrections to evaluate inmates who have spent at least 60 days in an infirmary or under a doctor’s care to see if they should be considered for a medical furlough. *HB533 was indefinitely postponed in the House.*

**SB92** (Bedford) – Expands Medicaid under the Affordable Care Act. *SB92 died in the Senate Finance & Taxation General Fund Committee.*

**SB459** (Reed) – Revises membership and eligibility requirements for Medicaid regional care organization (RCO) boards, requires RCOs to create a provider standards committee, and makes other changes related to RCOs. **SB459 was enacted as Act 2014-434.**

*Other budget measures:*

**HB79** (Poole) – Allocates all statutory court costs and docket fees to the General Fund and forbids courts to waive or fail to collect such costs and fees. *HB79 died in the House Ways & Means General Fund Committee.*

**HB229** (Clouse) – FY 2015 Children First Trust Fund budget. **HB229 was enacted as Act 2014-318.**

**HB232** (Clouse) – Transfers \$20 million from the Alabama 21st Century Fund to the General Fund. **HB232 was enacted as Act 2014-319.**

**HB234** (Clouse) – Permanently allows state road and bridge money to help fund the Department of Public Safety’s operations. **HB234 was enacted as Act 2014-320.**

**HB249/SB183** (Poole/Pittman) – Conditionally appropriates up to \$100 million in FY 2014 to help repay the Education Trust Fund’s rainy day account if revenues are available. *HB249 died in the House Ways & Means Education Committee, and SB183 was indefinitely postponed in the Senate.*

**HB306** (Ford) – Appropriates \$15 million to the Alabama Math, Science and Technology Initiative (AMSTI) in FY 2014 from money set aside to fund tax credits under the Alabama Accountability Act. *HB306 died in the House Ways & Means Education Committee.*

**HB315** (Scott) – Repeals the ETF Rolling Reserve Act and re-enacts the ETF proration prevention account. *HB315 died in the House Ways & Means Education Committee.*

## **Tax reform**

*Grocery tax measures:*

**HB130** (Knight) – Exempts groceries and over-the-counter drugs from the state sales tax and ends the state income tax deduction for federal income taxes (CA). *HB130 died in the House Ways & Means Education Committee.*

**HB596** (Knight) – Creates an annual state sales tax holiday for groceries during Lent. *HB596 died in the House Ways & Means Education Committee.*

**SB287** (Dial) – Phases out the state sales tax on groceries over four years and increases the state sales tax on all other items by 1 percentage point in that time. *SB287 was indefinitely postponed in the Senate.*

**SB471** (Taylor) – Phases out the state sales tax on groceries, except for candy and soft drinks, and increases the state cigarette tax over four years (CA). *SB471 died in the Senate Finance & Taxation Education Committee.*

Other tax measures:

**HB39** (Todd) – Increases the state cigarette tax from 42.5 cents per pack to 75 cents per pack. HB39 died in the House Ways & Means General Fund Committee.

**HB120** (Hubbard, J.) – Adds a \$1-per-pack user fee on cigarettes and allocates the money to Medicaid. HB120 died in the House Ways & Means General Fund Committee.

**HB129/SB96** (McClurkin/Whatley) – Exempts private schools, colleges and universities from state and local sales and use taxes. **HB129 was enacted as Act 2014-325.** SB96 is no longer significant.

**HB215** (Greeson) – Limits property tax reappraisals in most counties to no more than once every four years. HB215 died in the House County & Municipal Government Committee.

**HB307** (Ford) – Repeals the state income tax credit portions of the Alabama Accountability Act. HB307 died in the House Ways & Means Education Committee.

**HB311** (Burdine) – Requires companies that receive state economic development tax incentives to repay those incentives if they do not maintain their committed employment levels for five years. HB311 died in the House Economic Development & Tourism Committee.

**HB384** (Buttram) – Creates a state income tax credit for contributions to fund career-technical dual enrollment programs at two-year colleges. **HB384 was enacted as Act 2014-147.**

**HB453/SB343** (Wilcox/Hightower) – Increases the state income tax deduction for contributions to catastrophe savings accounts. HB453 was indefinitely postponed in the House, and SB343 passed in the Senate but died on the House calendar.

**HB509/SB404** (DeMarco/Waggoner) – Allows recipients of tax credits for rehabilitation of historic buildings to transfer those credits to any other person or entity. **HB509 was enacted as Act 2014-452.** SB404 is no longer significant.

**HB512** (McClammy) – Creates a state income tax credit for certain employers that hire student workers under age 19. HB512 died in the House Ways & Means Education Committee.

**HB548** (Scott) – Defines the standards by which a business operating in Alabama would be subject to the state income tax. HB548 died in the House Ways & Means Education Committee.

**HB558** (Fincher) – Removes the \$7,500 cap on the individual income tax credit for contributions to organizations that grant scholarships under the Alabama Accountability Act. HB558 passed in the House but died on the Senate calendar.

**SB71** (Sanford) – Exempts contributions to health savings accounts from the state income tax. SB71 passed in the Senate and but died on the House calendar.

**SB122** (Orr) – Provides state income tax credits related to businesses' qualified research and development expenses. SB122 passed in the Senate but died in the House Ways & Means Education Committee.

**SB187** (Bedford) – Repeals the Alabama Accountability Act. SB187 died in the Senate Education Committee.

**SB296** (Singleton) – Requires that a company’s workforce may consist of no more than 1 percent temporary workers if it gets a state economic development incentive and bars noncompliant companies from incentives for three years after repayment. *SB296 died in the Senate Job Creation & Economic Development Committee.*

**SB473** (Marsh) – Suspends state tax incentives for the entertainment industry for two years. *SB473 was indefinitely postponed in the Senate.*

## Utility rate issues affecting low-income people

**SB134** (Bussman) – Continues the Public Service Commission until Oct. 1, 2016. *SB134 was enacted as Act 2014-64.*

## Debt collection exemptions

**HB82/SB169** (Clouse/Fielding) – Allows cities and counties to collect debts owed to them via offsets of state income tax refunds. *HB82 was enacted as Act 2014-321. SB169 is no longer significant.*

**HB608/SB276** (Beckman/Taylor) – Allows the Legislature to set the state’s homestead and personal property exemptions from debt collection by statute (CA). *HB608 died in the House Constitution, Campaigns & Elections Committee, and SB276 was indefinitely postponed in the Senate.*

**SB281** (Orr) – Creates the Office of Debt Recovery to collect certain debts owed to state, city and county governments. *SB281 was indefinitely postponed in the Senate.*

**SB427** (Ward) – Increases Alabama’s homestead exemption from debt collection and allows debtors to choose to exempt property in accordance with federal bankruptcy law. *SB427 was indefinitely postponed in the Senate. The original SB427 also would have increased the state’s personal property exemption from debt collection and periodically adjusted the state’s exemptions for inflation.*

## Death penalty reform

**HB216/SB194** (Greer/Holtzclaw) – Shortens appeals process in death penalty cases by requiring direct and collateral appeals to run concurrently and requires Alabama to provide appellate counsel for indigent capital defendants. *HB216 was indefinitely postponed in the House, and SB194 was indefinitely postponed in the Senate.*

**HB217** (Greer) – Forbids capital defendants or their lawyers to contact victims’ families without first notifying the prosecutor. *HB217 died in the House Judiciary Committee.*

**HB218/SB193** (Greer/Holtzclaw) – Defines additional offenses as capital crimes. *HB218 was indefinitely postponed in the House, and SB193 was indefinitely postponed in the Senate.*

**HB219** (Greer) – Forbids lawyers or parties in a capital case, or anyone acting on their behalf, to contact jurors after the case without court permission. *HB219 was indefinitely postponed in the House.*

**HB275/SB245** (Coleman-Evans/Sanders) – Imposes a moratorium on the death penalty for up to three years. *HB275 died in the House Judiciary Committee, and SB245 died in the Senate Judiciary Committee.*

**HB379/SB325** (Greer/Holtzclaw) – Requires confidentiality for people or entities participating in, or performing any ancillary function related to, an execution. HB379 passed in the House but died on the Senate calendar, and SB325 was indefinitely postponed in the Senate.

**SB243** (Sanders) – Creates procedures for trial courts to determine whether defendants in capital cases have mental retardation and therefore are not subject to the death penalty. SB243 died in the Senate Judiciary Committee.

**SB244** (Sanders) – Prohibits judges from overriding a jury's sentencing recommendation in death penalty cases. SB244 died in the Senate Judiciary Committee.

**SB246** (Sanders) – Forbids the death penalty for offenders who were under age 18 at the time of a capital offense. SB246 died in the Senate Judiciary Committee.

**SB247** (Sanders) – Allows capital defendants to challenge their death sentence if it was obtained based on race. SB247 died in the Senate Judiciary Committee.

**SB248** (Sanders) – Repeals the death penalty in Alabama. SB248 died in the Senate Judiciary Committee.

### Payday/title lending reform

**HB145** (Todd) – Creates a common database of payday loans. HB145 passed in the House but died on the Senate calendar. The original HB145 also would have capped the annual interest rate on payday loans.

**HB406** (Scott) – Caps the annual interest rate on auto title loans, requires title lenders who repossess and sell borrowers' vehicles to return sales proceeds that exceed the amount owed and other reasonable expenses, and establishes other regulations and penalties. HB406 died in the House Financial Services Committee.

**HB587/SB410** (Collins/Orr) – Creates a common database of payday loans and gives borrowers more time to repay payday loans. HB587 died in the House Financial Services Committee, and SB410 was indefinitely postponed in the Senate.

**SB381** (Beason) – Caps the annual interest rates on payday loans and auto title loans, creates a common database of payday loans and establishes other regulations and penalties. SB381 died in the Senate Banking & Insurance Committee.

### Lifting lifetime SNAP ban for people with a felony drug conviction

**HB192/SB63** (Rich/Pittman) – Requires drug tests for TANF applicants who were convicted of drug use or distribution within five years prior to the application. **SB63 was enacted as Act 2014-438.** HB192 is no longer significant.

**SB87** (Taylor) – Forbids the state to seek statewide waivers of work requirements for able-bodied, working-age SNAP recipients who have no dependents. SB87 passed in the Senate but died on the House calendar. The original SB87 would have required recipients of SNAP, TANF, unemployment compensation and many other public benefits to perform 20 hours of community service per week.

**SB115** (Orr) – Requires TANF applicants to have applied for at least three jobs and to comply with job search preparation, education and other employment activities required by the Department of Human Resources. *SB115 was enacted as Act 2014-425.*

**SB116** (Orr) – Forbids the use of TANF benefits to buy alcohol, tobacco or lottery tickets and forbids the withdrawal or use of benefits in a bar, casino, tattoo parlor, psychic services facility or adult entertainment facility. *SB116 was enacted as Act 2014-419.*

**SB171** (Fielding) – Requires unemployment compensation recipients to perform 16 hours of community service per week. *SB171 died in the Senate Fiscal Responsibility & Accountability Committee.*

**SB303** (Coleman) – Lifts Alabama’s lifetime SNAP and TANF eligibility bans for people who have felony drug convictions and who have completed their sentence or are successfully serving probation. *SB303 passed in the Senate but died on the House calendar after losing a procedural vote.*

## Other subjects

**HB279** (Melton) – Creates a state minimum wage, increases it to \$9.80 per hour by 2016 and provides for regular cost-of-living adjustments (CA). *HB279 died in the House Commerce & Small Business Committee.*

**HB523/SB291** (Beckman/Marsh) – Amends the landlord-tenant law to allow landlords to terminate leases more quickly upon noncompliance with certain lease terms, to extend the deadline for landlords to refund security deposits, and to provide that a property is considered abandoned if electric service is terminated for a week. *SB291 was enacted as Act 2014-279. HB523 is no longer significant.*

**SB253** (Marsh) – Revises the state constitution’s impeachment article (CA). *SB253 passed in the Senate but died on the House calendar.*

**SB258** (Ward) – Consolidates the state constitution’s legislative provisions into a newly revised article (CA). *SB258 died in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

**SB259** (Taylor) – Revises the state constitution’s executive article (CA). *SB259 died in the Senate Constitution, Campaign Finance, Ethics & Elections Committee.*

**SB261** (Fielding) – Consolidates the state constitution’s provisions on separation of powers into a newly revised article (CA). *SB261 passed in the Senate and but died on the House calendar.*

**SB274** (Coleman) – Increases the number of negative votes required in the Legislature to force a statewide vote on a local constitutional amendment (CA). *SB274 passed in the Senate but died on the House calendar.*

**SB295** (Singleton) – Creates a state minimum wage of \$12 per hour and provides for regular cost-of-living adjustments. *SB295 died in the Senate Business & Labor Committee.*

**SB367** (Marsh) – Gives counties limited home rule powers over functions including personnel policies, public transportation programs and election administration (CA). *SB367 passed in the Senate but died in the House Constitution, Campaigns & Elections Committee.*