**Alabama Legislative Report**

**February 23, 2024**

**School Choice Clears House Committee, with Modifications**

Representative Danny Garrett advanced the large-scale school choice bill championed by Governor Ivey, the CHOOSE Act, through the House Ways and Means Education Committee on Thursday.  The committee passed a substitute, which made some changes to Garrett’s legislation.

The modifications include:

* **Cap and Spending Oversight:** A functional $100 million annual cap placed on spending from the Education Savings Account fund. Lawmakers cannot exceed this cap until the Department of Revenue certifies that at least 90 percent of existing funds have been used.
* **Transparency for parents:** Participating schools must share student test scores with parents and report school-level assessment information to the Department of Revenue
* **Military family priority:** For the first two years, military families zoned for “D” or “F” schools have priority access to tax credits.

The House is expected to consider the legislation next Tuesday.

**Diversity, Equity, and Inclusion (DEI) Bill Receives Quick Passage in the Senate**

On Tuesday, Senator Will Barfoot's anti-DEI bill, SB129, was filed and swiftly passed out of committee the following day. This bill garnered attention as it addresses several cultural concerns that conservatives have voiced in recent years. Its passage through the Senate on Thursday was marked by a party-line vote.

SB129 primarily targets what it defines as divisive concepts, specifically the notion that any particular race, sex, religion, etc., bears inherent responsibility for past actions committed by others within that group. Among its provisions, the bill mandates that public occupancy restrooms in public higher education institutions be designated based on biological sex. Additionally, it prohibits state funding linked to divisive concepts and prohibits teachers and state employees from compelling others to affirm or adhere to such concepts.

During the Senate proceedings, Democratic Senators successfully advocated for amendments aimed at safeguarding diversity requirements on relevant state boards and preserving the integrity of women's sports. Another amendment protects employees who address inquiries from students in coursework or training related to divisive concepts.

With the Senate's approval, the legislation now advances to the House for further consideration.

**Senate Keeping Cards Close to Vest**

After a swift passage in the House last week, all eyes are on the Senate to see what is next for the lottery and gaming proposal. The package would allow Alabamians to vote on a lottery, sports betting, and up to seven casinos.

Senate leadership is working to secure the 21 votes necessary advance the legislation.

The legislation could see committee action as early as next week. Senate Leadership has indicated that it would like to hold votes on the legislation before the Legislature breaks for a recess the week of March 11.

**Lawmakers seek to clarify IVF status after court ruling**

Following a recent Alabama Supreme Court ruling declaring frozen embryos "children" under state law, multiple bills have been introduced in both the House and Senate to address this controversial decision.

The ruling stemmed from a case where two couples' frozen embryos were destroyed after a hospital patient accessed the storage area. The court, citing a century-old law on wrongful death of minors, held the hospital liable due to negligence and classified the embryos as "children."

This decision has sparked national debate and prompted swift action from lawmakers. Senator Tim Melson and House Minority Leader Anthony Daniels have proposed bills that explicitly define any fertilized egg or embryo outside a woman's uterus as not constituting an "unborn child."

Given the significant national attention, a bill clarifying the legal status of embryos and providing relief for previously closed IVF facilities could be fast-tracked through the Legislature and reach Governor Ivey's desk by early March.

**House Committee Public Hearing Set on proposed Ethics law revisions**

Representative Matt Simpson, a former assistant district attorney, has filed an updated ethics reform proposal. The 69-page proposal aims to address concerns that have emerged since the last significant update to the state’s ethics laws in 2010.

One key focus is clarifying concurrent jurisdictions in the current law shared by the Alabama Ethics Commission, Attorney General, and Secretary of State, which can create confusion, according to Simpson.

The House Ethics and Campaign Finance Committee will hold a public hearing on the bill Wednesday.

EDAA

| **Bill** | **Sponsors** | **Title** | **Last Action** | **Latest Version** |
| --- | --- | --- | --- | --- |
| AL 2024rs [HB 177](https://url.emailprotection.link/?bTCmWgHJKBMq8RTfQknL4yzyEjF9glQOYPq-OLeX8AZp-L07E4L3AWTBR4-TknJFPtlzwp5s12x5mjsNQHjiQYkvk-d_2uKksaQ2T8Kq8kBed4vVPCUntaj7hEGc7wWAR) | [Chris Sells](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFVib0DWVhJxx_pYbLx5e00XpZOqtNzKY2WgkVp6BO6LVIFJyepbJAq3CbZ1Q0-vZo) | Commerce Dept; secretary and deputy secretary salary revised  **House Calendar:**Special Order Calendar (HR53) (February 22, 2024)  **Position:**5 | House • Feb 22, 2024: Third Reading House of Origin | [Introduced](https://url.emailprotection.link/?b6JPx8RsWyOeoON07RKzV050bHOzmqVldW8ZEp2tzM0_gNI-nz5a7OL9tiEczfxH7RzNJIpDOCjcQkx8YmA1MB6TpH4TqnUr9gXgZBet9dl38M9w5Ej4xYVyIGrBrFnYZ) |
| AL 2024rs [HB 227](https://url.emailprotection.link/?bfb7x4uMpfCsd4T6oc12TL5RDEgp3OA_z-IT-2MyBLe6xHRtDSSQLJwjbC1ZrP-ScPeCvZuNTZGtWODcmRf3DDOqJb3qsZ_8oPsQPjU3qQVmPLunb_rbL-Glc89XCYP_5) | [Matt Simpson](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFPLp1W9NENgdLTQqoMNvpagV7K43dxjFIkJggksF-KgVT0poG_vOGOTSrt4PPjD06) | Ethics; laws pertaining to public officials and public employees revised (Ethics and Campaign Finance)  Public Hearing • [House Ethics and Campaign Finance standing meeting](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjRpxqPg2Sz6Hvlgb1Wm9lqnjsoBaOR6miNDQDGQwJcFU7U5SOcD7CFx5CmyQ0NJoZQPHCmqPWZ7XSKe0sWl3l4DjtTjmIn4RNkoYwdY8f9Ov)  Feb 28, 2024 10:30am  807 | House • Feb 22, 2024: Pending Committee Action In House Of Origin (Ethics and Campaign Finance) | [Introduced](https://url.emailprotection.link/?bjr0JfZfXmNBADmr1Cxc-48AwaZj8GS4sm_hAqqw_EAAtYom_mcGd6q-TbDDJhfZl9MvQ-dSP-wcAlqiFbr2XIFNRNbV5tYrNxHtWPbsdYQ3cJ6eNJ6N5Dcxrubq83BHO) |
| AL 2024rs [HB 181](https://url.emailprotection.link/?bN2lGvCzNJWLIWQqGbE5IByoLJc8_uGCII5H0O0PA22CsqQh-dbX_24cOr329OBFR_yeQz80AStiCrUGmEwn__PXZyEhWyPQFHxoZrhdT5cxgLMOUC0qMHDKGjZslPGXc) | [Craig Lipscomb](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFtxZVN66ltRIkuFT6Oq6zAhYAKPSbvxDeJcJFOLJCAYNwKCgjsxWbKD-44JGpRgqn) | State Waters, Alabama Waters Task Force created (Ports, Waterways & Intermodal Transit) | House • Feb 15, 2024: Pending Committee Action In House Of Origin (Ports, Waterways & Intermodal Transit) | [Introduced](https://url.emailprotection.link/?besWsqOShlD0X7AbgQLH1nQByG-VjlY82C-SibCxGx3kwfxWyifPkRYF-48-PdL4MScPQazLvYAuBTVcRNH7o_JaV1s7Tyt2ptXgzjeexKY6Ft0c2Bl0pPLWKlssr8S8s) |
| AL 2024rs [HB 133](https://url.emailprotection.link/?b6Blqo0CiWiYYrh45IxT1dn4O5dqcm7VwT2rI1--e4zvvYswU5LI2bF5bCh5P-pbZn4M0lneNl1pBBnkAYI-FkO7xfAE2q5JnjV1a7sbRGMgPB2S43rnButa0miQ0dyet) | [Rex Reynolds](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFo4b1K6FGhbb4ezewKDk5S43Sr0-gjVHo7Wk7QZYb_Zwkmogwj2uOXCOgvhe8dTBM) | Supplemental appropriations from State General Fund to specified agencies for fiscal year ending September 30, 2024. (Ways and Means General Fund) | House • Feb 07, 2024: Pending Committee Action In House Of Origin (Ways and Means General Fund) | [Introduced](https://url.emailprotection.link/?bRAms8OAMLehEd00A226qJkPxIy_PVL0g78anQx_i5kJlMkjHgxlsZ0qXoTadORY_GgFQIHVoSdY-BQ8c-QcRHGlSQb4sanrZOeGGGDQnzSrJmwo4YtUwJrCzZd_0wlQM) |
| AL 2024rs [SB 66](https://url.emailprotection.link/?bN2lGvCzNJWLIWQqGbE5IByoLJc8_uGCII5H0O0PA22CsqQh-dbX_24cOr329OBFR_yeQz80AStiCrUGmEwn__PlYuzNbmp3pstLPzlHjfiIh8ty0nYDmqAfUYEHRFtzC) | [Greg Albritton](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFzGZbQu47FDP7JJ2Ielp6VVMgnc-zOko6v6dMQiZmAE8ZLClWhvwc1IObaIMCTPov) | Supplemental appropriations from State General Fund to specified agencies for fiscal year ending September 30, 2024. (Finance and Taxation General Fund) | Senate • Feb 07, 2024: Pending Committee Action In House Of Origin (Finance and Taxation General Fund) | [Introduced](https://url.emailprotection.link/?bQA5DgjLKbyeK5BK4zNTiWZ1Ec3q2rGZauWGQhzO7nwd4IQxm3ePldTXvCnphrTLy4-AHms68eWboxWYTGTNis3MzrFHvTfaf0kKWHwgsMQoh9AH4IDsR_1xNZa8xkR7s) |
| AL 2024rs [HB 118](https://url.emailprotection.link/?bj_PUQEiIt4f-H1_DbWgaUv1NGgRZKfK7rrtQI_0dEdlYGBgZ7PFAKlsA_CKjFE2DSTMkXgNbCCnuOGLcx9H5zlZO4rPxi4veE-Kt5HCzlNs-2M08hS9NPzVWMpTKUl9R) | [Ben Robbins](https://url.emailprotection.link/?bolDdOGTgLxzb-dOYmCxYjShlYGy6cDM1tdiiPwjeB1WP9ZPeNSlhv65BbA3LMoPFH5P2OUW3qpkkchMWvLqOrT1khGdzLEoCh6OXDHrI7QDJg2Gbv8SnEfXekaz8wVz0) | Establish income tax credit to recruited or remote workers (Ways and Means Education) | House • Feb 06, 2024: Pending Committee Action In House Of Origin (Ways and Means Education) | [Introduced](https://url.emailprotection.link/?besWsqOShlD0X7AbgQLH1nQByG-VjlY82C-SibCxGx3kwfxWyifPkRYF-48-PdL4MScPQazLvYAuBTVcRNH7o_LIdBfOSdglMdMkGje8g2YUsQjvh38CQqQVBJIrdNayN) |
| AL 2024rs [SB 60](https://url.emailprotection.link/?bJv6KR6-1NWQx93xxkkE0y6y26cpPLpUFn_AE5KQRQCYthT3iZByoJDSu_9rH6rPfOj8VE7GVLRPOgOAi5LS26zThxNjFdMqYg3fgJr9e8uYvveen3f05glEd_WqMBcB-) | [Arthur Orr](https://url.emailprotection.link/?byvXGdibqvwBkR1L2MhVCL0Zx7_rPQi63kmaAHdAiMrLLxkPiuQTdzdixO06e-72zmKTKUL_4YVOwKp6J8yD56B3jto-1E0gThzuV5Cfu6edPxfyrVKuQjTF53zfjcKGP) | Ports, inland facilities, $5 million of additional motor fuel tax levied by act 2019-2 transferred from Rebuild Alabama fund to ADECA, create inland port and intermodal fund (Finance and Taxation General Fund) | Senate • Feb 06, 2024: Pending Committee Action In House Of Origin (Finance and Taxation General Fund) | [Introduced](https://url.emailprotection.link/?bBxNbr7F5HcUorTjn1IFtg-sdtVE0Jh6QAssQyETT3TEDPEfijydWeG9P1IxxWPhmHWV6CPrdsM9qU4T2sXAPd7oHAPcceoJavIPXfsckxGcxvy1pGXorEzGMCuPMCCOd) |