

**Alabama Legislative Report**  
**March 4, 2022**

**Broadband**

The House unanimously passed two bills Thursday intended to expand broadband infrastructure and access. SB 123 would increase the minimum connectivity speed for grant-funded projects as well as allow for annual revisions of the Connect Alabama Fund and non-disclosure agreements between the Alabama Digital Expansion Division and broadband providers. SB 124 increases the amount of grant funding allowed per project to 80% of costs and up to \$5 million (increased from 35% and up to \$1.5 million). Both bills were previously passed by the Senate and now go to the governor for approval.

SB 125, also part of the package, is a constitutional amendment that would “authorize the state, a county, or a municipality to grant certain monies to public or private entities for broadband infrastructure.” Section 94 of the Alabama constitution currently prohibits the legislature from authorizing local governments “to grant public money or thing of value in aid of, or to any individual, association or corporation...by issuing bonds or otherwise.” While SB 125 was also previously passed by the Senate, the House has not yet voted on it.

**Concealed Carry**

The Senate amended and passed a bill Thursday that would allow for concealed carry of handguns in public without a permit. HB 272 would also eliminate the requirement that those without a permit keep handguns unloaded and secured while driving. Changes made by the Senate include:

- Allowing an officer to temporarily take a weapon upon reasonable suspicion that a person was about to commit a crime and run it through databases to see if the gun was stolen and to check the person’s criminal history
- Directing up to \$5 million to sheriff offices to compensate for permit fees

HB 272 now returns to the House, which can decide to accept or reject the Senate’s changes. The bill’s sponsor, Rep. Shane Stringer, has indicated he is inclined to urge for acceptance.

**Lottery/Gambling**

Legislation was introduced Thursday in the Senate that could open the door to a vote on a statewide lottery, casino-style gambling, and sports betting. The legislative package includes SB 293, which proposes a constitutional amendment, and SB 294, which includes many of the details. The bills provide that the Alabama Education Lottery and Gambling Commission would have the authority to:

- Limit the number of licensed casinos to five locations and would give licenses to existing dog tracks in Greene, Jefferson and Mobile counties and Victory Land in Macon County
- Require the governor to negotiate a compact with the Poarch Band of Creek Indians allowing for casino-style gambling and sports betting at its sites. The fifth casino site would be part of that compact and located in either DeKalb or Jackson counties
- Levy a 20% tax on the net revenues for casinos and sports betting

Lottery revenue would be directed to a new Alabama Education Lottery Trust Fund with nearly 99% of annual proceeds going toward “a scholarship or other program to support educational attainment or fulfillment of the state’s workforce needs.” Any unclaimed lottery prizes would go toward failing K-12 schools.

Gambling revenue would be directed as follows:

- 30% for mental health services
- 20% for broadband expansion
- 20% for rural health care
- 15% for road and bridge projects
- 5% for state parks/historical sites

The Senate approved lottery/gambling legislation last year, but the plan died in the House. If the package is approved by the legislature, the issue will go before the voters on the November general election ballot.

**Math Education**

A bill aimed at improving math education in elementary schools was approved by the Senate this week. SB 171, the Alabama Numeracy Act, would create an Office of Mathematics Improvement within the state Department of Education and would make a number of changes, including:

- Requiring all K-5 teachers dedicate 60 minutes per day to math instruction
- Providing regular math screenings for students and interventions for students with math deficiencies
- Requiring that each K-5 school assign a math coach for every 500 students (subject to state funding)
- Requiring that university education programs teach the same approved math curriculum to new teachers before they enter the classroom

SB 171 does not currently include a holdback requirement for underperforming students. It does, however, include “turnaround programs” for underperforming schools. If after four years on such a program the school does not improve, the local school board must either “mandate a complete reconstitution of the school” including removing all personnel and hiring new educators or apply to turn the schools into a charter school.

The bill now moves to the House for consideration.

### **Education Budget**

The House Ways and Means Education Committee approved the FY23 Education Trust Fund budget Wednesday. At \$8.175 billion, the funding in HB 135 represents a \$475 million increase over last year’s budget and again represents the largest education budget in Alabama history. While roughly \$125 million smaller than Governor Ivey’s proposal, it leaves intact many of her priorities and includes funding for classroom materials, technology coordinators, and reading coaches. Also included is a 4% pay increase for teachers, a bonus for retired educators, and \$20 million for implementation of the Alabama Numeracy Act if enacted. The committee spreadsheet can be accessed at:

<https://www.legislature.state.al.us/pdf/lisa/Fiscal/FY2023/ETF/ETF-FY23-WME-sub.pdf>

The education budget will be considered by the full House on Tuesday.

### **Health Officer Powers**

The Senate Governmental Affairs Committee also unanimously approved a bill this week that would limit the powers of the state health officer. SB 255 would prohibit the state health officer from issuing any emergency rule or order that would affect the lives of citizens unless approved by the governor. The bill was amended to allow for addressing health code violations without approval. SB 255 can now be considered by the full Senate.

### **Transgender Healthcare**

The House Judiciary Committee approved a bill Wednesday that would make it a felony punishable by up to 10 years in prison for a doctor to prescribe puberty blockers or hormones or perform surgery to aid in the gender transition of people 18 years old or younger. The bill was previously passed by the Senate and can now be considered by the full House.

### **Gas Tax**

A bill was introduced this week that would amend the 2019 gas tax increase. SB 277 would leave the 10-cent gradual increase intact but would remove the two-year indexing set to begin in 2023 tied to the cost of materials used to build roads and bridges.

Feb 24, 2022 - Read for the first time and referred to the House of Representatives committee on Ways and Means Education

House Committee: Ways and Means Education

Senate Committee:

## **HB 0298 | Juandalynn Givan**

[Broadband, revising broadband accessibility grant program, increasing minimum threshold speed, expanding program to governmental entities, revising grant application process, Sec. 41-23-211, 41-23-212, 41-23-213, 41-23-214 am'd.](#)

Feb 08, 2022 - Read for the first time and referred to the House of Representatives committee on Urban and Rural Development

House Committee: Urban and Rural Development

Senate Committee:

## **HB 0241 | Terri Collins**

[Workforce Development, Alabama Credential Quality and Transparency Act and the Alabama Workforce Council Committee on Credential Quality and Transparency, would establish the Alabama Terminal on Linking and Analyzing Statistics \(ATLAS\) on Career Pathways Act, and would establish the Alabama College and Career Readiness Act estab, public database on educational and occupational credentials and competencies created, workforce database for students, job seekers, and employers re credentials and competencies created](#)

Feb 15, 2022 - Read for the first time and referred to the Senate committee on Governmental Affairs

House Committee:

Senate Committee: Governmental Affairs

## **HB 0207 | Kyle South**

[Airports, Alabama Airport Economic and Infrastructure Program, established](#)

Feb 02, 2022 - Read for the first time and referred to the House of Representatives committee on Ways and Means General Fund

House Committee: Ways and Means General Fund

Senate Committee:

## **SB 0125 | Clay Scofield**

[Broadband, authorizing the state, county, or a municipality to grant certain monies for broadband infrastructure, const. amend.](#)

Feb 23, 2022 - Pending third reading on day 15 Favorable from Urban and Rural Development

House Committee: Urban and Rural Development

Senate Committee:

### **SB 0124 | Clay Scofield**

[Broadband, revising broadband accessibility grant program, increasing minimum threshold speed, expanding program to governmental entities, revising grant application process, Sec. 41-23-211, 41-23-212, 41-23-213, 41-23-214 am'd.](#)

Mar 03, 2022 - Motion to Read a Third Time and Pass adopted Roll Call 462

House Committee:

Senate Committee: Fiscal Responsibility and Economic Development

### **SB 0123 | Clay Scofield**

[Broadband, Connect Alabama Act o 2021 amended, minimum service threshold increased, Alabama Digital Expansion Division chief authorized to enter nondisclosure agreements, Connect Alabama Fund expenditure amended, Secs. 41-23-271, 41-23-273, 41-23-274 am'd.](#)

Mar 03, 2022 - Delivered to Governor at 12:54 pm.m on March 3, 2022

House Committee: Urban and Rural Development

Senate Committee:

### **SB 0083 | Tim Melson**

[Airports, Alabama Airport Economic and Infrastructure Program, established](#)

Feb 23, 2022 - Ways and Means General Fund first Amendment Offered

House Committee: Ways and Means General Fund

Senate Committee:

## **HB 0082 | Danny Garrett**

[Small Business Relief and Revitalization Act of 2022, cancellation of indebtedness income exempt from income tax, financial institution excise tax and corporate income tax due date extension, certain business tangible personal property ad valorem tax exemption, deposit of certified funds with Revenue in lieu of one-time surety bond for licensure, average monthly sales tax liability for estimated payments increased, Secs. 40-16-3.1, 40-18-39.1 added; Secs. 40-9-1, 40-23-6, 40-23-6.1, 40-23-7 am'd.](#)

Feb 22, 2022 - Assigned Act No. 2022-53.

House Committee:

Senate Committee: Finance and Taxation Education

## **HB 0021 | Scott Stadthagen**

[Critical infrastructure, provides further for crime of unauthorized entry of a critical infrastructure, including unmanned aircraft systems, provides additional penalties, Sec. 13A-7-4.3 am'd.](#)

Feb 10, 2022 - Stadthagen motion to Indefinitely Postpone adopted Voice Vote

House Committee: Public Safety and Homeland Security

Senate Committee:

## **SB 0057 | Arthur Orr**

[Taxation, tax credit, authorized for the cost of acquisition and construction of a qualified storm shelter](#)

Jan 11, 2022 - Read for the first time and referred to the Senate committee on Finance and Taxation Education

House Committee:

Senate Committee: Finance and Taxation Education

## **SB 0017 | Garlan Gudger**

[Critical infrastructure, provides further for crime of unauthorized entry of a critical infrastructure, including unmanned aircraft systems, provides additional penalties, Sec. 13A-7-4.3 am'd.](#)

Feb 15, 2022 - Assigned Act No. 2022-34.

House Committee: Public Safety and Homeland Security

Senate Committee: