

1 HB428
2 190716-1
3 By Representatives Wingo, England, McCampbell, Poole and
4 Harper (Constitutional Amendment)
5 RFD: Tuscaloosa County Legislation
6 First Read: 15-FEB-18

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, privately owned sewer
9 systems, with certain exceptions, are regulated by
10 the Alabama Department of Environmental Management
11 with regard to sewage treatment, but are not
12 regulated by the Public Service Commission with
13 regard to rates and consumer protection.

14 This bill proposes a local constitutional
15 amendment for Tuscaloosa County, to bring certain
16 privately owned sewer systems that use public
17 rights-of-way of public roads under the
18 jurisdiction of the Public Service Commission.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 To propose a local constitutional amendment to the
25 Constitution of Alabama of 1901, for Tuscaloosa County,
26 relating to privately owned sewer systems; to bring certain
27 privately owned sewer systems that use public rights-of-way of

1 public roads under the jurisdiction of the Public Service
2 Commission.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The following amendment to the
5 Constitution of Alabama of 1901, is proposed and shall become
6 valid as a part of the Constitution when all requirements of
7 this act are fulfilled:

8 PROPOSED AMENDMENT

9 (a) This amendment shall apply only in Tuscaloosa
10 County.

11 (b) Any privately owned plant, property, or facility
12 for the collection, treatment, or disposal of sewage that
13 uses, directly or through a lease or contract, public
14 rights-of-way of public roads for any part of its collection
15 or disposal system and that has residential or commercial
16 customers that are billed a flat service fee or fee based on
17 water usage shall be certified and regulated by the Public
18 Service Commission.

19 Section 2. An election upon the proposed amendment
20 shall be held in accordance with Sections 284 and 284.01 of
21 the Constitution of Alabama of 1901, now appearing as Sections
22 284 and 284.01 of the Official ReCompilation of the
23 Constitution of Alabama of 1901, as amended, and the election
24 laws of this state.

25 Section 3. The appropriate election official shall
26 assign a ballot number for the proposed constitutional
27 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Relating to Tuscaloosa County, proposing an
4 amendment to the Constitution of Alabama of 1901, to bring
5 certain privately owned sewer systems that use public
6 rights-of-way of public roads under the jurisdiction of the
7 Public Service Commission.

8 "Proposed by Act _____"

9 This description shall be followed by the following
10 language:

11 "Yes () No ()."