

1 HB611
2 199976-3
3 By Representatives McMillan, Simpson, Shiver, Faust and Baker
4 (N & P)
5 RFD: Baldwin County Legislation
6 First Read: 14-MAY-19

1
2 ENROLLED, An Act,

3 Relating to Baldwin County; pursuant to the
4 authority granted by the Alabama Constitution of 1901, as
5 amended, to provide for the incorporation, organization,
6 powers, and operation of a toll road and bridge authority as a
7 public corporation in Baldwin County; to provide for the
8 certificate of incorporation, board of directors, officers,
9 and powers of the authority; to authorize the authority to
10 acquire, design, construct, equip, operate, improve, and
11 maintain a toll road and bridge project in Baldwin County
12 connecting the present northern terminus of the Baldwin Beach
13 Express to U.S. Interstate Highway 65 and other similar
14 improvements; to authorize the authority to acquire property
15 by eminent domain; to authorize the authority to regulate the
16 use and operation of the project, including providing for
17 penalties and fines for violations of regulations; to
18 authorize the authority to set, revise, and collect tolls,
19 fees, and charges for the use of the project; to authorize the
20 authority to issue revenue bonds for the project; and to
21 provide for the payment of any revenue bonds from the net
22 proceeds of tolls, fees, and charges.

23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. Definitions. The following words have the
25 following meanings:

1 (1) ACT. This act.

2 (2) AUTHORITY. A public body or corporation
3 incorporated for the purpose of acquiring, designing,
4 constructing, regulating, building, improving, equipping,
5 operating, and maintaining the project.

6 (3) BOARD. The board of directors and of the
7 authority.

8 (4) BONDS. Bonds, warrants, notes, securities,
9 agreements, financing contracts, or other financial
10 obligations of the authority, including, without limitation,
11 refunding bonds, warrants, notes, securities, agreements,
12 financing contracts, or other financial obligations, payable
13 out of, and secured by a pledge of, all or any part of the net
14 revenues to be derived from the operation of the project,
15 including, without limitation, tolls, charges, and fees
16 imposed or collected by the authority, or out of any other
17 funds or amounts pledged to, on behalf, or by the authority.

18 (5) CERTIFICATE. The certificate of incorporation of
19 the authority.

20 (6) CHAIR. The member of the commission serving from
21 time to time as elected or appointed chair.

22 (7) CODE. The Code of Alabama 1975, as amended.

23 (8) COMMISSION. The Baldwin County Commission or
24 other governing body of the county.

1 (9) COST or COSTS. As applied to the project, at any
2 time and from time to time, any cost shall include the costs
3 of the authority, including, without limitation, all of the
4 following:

5 a. The costs of acquisition, preparation, and
6 design, including engineering, architectural, environmental,
7 contractor, feasibility, other preliminary work, and
8 administrative costs, related to the acquisition, design,
9 engineering, grading, construction, equipping, operation,
10 regulation, repair, improvement, redesign, reconstruction,
11 use, or maintenance of the project.

12 b. The cost of the acquisition of all land,
13 rights-of-way, property, rights, easements, and interests
14 acquired by, for, or on behalf of the authority.

15 c. The cost of demolishing or removing any buildings
16 or structures on land so acquired, including the cost of
17 acquiring any lands to which buildings or structures may be
18 moved.

19 d. The cost of diverting highways, interchange of
20 highways, waterways, bridges, and access roads to private
21 property, including the cost of land for easements therefor.

22 e. The cost of all labor, approvals, authorizations,
23 permits of any kind, machinery, service providers, and
24 equipment.

1 f. The cost of financing charges, including interest
2 prior to and during construction and for two years after
3 completion of construction.

4 g. The cost of traffic estimates, feasibility
5 studies, engineering studies, architects, contractors,
6 environmental analyses and consultants, design, and other
7 related studies and analyses, and financial and legal counsel
8 fees and expenses.

9 h. Plans, specifications, surveys, and estimates of
10 cost and of revenues.

11 i. The cost of other expenses necessary or incident
12 to determining the feasibility or practicability of
13 constructing, operating, or maintaining the project.

14 j. The cost of any administrative expense, property,
15 facility, or equipment, and any other expense as may be
16 necessary or incident to the construction, operation, repair,
17 redesign, reconstruction, improvement, equipping, or
18 maintenance of the project at any time and from time to time.

19 k. The cost of issuing bonds at any time and from
20 time to time in order to finance the construction, equipping,
21 operation, regulation, repair, equipment, use, or maintenance
22 of or for the project.

23 l. The cost of placing the project in operation.

24 m. Any other cost or expenditure necessary or
25 incidental to the construction, equipping, repair, operation,

1 regulation, use, and maintenance of the project, the financing
2 of the project, or the placing of the project into operation,
3 and the future operation, maintenance, repair, and equipping
4 of the project.

5 n. Any obligation or expense which may be incurred
6 by the authority for traffic surveys, borings, preparation of
7 plans and specifications, and other engineering services in
8 connection with the planning, construction operation or
9 maintenance of the project shall be regarded as a part of the
10 cost of the project.

11 (10) COUNTY. Baldwin County, Alabama.

12 (11) PROJECT. A toll road, street, highway, or
13 bridge, and all other property, construction, equipment, and
14 facilities necessary at any time to extend and connect the
15 present northern terminus of the Baldwin Beach Express to U.S.
16 Interstate Highway 65, together with any real or personal
17 property and other related or ancillary properties, equipment,
18 and facilities, for the use of which by the public tolls,
19 charges, and other fees are to be collected, or for which
20 certain payments are to be made in lieu of tolls, charges, and
21 other fees, including, without limitation, all of the
22 following:

23 a. Any road, highway, street, or bridge of any kind,
24 construction, composition, or surface, and any facilities for

1 providing access of any kind to, over, under, or around any
2 road, highway, street, or bridge.

3 b. Any access road, causeway, parkway, access
4 bridge, crossing, underpass, viaduct, approach, connection, or
5 similar property of any description.

6 c. All other necessary supporting roads,
7 interchanges, properties, construction, components, features,
8 grading, landscaping, persons, facilities, and equipment,
9 including those for maintenance, improvements, landscaping,
10 and repair.

11 d. Facilities, office buildings, toll plazas,
12 persons, and equipment for collecting tolls, fees, and charges
13 for the use of the toll road, highway, and bridge, and other
14 properties and facilities.

15 e. Any land, easement, right-of-way, interest in or
16 right to land, and contract right or franchise that the
17 authority shall deem necessary in connection therewith.

18 f. Lighting, landscaping, signage, communication
19 facilities and other improvements and assets respecting the
20 promotion or enforcement of safe and/or efficient vehicular
21 transportation.

22 g. Improvements, property, equipment, and facilities
23 necessary to improve, repair, reconstruct, redesign, and
24 continue to improve, repair, reconstruct, and redesign the

1 project after the initial completion and placing into service
2 of the project.

3 h. All property, facilities, and equipment necessary
4 at any time or from time to time in connection with the
5 project.

6 (12) STATE. The State of Alabama, including the
7 Department of Transportation, or any one or more of its
8 various departments, agencies, public corporations,
9 commissions, or political subdivisions.

10 Section 2. Certificate of Incorporation; Filing;
11 form and contents; recordation.

12 (a) The chair of the commission shall proceed to
13 incorporate the authority by filing the certificate for record
14 in the office of the Judge of Probate of Baldwin County. The
15 certificate shall state all of the following:

16 (1) That the authority is being incorporated
17 pursuant to this act.

18 (2) The name of the authority, which shall be "The
19 Baldwin County Toll Road and Bridge Authority - Baldwin Beach
20 Express to Interstate 65 Project."

21 (3) The period for the duration of the authority.

22 (4) The location of the principal office of the
23 authority.

24 (5) The number of directors, which shall be an odd
25 number not less than three, the qualifications of the

1 directors, the duration of their respective terms of office,
2 which shall not be in excess of six years, and the manner of
3 their election or appointment.

4 (6) Any other matters relating to the authority that
5 the commission may choose to insert and that are not
6 inconsistent with the laws of the state.

7 (b) The certificate shall be signed and acknowledged
8 by the chair of the commission before an officer authorized by
9 the laws of the state to take acknowledgements to deeds.

10 (c) When the certificate is filed for record, there
11 shall be attached to it a certificate by the Secretary of
12 State that the name proposed for the authority is not
13 identical to that of any other corporation organized under the
14 laws of the state or so nearly similar thereto as to lead to
15 confusion and uncertainty.

16 (d) Upon the filing for record of the certificate,
17 the authority shall come into existence and shall constitute a
18 public corporation under the name set forth in its
19 certificate. The judge of probate shall thereupon record the
20 certificate in an appropriate book in his or her office.

21 Section 3. Certificate of Incorporation; Amendment;
22 application; approving resolution; filing and recordation of
23 certificate.

24 (a) The certificate, at any time and from time to
25 time, may be amended, but only in the manner provided in this

1 section. The board shall first adopt a resolution proposing an
2 amendment to the certificate of the authority, which amendment
3 shall be set forth in full in the resolution and which may
4 include any matters that might have been included in an
5 original certificate of incorporation.

6 (b) After the adoption by the board of a resolution
7 proposing an amendment to the certificate, the chair and the
8 secretary of the authority shall sign and file with the
9 commission a written application in the name and on behalf of
10 the authority, under its seal, requesting the commission to
11 adopt a resolution approving the proposed amendment, and
12 accompanied by a certified copy of the resolution adopted by
13 the board proposing the amendment to the certificate, together
14 with the documents in support of the application as the chair
15 may consider appropriate. As promptly as may be practicable
16 after the filing of the application with the commission, the
17 commission shall review the application and shall adopt a
18 resolution either denying the application or approving and
19 authorizing the proposed amendment. The certificate may be
20 amended only after the filing of an application therefor and
21 the adoption by the commission of an approving resolution.

22 (c) The chair and the secretary of the authority
23 shall sign and file for record in the office of the Judge of
24 Probate of Baldwin County a certificate in the name and on
25 behalf of the authority, under its seal, reciting the adoption

1 of the respective resolutions by the board and by the
2 commission and setting forth the proposed amendment. The judge
3 of probate shall thereupon record the certificate in an
4 appropriate book in his or her office. When the certificate
5 has been filed and recorded, the amendment shall become
6 effective, and the certificate shall thereupon be amended to
7 the extent provided in the amendment.

8 Section 4. Board of directors; qualifications;
9 election or appointment; terms; vacancies; reimbursement for
10 expenses; quorum; regular, special, and called meetings;
11 waiver of notice; record of proceedings; use as evidence;
12 removal from office.

13 (a) The authority shall have a board of directors
14 composed of the number of directors provided in the
15 certificate, as most recently amended. All powers of the
16 authority shall be exercised and the authority shall be
17 governed by the board. The board shall consist of directors
18 appointed by the commission having the qualifications and
19 serving for the terms of office, all as shall be specified in
20 the certificate of the authority.

21 (b) If, at the expiration of any term of office of
22 any director, a successor thereto shall not have been elected
23 or appointed, then the director whose term of office shall
24 have expired shall continue to hold office until his or her
25 successor shall be so elected or appointed. If, at any time

1 there should be a vacancy on the board, whether by death,
2 resignation, incapacity, disqualification or otherwise, a
3 successor director to serve for the unexpired term applicable
4 to the vacancy shall be elected or appointed by the
5 commission. Each election or appointment of a director,
6 whether for a full term or to complete an unexpired term,
7 shall be made not earlier than 30 days prior to the date on
8 which the director is to take office. Any director shall be
9 eligible for reelection or reappointment.

10 (c) Each director shall serve without compensation,
11 but shall be reimbursed for expenses actually incurred by him
12 or her in and about the performance of his or her duties. A
13 majority of the directors shall constitute a quorum for the
14 transaction of business, but any meeting of the board may be
15 adjourned from time to time by a majority of the directors
16 present or may be so adjourned by a single director if the
17 director is the only director present at the meeting. No
18 vacancy in the membership of the board shall impair the right
19 of a quorum to exercise all the powers and perform all the
20 duties of the board. The board shall hold regular meetings at
21 the times as may be announced by the board from time to time,
22 may hold other meetings at any time and from time to time upon
23 notice as may be required by the bylaws of the authority, and
24 upon call of the chair of the authority or a majority of the
25 total number of directors, shall hold a special meeting, none

1 of which shall be subject to the provisions of Chapter 25A of
2 Title 36 of the Code of Alabama 1975, or other similar law.
3 Whenever any notice is required by the bylaws of the authority
4 or any other law now existing or hereafter enacted to be given
5 of any meeting of the board, the notice shall be deemed to
6 have been conclusively provided for all purposes if it is
7 posted on the authority's website or in a public place at the
8 authority's principal office for not less than 24 hours prior
9 to the time of the meeting. A waiver of notice in writing,
10 signed, whether before or after the meeting, by the person or
11 persons entitled to notice, shall be the equivalent to the
12 giving of notice as provided for by the procedure above. Any
13 matter on which the board is authorized to act may be acted
14 upon at any regular, special, or called meeting. At the
15 request of any director, the vote on any question before the
16 board shall be taken by yeas and nays and entered upon the
17 record. All resolutions adopted by the board shall constitute
18 actions of the authority, and all proceedings of the board
19 shall be reduced to writing and signed by the secretary of the
20 authority and shall be recorded in the permanent records of
21 the authority. Copies of the proceedings, when certified by
22 the secretary of the authority, under the seal of the
23 authority, shall be received in all courts as prima facie
24 evidence of the matters and things therein certified.

1 (d) Any director may be impeached and removed from
2 office in the same manner and on the same grounds provided in
3 Section 175 of the Constitution of Alabama of 1901, as
4 amended, and the general laws of the state for impeachment and
5 removal of the officers referenced in Section 175.

6 ~~(e) No director or officer of the board shall be~~
7 ~~subject to any personal, legal, or financial liability with~~
8 ~~respect to his or her capacity or service as a director or~~
9 ~~officer of the board. No director, officer, or employee of the~~
10 ~~board or the authority shall have any personal, official,~~
11 ~~legal, or financial liability with respect to the project at~~
12 ~~any time while acting in the scope of his or her employment or~~
13 ~~office.~~

14 (e) Any officer or director of the board shall have
15 the immunity provided in Section 36-1-12, Code of Alabama
16 1975, while acting in the line and scope of his or her
17 authority and no director or officer shall be personally
18 liable for any damages or judgments related to any costs of
19 the project.

20 Section 5. Officers; election; terms; duties. The
21 officers of the authority shall consist of a chair, a
22 vice-chair, a secretary, a treasurer, and the other officers
23 as the board shall deem necessary or desirable. The chair and
24 the vice-chair of the authority shall be elected by the board
25 from its membership but neither the secretary, the treasurer,

1 nor any of the other officers of the authority need be a
2 director. The offices of secretary and treasurer may, but need
3 not be, held by the same person. The chair and the vice-chair
4 of the authority shall be elected by the board for terms of
5 not exceeding three years each, and the secretary, the
6 treasurer, and the other officers of the authority shall be
7 elected by the board for the terms as it deems advisable. The
8 duties of the chair, vice-chair, secretary, and treasurer
9 shall be as are customarily performed by the officers and as
10 may be prescribed by the board. The duties of any other
11 officers of the authority shall be as are from time to time
12 prescribed by the board.

13 Section 6. Powers.

14 (a) In addition to all other powers granted
15 elsewhere in this act, the authority shall have all of the
16 following powers, together with all other powers incidental or
17 necessary to the discharge of its purpose:

18 (1) To adopt, alter, amend, and repeal bylaws,
19 regulations, policies, procedures, and rules, not inconsistent
20 with this act or its certificate, for the regulation and
21 conduct of its affairs, personnel, and business.

22 (2) To acquire by purchase, devise, lease, rent,
23 installment sale, or donation, any equipment or property
24 necessary for the daily operations of the project and the
25 daily business of the authority.

1 (3) To maintain a principal office for the conduct
2 of its business, and, in its discretion, a website for that
3 purpose.

4 (4) To sue and be sued in its own name in civil
5 suits and actions, and to defend suits and actions against it;
6 subject, however, to the provisions of Chapter 93 of Title 11
7 of the Code of Alabama 1975, which chapter is hereby made
8 applicable to the authority.

9 (5) To adopt and make use of a corporate seal and to
10 alter the same at pleasure.

11 (6) To participate in public transportation industry
12 associations, groups, and conferences, and cooperate with the
13 state and the federal government on educational, safety, and
14 road-related initiatives, programs, and conferences.

15 (7) To prepare, initiate, acquire, design, lease,
16 manage, construct, grade, build, equip, furnish, complete,
17 operate, regulate, maintain, repair, alter, improve, equip,
18 expand, and reconstruct the project.

19 (8) To issue bonds to finance the project and the
20 costs thereof, payable from its tolls, fees, charges, other
21 revenues, and proceeds of the bonds, and to issue refunding
22 bonds.

23 (9) To receive funds, things of value, real or
24 personal property, or assistance of any kind, including labor,
25 equipment, and materials, from the state, the county, any

1 other county, municipality, public corporation, political
2 subdivision, department, or agency in and of the state, or the
3 federal government or any agency, department, subdivision, or
4 instrumentality thereof, by appropriation, donation, transfer,
5 grant, lease, sale, deed, or other means, for the purpose of
6 paying in whole or in part any bonds, paying the costs of
7 acquiring, designing, equipping, installing, constructing,
8 operating, or maintaining the project in whole or in part, or
9 funding in whole or in part any other costs or expenses of the
10 project.

11 (10) To fix and revise, from time to time, charge,
12 and collect tolls, fees, and charges for transit over, under,
13 around, or through the project, and to provide for the
14 facilities, personnel, and equipment necessary to accomplish
15 the purpose.

16 (11) To establish and revise rules for the use of
17 the project, and to impose violations and or fines for
18 violations thereof.

19 (12) To receive, acquire, take, dispose of, or hold,
20 whether by purchase, sale, gift, transfer, foreclosure, lease,
21 devise, option or otherwise, any real or personal property of
22 every description, or any interest therein, and to lease,
23 manage, improve, and dispose of the same by any form of legal
24 conveyance or transfer.

1 (13) To exercise the power of eminent domain, and to
2 acquire in the name of the authority, by purchase or
3 otherwise, on the terms and conditions and in a manner as it
4 may deem proper, or by condemnation in accordance with the
5 provisions of Title 18 of the Code of Alabama 1975, and other
6 provisions of law, insofar as the same may be applicable, any
7 land and other property or any easement or interest therein,
8 which it may determine is reasonably necessary for the project
9 or for its protection, operation, maintenance, and
10 preservation, or for the construction, relocation,
11 maintenance, or reconstruction of any access highway, street,
12 or road; and to acquire by purchase or by condemnation, land
13 necessary for drainage ditches, clay, sand, and gravel pits,
14 and lime and stone quarries, together with any other material
15 of every character that may be necessary in the acquisition,
16 construction, operation, and maintenance of the project.

17 Nothing in this act shall authorize the taking by
18 the power of eminent domain of any right, title, or interest
19 in real or personal property, whether recorded or unrecorded,
20 that is held by any person or entity engaged in the
21 generation, transmission, or distribution of electric power,
22 except as provided by Chapter 1A of Title 19, Code of Alabama
23 1975.

1 (14) To designate points of ingress to and egress
2 from or to the project and to prohibit entrance to or exit
3 from the project at any point or points not so designated.

4 (15) To make and enter into arrangements, contracts,
5 and agreements necessary for, or incidental to, the
6 performance of its duties and the execution of its powers
7 under this act, including contracts and agreements for
8 professional services, including construction, financial,
9 legal, accounting, environmental, maintenance, and repair,
10 deemed necessary for the purposes by the authority. In
11 addition to and in conjunction with other authority to enter
12 into contracts as may be provided by law, the authority is
13 given full authority to enter into contracts, agreements, or
14 understandings with, but not limited to, individuals,
15 corporations, partnerships, limited liability companies, or
16 other private parties; public or private partnerships, or
17 both, or other similar joint ventures; or the federal
18 government, any state, agency, governmental or
19 quasi-governmental body, public corporation, instrumentality,
20 or subdivision of the United States, the state, the county, or
21 any other state of the United States, or any agency,
22 governmental or quasi-governmental body, instrumentality, or
23 subdivision thereof for the purpose of developing, designing,
24 operating, maintaining, financing, regulating, equipping,
25 improving, repairing, and constructing the project, or any

1 part thereof, including, but not limited to, all of the
 2 following:

3 a. Design-build contracts, design-build-operate
 4 contracts, design-build-own-operate contracts,
 5 design-build-own-operate-maintain contracts, or other similar
 6 arrangements or agreements pursuant to which the design,
 7 right-of-way acquisition, relocation of structures or
 8 utilities, construction, financing, ownership, management, and
 9 operation, or any part or parts thereof, of a project are
 10 accomplished by any of the aforementioned entities by or on
 11 behalf of the authority.

12 b. Leases, licenses, franchises, arrangements,
 13 contracts, concessions, or other agreements for the
 14 development, operation, management, equipping, servicing,
 15 repairing, maintenance, landscaping, repair, or undertaking of
 16 all or any part of the project.

17 c. The operation of toll plazas and collection
 18 facilities and the maintenance and repair of the project.

19 (16) To borrow money by issuing bonds as described
 20 herein for the purposes of financing the project and the costs
 21 thereof, and providing for the other capital needs of the
 22 authority from time to time; provided, however, that the
 23 authority shall have no power to mortgage or pledge a
 24 foreclosable interest in any of its properties, equipment, or
 25 accounts.

1 (17) Notwithstanding any law to the contrary,
2 including, but not limited to, Section 16, for any entity
3 described in subdivision (15) that owns, leases, manages, or
4 otherwise operates the project pursuant to an agreement with
5 the authority, to determine, set, charge, and collect tolls,
6 shall be subject to the conditions as the authority may
7 establish.

8 (18) To appoint managers, superintendents,
9 toll-takers, professionals, service providers, and other
10 employees and agents as may be necessary, in its judgment, to
11 the efficient accomplishment of the purposes of this act.

12 (19) To receive and accept from any federal agency,
13 grants for, or in aid of, the construction, equipping,
14 operation, regulation, use, and maintenance of the project and
15 to receive and accept aid or contributions from any source of
16 either money, property, labor, or other things of value, to be
17 held, used, and applied only for the purposes for which grants
18 and contributions may be made.

19 (20) To provide for or permit the payment of
20 so-called pass-through tolls, availability payments, or
21 similar payments or financing methods. Pass-through tolls and
22 availability payments mean, generally, any methodology by
23 which the federal government, the state, or other states of
24 the United States, or any agency, governmental or
25 quasi-governmental body, public corporation, subdivision, or

1 instrumentality thereof agrees to reimburse or pay a project
2 owner or operator amounts based upon the cost of the project,
3 actual usage of the project, or other operating standards, as
4 opposed to imposing a toll directly on the users.

5 (21) To provide for employees and insurance of any
6 kind as the project or the business, operations, or concerns
7 of the authority or state law may require.

8 (22) To do all acts and things necessary or
9 convenient to carry out the powers granted in this act.

10 (23) To adopt and implement investment policies for
11 the management of the authority's funds; provided, however,
12 that all the funds of the authority shall be maintained or
13 invested with qualified depositories under the Security for
14 Alabama Funds Enhancement (SAFE) Program, Chapter 14A of Title
15 14 of the Code of Alabama 1975, or covered by FDIC insurance
16 protection, or guaranteed by the United States of America.

17 (24) To participate as a shareholder in a
18 corporation, as a joint venturer in a joint venture, as a
19 general or limited partner in a general or limited
20 partnership, as a member of a nonprofit corporation, limited
21 liability company, or public corporation, or as a member,
22 partner, or owner of any other lawful form of business
23 organization, in connection with the acquisition, design,
24 development, construction, equipping, maintenance, leasing,

1 management, administration, regulation, improvement, or
2 operation of the project.

3 (25) To lend money to, to assume the indebtedness
4 of, or to guarantee the indebtedness of any other authority,
5 governmental entity, public corporation, or nonprofit
6 organization for the activities of any lawful form of business
7 organization of which the authority is a member.

8 (26) To make and arrange for loans, contributions to
9 capital, and other debt and equity financing for the
10 activities of any lawful form of business organization of
11 which the authority is a member, and to guarantee loans and
12 any other obligations for that purpose.

13 (27) To enter into any swap agreement, subject to
14 the requirements of Article 3 of Chapter 1 of the Code of
15 Alabama 1975.

16 (28) To organize, direct, participate in, be a
17 member of, or own an interest in, any other corporation,
18 partnership, limited liability company, joint venture, or
19 other form of business organization, whether for-profit or
20 non-profit, in connection with the design, development,
21 construction, equipping, repair, maintenance, service, or
22 operation of the project.

23 (29) To enter into any mortgage, security instrument
24 or agreement, or other document securing any indebtedness or
25 other obligation of the authority in favor of the holder or

1 holders of any bonds or other indebtedness of the authority or
2 an entity of which the authority is a member, owner, partner,
3 or possesses another ownership interest in; provided, no
4 mortgage, security instrument, or agreement shall provide a
5 foreclosable interest on any project or portion thereof.

6 (b) The Legislature hereby declares that all
7 expenditures made by the authority pursuant to the grant of
8 power in subsection (a) are for public purposes and shall not
9 be considered to be a lending of credit or a granting of
10 public money or thing of value to or in aid of any private
11 individual, association, company, partnership, or corporation,
12 within the meaning of any state constitutional or statutory
13 provision.

14 (c) The authority shall have no power to tax, and no
15 fee, toll, or charge for use of the project set by the
16 authority shall be considered a tax.

17 (d) No person who is related to a member of the
18 authority may have any interest, direct or indirect, in any
19 agreement or contract entered into pursuant to this subsection
20 or in any other contract related to the project. No contract
21 or arrangement for services of any kind of the authority, or
22 any contract entered into by the state, the county, or any
23 municipality, county, or other political subdivision or
24 instrumentality in or of the state in order to assist, provide
25 for, or accommodate, the project, shall be considered to

1 confer any special benefit, including the grant of any
2 exclusive franchise on or to any private corporation, company,
3 partnership, association, or person in violation of any
4 provision of Alabama law.

5 Section 7. Bonds; issuance; forms; procedures, etc.

6 (a) The authority may, from time to time, provide by
7 resolution for the issuance of its bonds in one or more series
8 by competitive or negotiated sale in order to provide funds
9 for the purposes, needs, and costs of the project, including,
10 without limitation, the acquisition, design, construction,
11 equipping, repair, service, maintaining, facilities,
12 administration, or operation of the project from time to time,
13 and the refunding of any bonds for any purposes at any time.
14 The principal of and the interest on any issue of bonds may be
15 payable from, and be secured by a pledge of, tolls and other
16 revenues of the authority, funds of the authority derived
17 under any agreement or other instrument to which the authority
18 is a party, and other funds or amounts of the authority
19 pledged thereto or on behalf thereof. The proceeds of any
20 bonds may be used or pledged for the payment or security of
21 the principal of or the interest on bonds, including, without
22 limitation, interest during any period of construction of the
23 project and up to two years thereafter, for the establishment
24 of reserves to secure payment of debt service on bonds, or for
25 other corporate purposes as the authority may authorize in the

1 resolution authorizing the issuance of bonds or in the trust
2 agreement securing the same.

3 (b) The bonds of each issue shall be dated; shall
4 mature at the time or times, not exceeding 75 years from their
5 date or dates, as may be determined by the authority; and may
6 be made redeemable before maturity, at the option of the
7 authority, at the price or prices and under the terms and
8 conditions as may be fixed by the authority prior to the
9 issuance of the bonds.

10 (c) The authority shall determine the form of the
11 bonds, and shall fix the denomination or denominations of the
12 bonds and the place or places of payment of principal and
13 interest. The bonds shall be signed by the chair of the
14 authority or shall bear a facsimile signature thereof; and the
15 official seal of the authority or a facsimile thereof shall be
16 impressed, imprinted, engraved, or otherwise reproduced
17 thereon. The official seal or a facsimile thereof shall be
18 attested by the secretary of the authority or shall bear his
19 or her facsimile signature. In case any officer whose
20 signature or a facsimile of whose signature shall appear on
21 any bonds shall cease to be an officer before the delivery of
22 the bonds, the signature or facsimile shall nevertheless be
23 valid and sufficient for all purposes the same as if the
24 officer had remained in office until delivery.

1 (d) All bonds issued under this act shall have and
2 are hereby declared to have all the qualities and incidents of
3 negotiable instruments under the negotiable instruments law of
4 the state. The bonds may be issued in registered form and
5 provision may be made for the registration thereof. The
6 authority may sell the bonds in the manner and for the prices
7 as it may determine to be for the best interest of the
8 authority.

9 (e) The authority, out of any funds available
10 therefor, may purchase its bonds, which shall thereupon be
11 cancelled.

12 (f) Neither the directors of the authority nor any
13 person or officer executing the bonds shall be personally
14 liable on the bonds, or be accountable by reason of the
15 issuance thereof in accordance with this act.

16 (g) The proceeds of the bonds of each issue shall be
17 disbursed in the manner and under the restrictions, if any, as
18 the authority may provide in the resolution authorizing the
19 issuance of the bonds, or in the trust agreement securing the
20 bonds.

21 (h) All bonds issued pursuant to this act shall be
22 considered valid obligations of the authority notwithstanding
23 any procedural defect relating to the issuance thereof.

24 Section 8. Refunding bonds; purposes. The authority
25 may provide by resolution for the issuance of refunding bonds

1 for the purpose of refunding or restructuring any bonds then
2 outstanding which shall have been issued under the provisions
3 of this act, including the payment of any redemption premium
4 thereon and any interest accrued or to accrue to the date of
5 redemption of the bonds.

6 Section 9. Public Assistance of authority; Transfer
7 of Property to authority.

8 (a) Subject to Sections 10 and 11, the state, the
9 county, and any other county, municipality, or other political
10 subdivision in and of the state are authorized to issue bonds,
11 warrants, notes, agreements, contracts, and obligations in
12 support of and in connection with the authority, the project,
13 and the payment of any bonds of the authority.

14 (b) The state, the county, and any other county,
15 municipality, agency, department, or other political
16 subdivision in and of the state are hereby authorized to enter
17 into funding and other agreements with the authority, and the
18 authority is hereby authorized to enter into the agreements
19 for the provision of funds to the authority or any affiliate
20 thereof in connection with the design, development, equipping,
21 provision, or operation of any project.

22 (c) The state, the county, and any and all counties,
23 municipalities, and other political subdivisions in and of the
24 state and all state departments, agencies, and commissions,
25 notwithstanding any contrary provision of law, are hereby

1 authorized and empowered to lease, lend, grant, sell, devise,
2 transfer, or convey to the authority at its request, upon the
3 terms and conditions as the proper authorities of the
4 counties, municipalities, political subdivisions, and state
5 departments, agencies, or commissions may deem reasonable and
6 fair, and without the necessity for any advertisement, order
7 of court, or other action or formality, other than the regular
8 and formal action of the authorities concerned, any personal
9 or real property which may be necessary or convenient to the
10 effectuation of the authorized purposes of the authority,
11 which real property may include public roads and other real
12 property already devoted to public use.

13 Section 10. Obligations not debt of state, county or
14 any other county, municipality, or political subdivision. All
15 bonds of the authority, and any bonds, warrants, securities,
16 or other contracts, agreements, or obligations of the state,
17 the county, or any other county, municipality, or other
18 political subdivision, agency, or department in and of the
19 state issued or entered into in connection with the project,
20 shall not constitute a debt of the state, the county, or any
21 other county, municipality, political subdivision, agency, or
22 department in and of the state, within the meaning of Sections
23 213, 224, or 225, or any other provision of the Constitution
24 of Alabama of 1901, as amended.

1 Section 11. No Vote or Election Required. No public
 2 vote or election of any kind shall ever be necessary to
 3 authorize the issuance of any bonds by the authority, or to
 4 authorize the issuance or entering into of any bonds,
 5 warrants, securities, agreements, contracts, or other
 6 obligations by the state, the county, or any other county,
 7 municipality, political subdivision, agency, or department, in
 8 and of the state, with respect to the project as provided for
 9 herein, Sections 222 or 104(17), or any other provision of the
 10 Constitution of Alabama of 1901, as amended, notwithstanding.

11 Section 12. Notice of issuance of bonds; limitation
 12 on actions to contest.

13 (a) Any resolution authorizing the issuance of bonds
 14 by the authority under this act may contain a recital that
 15 they are issued pursuant to the provisions of this act, which
 16 recital shall be conclusive evidence that the bonds have been
 17 duly authorized pursuant to the provisions of this act,
 18 notwithstanding the provisions of any other law now in force
 19 or hereafter enacted or amended. Upon the adoption by the
 20 board of any resolution providing for the issuance of bonds,
 21 the authority, in its discretion, may cause to be published,
 22 once a week for two consecutive weeks, in a newspaper then
 23 published in the county, or, if there is no newspaper, then in
 24 a newspaper widely circulated in the county, a notice in
 25 substantially the following form, with any appropriate

1 changes, to the extent applicable and with the blanks being
2 properly filled in:

3 "The Baldwin County Toll Road and Bridge Authority -
4 Baldwin Beach Express to Interstate 65 Project, a public
5 corporation and instrumentality under the laws of the State of
6 Alabama, has authorized the issuance of \$_____ principal
7 amount of revenue bonds of the authority to be dated
8 _____, for purposes authorized in Act _____ enacted at
9 the 2019 Regular Session of the Legislature of Alabama. Any
10 action or proceeding questioning the validity of the revenue
11 bonds, the source of payment therefor, or any other matter or
12 contract relative thereto, must be commenced not later than
13 _____, 20___, that date being within 14 days after the
14 first publication of this notice.

15 The Baldwin County Toll Road and Bridge Authority -
16 Baldwin Beach Express to Interstate 65 Project
17 By _____
18 Chair"

19 (b) Any action or proceeding in any court to set
20 aside or question the validity of the proceedings for the
21 issuance of the bonds referred to in the notice or to contest
22 the validity of any bonds, the source of payment therefor, or
23 any other matter or contract relative thereto, must be
24 commenced within 14 days after the first publication of the
25 notice. After the expiration of that period, no right of

1 action or defense questioning or attacking the validity of the
2 proceedings, the bonds, the source of payment therefor, or any
3 other the matter or contract relative thereto, shall be
4 asserted, nor shall the validity of the proceedings, the
5 bonds, the payment source, or relative matters and contracts,
6 be open to question in any court on any ground whatsoever
7 except in an action commenced within that period.

8 Section 13. Trust agreements securing bond issues;
9 authorized provisions protecting holders; pledge of revenues.

10 (a) In the discretion of the authority, any bonds
11 issued under this act may be secured by a trust agreement by
12 and between the authority and a corporate trustee, which may
13 be any trust company or bank having the powers of a corporate
14 trust company, with a corporate trust office located within
15 the state. The trust agreement or the resolution providing for
16 the issuance of the bonds, may pledge or assign tolls, fees,
17 charges, or other revenues to which the authority's right then
18 exists or which may thereafter come into existence, and the
19 moneys derived therefrom, and the proceeds of the bonds;
20 provided, however, that the trust agreement or resolution
21 shall not convey or mortgage on a foreclosable basis any part
22 or all of the real property or fixtures on or of the project.
23 The trust agreement or resolution providing for the issuance
24 of bonds may contain provisions for protecting and enforcing
25 the rights and remedies of the bondholders as may be

1 reasonable and proper and not in violation of law; including
2 covenants setting forth the duties of the authority in
3 relation to the acquisition of property and the construction,
4 improvement, maintenance, equipping, repair, operation, and
5 insurance of the project; the rates of tolls, fees, and
6 revenues to be charged; the payment, security, or redemption
7 of bonds and the custody, safeguarding, and application of all
8 moneys; and provisions for the employment of consulting
9 engineers in connection with the construction, equipping,
10 operation, regulation, use, and maintenance of the project. It
11 shall be lawful for any bank or trust company incorporated
12 under the laws of this state which may act as depository of
13 the proceeds of bonds or of revenues to furnish the
14 indemnifying bonds or to pledge the securities as may be
15 required by the authority. Any trust agreement or resolution
16 may set forth the rights and remedies of the bondholders and
17 of the trustee and may restrict the individual rights of
18 action by bondholders. In addition to the foregoing, any trust
19 agreement or resolution may contain other provisions as the
20 authority may deem reasonable and proper for the security of
21 the bondholders. All expenses incurred in carrying out the
22 provisions of any trust agreement may be treated as a part of
23 the cost of the operation of the project.

24 (b) Any pledge of tolls, other revenues, or moneys
25 made by the authority shall be valid and binding from the time

1 the pledge is made. The tolls, other revenues, or moneys so
2 pledged and thereafter received by the authority, except that
3 part of the tolls, other revenues, or moneys which are
4 necessary to maintain the project or projects in good
5 operating conditions, or to pay the reasonable operating
6 expenses of the authority, or any judgment rendered against
7 it, shall immediately be subject to the lien of the pledge
8 without any physical delivery thereof or further act; and the
9 lien of any pledge shall be valid and binding as against all
10 parties having claims of any kind in tort, contract, or
11 otherwise against the authority, irrespective of whether the
12 parties have notice thereof. Neither the resolution nor any
13 trust agreement by which a pledge is created need be filed or
14 recorded except in the records of the authority. If the trust
15 agreement should be offered for record it shall be filed and
16 recorded without the payment of the mortgage tax required by
17 Chapter 22 of Title 40 of the Code of Alabama 1975. The
18 authority, in its discretion, may enter into any supplement to
19 the trust agreement, which supplement shall be governed, so
20 far as may be, by the same provisions of this act as are
21 applicable to the trust agreement.

22 Section 14. Bondholder's and trustee's rights of
23 enforcement; scope of rights. Any holder of bonds issued under
24 this act, and the trustee under any trust agreement, except to
25 the extent that the rights herein given may be restricted by

1 the trust agreement, by civil action, or proceeding, may
2 protect and enforce any and all rights under the laws of this
3 state, or granted hereunder, or under the trust agreement or
4 the resolution authorizing the issuance of bonds and may
5 enforce and compel the performance of all duties required by
6 this act or by the trust agreement or resolution to be
7 performed by the authority or by any officer thereof,
8 including the fixing, charging, and collecting of tolls.

9 Section 15. Advertisement for Construction Bids;
10 Award of Contracts; Non-applicability of competitive bid laws.

11 (a) Before construction is started on the project,
12 the authority may advertise for sealed bids in the manner as
13 it determines is most expedient. Notwithstanding anything
14 contained in this section or in any other provision of state
15 law to the contrary, solicited proposals under this act with
16 respect to the project that the authority determines can be
17 best accomplished on a design-build, design-build-own,
18 design-build-own-operate, or design-build-own-operate-maintain
19 basis may be evaluated and awarded by the authority based on
20 its sole discretion.

21 (b) The authority, any and all contracts made by it,
22 any entity of which the authority is a member, partner, or
23 owner, and any and all contracts made by it, shall be exempt
24 from the laws of the state requiring competitive bids for any
25 contract to be entered into by municipalities, political

1 subdivisions, or public corporations authorized by them,
2 including, without limitation, the provisions of Articles 2
3 and 3 of Chapter 16 of Title 41 of the Code of Alabama 1975.

4 Section 16. Authority to Set and Collect Tolls.

5 (a) The authority may establish, maintain, fix,
6 revise, charge, and collect tolls for the use of the project
7 and the different parts or sections thereof, and contract
8 with, or to lease to or from, any person, company,
9 partnership, association, agency, department, or corporation,
10 public or private, desiring the use of any part thereof,
11 including the right-of-way adjoining the paved portion of
12 approaches and access highways, streets, or roads for placing
13 thereon telephone, telegraph, electric light or power lines or
14 pipe lines for gas and water or for petroleum products or for
15 any other purpose except for tracks for railroad or railway
16 use and to fix the terms, conditions, rents, and rates of
17 charges for such use. Tolls shall be fixed and adjusted to
18 carry out and perform the terms and provisions of any contract
19 with or for the benefit of bondholders. Tolls shall not be
20 subject to supervision or regulation by any other commission,
21 board, bureau, or agency of the state or any county,
22 municipality, or agency thereof. The use and disposition of
23 tolls and revenues shall be subject to the provisions of the
24 resolution authorizing the issuance of the bonds or of the
25 trust agreement securing the bonds.

1 (b) Anything to the contrary notwithstanding, the
2 authority shall charge and collect tolls and fees with respect
3 to the project until any bonds financing the project are fully
4 retired.

5 (c) Nothing in this act shall impair the authority
6 of an electric utility to acquire by condemnation ways,
7 rights-of-way, and easements on, over, under, or across the
8 project in accordance with the procedures of Chapter 1A of
9 Title 19, Code of Alabama 1975.

10 Section 17. Use; Regulation; Operation; and
11 Maintenance of project; Violations; Penalties; Law
12 Enforcement.

13 (a) The authority may establish, devise, promulgate,
14 announce, and revise reasonable rules at any time and from
15 time to time with respect to all aspects of the project. The
16 rules may relate to vehicular speeds, loads, weights and
17 sizes, safety devices, rules of the road, and any other
18 matters as may be necessary and proper to regulate traffic in
19 the interest of safety and the maximum convenience of the
20 persons using the project. The rules shall apply according to
21 their terms to all sections of the project under the
22 jurisdiction of the authority, and to its structures and other
23 appurtenances. Insofar as the rules may be inconsistent with
24 the rules of the state or with the laws of the state relating
25 to offenses with respect to highways, the rules promulgated by

1 the authority shall be controlling. The authority may
2 prescribe reasonable rules as it may deem advisable for the
3 protection and preservation of and for the maintenance and
4 preservation of good order within the property under its
5 jurisdiction and control and to prevent unnecessary
6 trespassing upon or injury to or upon any part of the
7 right-of-way or other property of the project. The authority
8 shall not be subject to the provisions of Chapter 22 of Title
9 41 of the Code of Alabama 1975, the Alabama Administrative
10 Procedure Act.

11 (b) Any rules shall provide that law enforcement
12 officers and other emergency vehicles shall be afforded ready
13 access while in the performance of their official duty to all
14 property under the jurisdiction of the authority without the
15 payment of tolls. The rules shall not take effect until
16 published on the authority's website or posted in a
17 conspicuous place at the authority's principal office.

18 (c) The authority may utilize any state, county, or
19 municipal law enforcement officers to secure the project as it
20 deems necessary. The police officers shall have power to
21 prefer charges against and make arrests of any person or
22 persons violating any law of the state, the county, or any of
23 the bylaws or rules of the authority, as authorized herein on
24 property owned or controlled by the authority.

1 (d) The authority shall have the power to set,
 2 collect, and enforce the payment of the tolls, fees, and
 3 charges authorized by this act by any lawful means. The
 4 authority, in its discretion, may determine and revise such
 5 lawful means at any time and from time to time, which may
 6 include the setting, collection, and enforcement of the tolls,
 7 fees, and charges under the authority, in the manner, and as
 8 provided, of and by Article 6 of Chapter 2 of Title 23 of the
 9 Code of Alabama 1975, the Electronic Toll Collection Act, as
 10 amended. In the event that a court of law having proper
 11 jurisdiction determines that the authority does not have any
 12 authority to set, collect, or enforce the payment of the
 13 tolls, fees, and charges, then the commission, or other
 14 lawfully elected body or other body prescribed or authorized
 15 by law, shall set, collect, or enforce the payment of tolls,
 16 fees, and charges on behalf of, and remit the same to, the
 17 authority.

18 (e) Anything herein to the contrary notwithstanding,
 19 the authority shall have no power to charge penalties and
 20 fines for violations in excess of any maximum amount otherwise
 21 provided for by law.

22 Section 18. ~~Tax Exemption. The exercise of the~~
 23 ~~powers granted by this act shall be, in all respects, for the~~
 24 ~~benefit of the people of the county and the state, for the~~
 25 ~~increase of their commerce and prosperity and for the~~

1 ~~improvement of their safety. Since the operation and~~
 2 ~~maintenance of the project by the authority will constitute~~
 3 ~~the performance of the essential functions of the county, the~~
 4 ~~authority shall not be required to pay any taxes or~~
 5 ~~assessments upon the project or any property acquired or used~~
 6 ~~by the authority under this act or upon the income therefrom.~~
 7 ~~The project, any property acquired or used by the authority~~
 8 ~~under this act and the income therefrom, and the bonds issued~~
 9 ~~under this act, their transfer and the income therefrom,~~
 10 ~~including any profit made on the sale thereof, shall be exempt~~
 11 ~~from taxation. All documents recorded by the authority of any~~
 12 ~~kind shall be exempt from all mortgage, document, and~~
 13 ~~recording fees, charges, and taxes of the office of the Judge~~
 14 ~~of Probate of Baldwin County and the Secretary of State.~~

15 Section 18. Tax Exemption.

16 (a) The exercise of the powers granted by this act
 17 shall be, in all respects, for the benefit of the people of
 18 the county and the state, for the increase of their commerce
 19 and prosperity and for the improvement of their safety. Since
 20 the operation and maintenance of the project by the authority
 21 will constitute the performance of the essential functions of
 22 the county, the project, authority, and its contractors and
 23 subcontractors shall not be required to pay the taxes or
 24 assessments as specifically authorized in this section.

1 (b) An income, excise, or license tax or assessment
2 may not be levied upon or collected in the state with respect
3 to any corporate activities of the authority or any of their
4 revenues, income, or profit. The exemptions provided in this
5 section do not extend to the taxes or fees levied under
6 Division 1 of Article 5 of Chapter 17 of Title 8, Code of
7 Alabama 1975; Chapter 17 of Title 40, Code of Alabama 1975; or
8 the Rebuild Alabama Act, Act 2019-2 of the 2019 Regular
9 Session.

10 (c) No ad valorem tax or assessment for any public
11 improvement shall be levied upon or collected in the state
12 with respect to the project during any time that title to the
13 project is held by the authority.

14 (d) No privilege or license taxes or assessments
15 payable with respect to the recording or filing for record of
16 any mortgage, deed, or other instrument, including, but not
17 limited to, the privilege taxes under Chapter 22 of Title 40,
18 Code of Alabama 1975, shall be levied, charged, or collected
19 in connection with the recording or filing for record of any
20 mortgage, deed, or other instrument evidencing a conveyance to
21 or the creation of any property interest in the authority, any
22 agreement or instrument to which the authority is a party, or
23 any mortgage, deed, or other instrument evidencing a
24 conveyance from the authority to another party or the creation
25 by the authority of any property interest in another party.

1 (e) Any tangible personal property which becomes a
2 permanent part of the project shall be exempt from taxation
3 and assessment, including sales or use taxes.

4 (f) The project, authority, and its contractors and
5 subcontractors shall be exempt from any tax imposed by Section
6 40-23-50, Code of Alabama 1975, for the gross proceeds of the
7 sale of materials or the gross receipts of services that are
8 related to the construction of the project.

9 (g) The interest paid or accrued on all bonds,
10 notes, or other obligations issued by the authority shall be
11 free from taxation by the state or a county, municipality, or
12 other political subdivision or instrumentality thereof.

13 (h) (1) The Department of Revenue shall issue a
14 certificate of exemption to the authority and each contractor
15 and subcontractor for each project for the purchase of
16 building materials, construction materials and supplies, and
17 other tangible personal property that becomes part of the
18 project. Any use of the certificate issued under the authority
19 of this subsection and subsection (e) shall be subject to the
20 reporting and penalty provisions of Section 40-9-14.1, Code of
21 Alabama 1975. Any holder or user of the certificate shall
22 maintain an accurate accounting of the purchase and use of the
23 property and shall file, in a manner prescribed by the
24 Department of Revenue, reports of all of the purchases.

1 (2) It is the intent of the Legislature for this
2 subsection to lower the administrative cost for the project
3 and authority and its contractors and subcontractors.

4 (i) Nothing in this section exempts any contractor
5 or subcontractor from state income taxes.

6 (j) The Department of Revenue may adopt rules to
7 implement, administer, and provide for accurate accounting and
8 enforcement of this section.

9 Section 19. Legal Investments. Bonds issued under
10 this act are hereby made legal investments for all banks and
11 insurance companies organized under the laws of the state.
12 Unless otherwise directed by the court having jurisdiction
13 thereof or the document that is the source of authority, a
14 trustee, executor, administrator, guardian, or one acting in
15 any other fiduciary capacity, in addition to any other
16 investment powers conferred by law and with the exercise of
17 reasonable business prudence, may invest trust funds in bonds
18 of the authority.

19 Section 20. Audit; Expenses. The authority shall pay
20 and provide for a fiscal year audit of its books and records
21 by any private firm of certified public accountants selected
22 by the board.

23 Section 21. Non-profit corporation. The authority
24 shall be a non-profit public corporation and political

1 subdivision. None of the earnings of the authority shall inure
 2 to the benefit of any private party or person.

3 Section 22. Dissolution of authority. At any time
 4 when the authority does not have any bonds outstanding, the
 5 board may adopt a written resolution, which shall first be
 6 approved in writing by resolution of the commission, duly
 7 entered upon its minutes, declaring that the authority shall
 8 be dissolved. Upon the filing for record of a certified copy
 9 of the resolution in the office of the Judge of Probate of
 10 Baldwin County, the authority shall thereupon stand dissolved,
 11 and in the event that it owned any assets or property at the
 12 time of its dissolution, the title to all its assets and
 13 property, subject to any constitutional provision or
 14 inhibition to the contrary, shall thereupon vest in the
 15 county.

16 Section 23. Construction of act. Insofar as the
 17 provisions of this act may be in conflict or inconsistent with
 18 any provisions of any other law concerning actions authorized
 19 by this act, the provisions of this act shall control and
 20 govern, any other provision of law to the contrary
 21 notwithstanding. Subject to the foregoing, this act does and
 22 shall be construed to provide an additional and alternative
 23 method for the doing of the things authorized thereby and
 24 shall be regarded as supplemental and additional to other
 25 laws.

1 Section 24. The provisions of this act are
2 severable. If any part of this act is declared invalid or
3 unconstitutional, that declaration shall not affect the part
4 which remains.

5 Section 25. This act shall become effective
6 immediately upon the ratification of a constitutional
7 amendment proposed in SB__ or HB__ of the 2019 Regular Session
8 of the Legislature authorizing the Legislature to provide by
9 local law for the incorporation in Baldwin County of the toll
10 road and bridge authority provided by this act.

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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, as amended.

Jeff Woodard
Clerk

Senate	29-MAY-19	Amended and Passed
House	30-MAY-19	Concurred in Senate Amendment