

1 HB188
2 195704-2
3 By Representatives Fridy, Simpson, Estes and Kiel
4 RFD: State Government
5 First Read: 19-MAR-19

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ENROLLED, An Act,

Relating to the Secretary of State; to amend Sections 36-14-1, 36-14-11, 36-14-12, and 36-14-13, Code of Alabama 1975, to authorize the Secretary of State to distribute volumes of legislative acts and resolutions and other documents in electronic format; and to provide for notice to all recipients.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 36-14-1, 36-14-11, 36-14-12, and 36-14-13, Code of Alabama 1975, are amended to read as follows:

"§36-14-1.

"It is the duty of the Secretary of State:

"(1) To keep the state seal, the original statutes and public records of the state, and the records and papers belonging to the Legislature, keeping the papers of each house separate.

"(2) To attest commissions and all other public documents from the executive of the state and, when necessary, to affix the seal of the state thereto and to certify the same in his or her official capacity.

"(3) To record, in books proper for that purpose, all grants and patents issued by the state.

1 "(4) To keep all books, maps, and other papers
2 appertaining to the survey of lands belonging to the state and
3 the books and papers belonging to the land office.

4 "(5) To keep in his or her office the books, maps,
5 and field notes of the late surveyor general of the United
6 States for this state which are public archives of the state
7 and, upon application, to give certified copies of the same,
8 which shall be received in evidence in any of the courts of
9 this state.

10 "(6) To ~~certify~~, on application and the payment of
11 lawful fees, certify copies of all records, grants, papers,
12 and laws of the several states or of the United States.

13 "(7) To make annually, by September 30, a verified
14 and itemized account of all money and fees received in his or
15 her office and of all payments and disbursements made ~~by him~~,
16 which must be reported to and filed with the Governor, and ~~by~~
17 ~~him must be~~ transmitted to the next succeeding Legislature.

18 "(8) To give notice to the district attorneys of the
19 respective circuits or counties of all officers who fail to
20 file their bonds in his or her office, or make returns of
21 elections within the time prescribed.

22 "(9) To procure the acts and resolutions of the
23 Legislature, ~~of which distribution is directed, to be half~~
24 ~~bound and lettered.~~

1 "(10) To receive from the state printer 10
2 additional copies of all bills, joint resolutions, and
3 memorials printed by order of either house of the Legislature
4 and, on the adjournment of each session of the Legislature, to
5 have one of each of such copies bound together in a cheap form
6 and file them and the copies not bound in his or her office.

7 "(11) On entering into the contract provided for in
8 Section 11-3-25, to furnish to the county commissions, from
9 the records now in his or her office, exact copies of the
10 field notes of the original surveys of all the lands in their
11 respective counties, which shall be books of proper size to be
12 supplied by such courts, at the close of which he or she shall
13 append his or her certificate as to the correctness thereof
14 under the Great Seal of the State.

15 "(12) To procure from the general land office in
16 Washington, D.C., complete lists of the entries of public
17 lands in Alabama, so as to be enabled to complete the Alabama
18 state tract books in his or her office to date, the expense
19 attending the procurement of which to be paid upon his or her
20 certificate to the Comptroller, or who shall draw a warrant on
21 the Treasurer.

22 "(13) To procure lists of entries of public lands in
23 this state annually, so as to comply with ~~the following~~
24 subdivision ~~of this section~~ (14), the expense to be paid as
25 provided in ~~the preceding~~ subdivision (12).

1 "(14) To enter on the tract books, by October 1 of
2 each year, a list of all the lands (not already so entered)
3 sold by the United States, and to make out and furnish each
4 probate judge, by January 1 of each year, a register or
5 statement showing all the lands so sold in the county of such
6 judge and not embraced in any register or statement previously
7 furnished.

8 "(15) To file all deeds or leases heretofore given
9 or which may be hereafter given conveying real property to the
10 State of Alabama, or any of its departments, agencies,
11 commissions, boards, institutions, or public corporations
12 brought into existence by act of the Legislature, except tax
13 sales deeds, in the office of the Secretary of State. The
14 Secretary of State shall promptly record the deeds so filed in
15 his or her office by writing, typewriting, ~~or by~~ photostat, or
16 by electronic format and shall preserve the deeds as recorded
17 in a well-bound book if not stored in electronic format. The
18 Secretary of State shall be required to furnish a certified
19 copy of all deeds filed for record in his or her office to any
20 department, agency, commission, board, institution, or public
21 corporation created by act of the Legislature, when any such
22 department, agency, commission, board, institution, or public
23 corporation formed or created by act of the Legislature
24 desires a certified copy of such deed.

1 "(16) To perform such other duties as he or she is
2 or may be required by law to perform.

3 "(17) To implement a central filing system that
4 complies with regulations promulgated by the Secretary of the
5 United States Department of Agriculture pertaining to central
6 filing of liens on farm products.

7 "§36-14-11.

8 "(a) The Secretary of State shall retain for the use
9 of the executive offices and the two houses of the Legislature
10 the number of copies of all volumes of the acts and
11 resolutions of each session necessary to provide for
12 distribution pursuant to law. The Secretary of State shall
13 transmit to the Department of State of the United States two
14 copies of each volume, and distribute to the Governor,
15 Treasurer, Auditor, Superintendent of Education, Commissioner
16 of Agriculture and Industries, State Health Officer, Adjutant
17 General, the ~~Board~~ Department of Corrections, President and
18 each Associate Commissioner of the Public Service Commission,
19 Commissioner of Conservation and Natural Resources, Department
20 of Revenue, Clerk of the Supreme Court, Secretary of the
21 Senate and Clerk of the House of Representatives two copies of
22 each volume, to the Attorney General and Secretary of State,
23 three copies, to the Department of Archives and History, five
24 copies, to the Chief Examiner of the Department of Examiners
25 of Public Accounts, 40 copies, and to the President of the

1 University of Alabama, for the law department, 8 copies of
2 each volume, and to each judge of the Supreme Court, Court of
3 Civil Appeals, Court of Criminal Appeals, circuit court,
4 district attorney, United States District Judge, and United
5 States Attorney in this state one copy of each volume, and to
6 the Supreme Court Library, 11 copies of each volume, and to
7 the Department of Justice of the United States, one copy of
8 each volume, and to the United States Circuit Court of Appeals
9 for the Eleventh Circuit, one copy of each volume, and to the
10 Librarian of Congress at Washington, for the purpose of
11 copyright, two copies of each volume, and to the University of
12 Alabama, for the Land Commissioner, the University of
13 Montevallo, each normal school in the state, Auburn
14 University, and to each district agricultural school in the
15 state, one copy of each volume. Any department, officer, or
16 court named in this section may reduce or refuse the
17 allocation of acts upon written request to the Secretary of
18 State.

19 "(b) (1) In lieu of binding and distributing copies
20 of each volume of acts and resolutions as required under
21 subsection (a), the acts and resolutions may be stored in
22 electronic format and distributed by electronic means,
23 including the posting of the acts and resolutions on the
24 public website of the Secretary of State.

1 "(2) If the Secretary of State elects to distribute
2 copies of each volume of acts and resolutions by electronic
3 means as provided in subdivision (1), he or she may provide
4 written notice by regular mail to all recipients as soon as
5 practicable.

6 "§36-14-12.

7 "The Secretary of State ~~is hereby authorized and~~
8 ~~directed to~~ shall furnish, by electronic means or otherwise,
9 to the Library of Congress, for the Division of Documents,
10 ~~eight copies~~ a copy of the general and local laws of the State
11 of Alabama for each session.

12 "§36-14-13.

13 "(a) The Secretary of State must also transmit to
14 the ~~chairman~~ chair of the county commission and the judges of
15 probate of each county, for such judge, each member of the
16 Legislature, clerk of any court of record, sheriff, and
17 register of the circuit court, one copy of each volume. The
18 remaining copies must be sold as other books and documents,
19 the property of the state, at a price to be established by the
20 Secretary of State, and the proceeds thereof paid into the
21 Treasury.

22 "(b) (1) In lieu of binding and distributing copies
23 of each volume of acts and resolutions as required under
24 subsection (a), the distribution may be made by electronic

1 means, including the posting of the acts and resolutions on
2 the public website of the Secretary of State.

3 "(2) If the Secretary of State elects to distribute
4 copies of each volume of acts and resolutions by electronic
5 means as provided in subdivision (1), he or she may provide
6 written notice by regular mail to all recipients as soon as
7 practicable.

8 Section 2. This act shall become effective
9 immediately following its passage and approval by the
10 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 23-MAY-19.

Jeff Woodard
Clerk

Senate 30-MAY-19 Passed