

1 SB321
2 115325-1
3 By Senator Mitchell
4 RFD: Governmental Affairs
5 First Read: 02-FEB-10

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8 SYNOPSIS: Under existing laws, the general and
9 permanent laws of the State of Alabama enacted
10 subsequent to the adoption and enactment of the
11 Code of Alabama 1975, including acts of the 1976
12 Regular Session of the Legislature through the 2008
13 Regular Session as contained in the respective
14 annual cumulative supplements and Replacement
15 Volumes to the Code, have been adopted and
16 incorporated in a continuous and systematic manner
17 into the Code of Alabama 1975.

18 This bill would adopt and incorporate into
19 the Code of Alabama 1975, those general and
20 permanent laws of the state enacted during the 2009
21 Regular Session and Act 2009-814 of the 2009 First
22 Special Session as contained in the 2009 Cumulative
23 Supplement to certain volumes of the code and 2009
24 Replacement Volume 15A.

25 This bill would initially adopt and
26 incorporate into the Code of Alabama 1975, 2009
27 Volume 22E (Local Laws Conecuh to Cullman Counties)

1 and adopt and incorporate into the Code of Alabama
2 1975, the 2009 supplements to local law volumes.

3 This bill would make hierarchy, formatting,
4 and internal reference corrections to subdivision
5 (21) of subsection (a) of Section 19-3B-816, found
6 on page 386 of 2007 Replacement Volume 14, relating
7 to specific powers of trustees under the Alabama
8 Uniform Trust Code.

9 This bill would specify that this adoption
10 and incorporation constitutes a continuous
11 systematic codification of the entire Code of
12 Alabama 1975, and would expressly provide that this
13 act does not affect other 2009 Special Session
14 statutes and 2010 session statutes.

15 This bill would also specify the duties of
16 the Secretary of State regarding the custody of
17 these cumulative supplements, replacement volume,
18 and initial volume.

19
20 A BILL

21 TO BE ENTITLED

22 AN ACT

23
24 To adopt and incorporate into the Code of Alabama
25 1975, those general and permanent laws of the state enacted
26 during the 2009 Regular Session and Act 2009-814 of the 2009
27 First Special Session as contained in the 2009 Cumulative

1 Supplement to certain volumes of the code and 2009 Replacement
2 Volume 15A; to initially adopt and incorporate into the Code
3 of Alabama 1975, 2009 Volume 22E (Local Laws Conecuh - Cullman
4 Counties) and to adopt and incorporate into the Code of
5 Alabama 1975, 2009 Cumulative Supplements to local law
6 volumes; to make hierarchy, formatting, and internal reference
7 corrections to subdivision (21) of subsection (a) of Section
8 19-3B-816, found on page 386 of 2007 Replacement Volume 14,
9 relating to specific powers of trustees under the Alabama
10 Uniform Trust Code; and to specify that this adoption and
11 incorporation constitute a continuous systematic codification
12 of the entire Code of Alabama 1975 and that this act is a law
13 that adopts a code; to declare that the Code Publisher has
14 certified it has discharged its duties regarding the
15 replacement volumes; to expressly provide that this act does
16 not affect any other 2009 Special Session statutes or 2010
17 session statutes; and to specify the duties of the Secretary
18 of State regarding the custody of these cumulative
19 supplements, replacement volumes, and initial volume.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) Those general and permanent laws of
22 the state enacted during the 2009 Regular Session and Act
23 2009-814 of the 2009 First Special Session as contained in the
24 2009 Cumulative Supplements to Volumes 3 to 15 inclusive,
25 including the separate pamphlet to the supplement to Volume 7A
26 containing Title 10A, and Volumes 16 to 22A inclusive, and the
27 2009 Replacement Volume 15A and the additions and deletions

1 made by the Code Commissioner for editorial purposes, as
2 edited and published by West Group, as the Code Publisher,
3 which volumes of the 2009 Cumulative Supplement and 2009
4 Replacement Volume are identified and authenticated by the
5 Great Seal of the State of Alabama placed upon the front and
6 back of each of the volumes of the cumulative supplement and
7 upon the first inside page and the last inside page of the
8 replacement volume, are adopted and incorporated into the Code
9 of Alabama 1975.

10 (b) The following correction is made:

11 Section 19-3B-816, 2007 Replacement Volume 14, page
12 386. In order to achieve appropriate hierarchy, formatting,
13 and internal references, in subdivision (21) of subsection (a)
14 after "(21)" insert (A). Designate existing paragraphs (A),
15 (B), (C), and (D) as subparagraphs 1., 2., 3., and 4. In
16 redesignated subparagraph 4., insert a period after
17 "distribution" and delete "and". Redesignate the remaining
18 language in 4. as (B) and in such language after "The trustee
19 shall not be under any duty to see to the application of the
20 payment" insert "made pursuant to subparagraphs 1. to 4.
21 above,".

22 Section 2. Those local and permanent laws of the
23 state previously enacted and contained in initial 2009 Volume
24 22E (Local Laws Conecuh - Cullman Counties) and the local and
25 permanent laws pertaining to various counties enacted during
26 the 2009 Regular Session as contained in the 2009 Cumulative
27 Supplement to Volumes 22B, 22C, and 22D and the additions and

1 deletions made by the Code Commissioner for editorial
2 purposes, as edited and published by West Group, as the Code
3 Publisher, which volumes of the 2009 Cumulative Supplement are
4 identified and authenticated by the Great Seal of the State of
5 Alabama placed upon the front and back of each of the volumes
6 of the cumulative supplement, are adopted and incorporated
7 into the Code of Alabama 1975.

8 Section 3. The adoption and incorporation of the
9 supplements, replacement volume, and initial volume specified
10 in this act shall constitute a continuous systematic
11 codification of the entire Code of Alabama 1975 for purposes
12 of Section 85 of the Official Recompilation of the
13 Constitution of Alabama of 1901, as amended. This act is a law
14 that adopts a code for the purposes of Section 45 of the
15 Official Recompilation of the Constitution of Alabama of 1901,
16 as amended.

17 Section 4. It is declared that West Group, as the
18 Code Publisher, has certified that it has discharged its
19 duties and responsibilities to edit and publish 2009
20 Replacement Volume 15A of the Code of Alabama 1975, by
21 combining the material in the previous bound volumes with the
22 material contained in the cumulative supplement without making
23 substantive changes, but making, under the supervision and
24 pursuant to the direction of the Code Commissioner,
25 nonsubstantive changes and corrections as may have resulted
26 from changes in reference numbers, changes of names and titles

1 of governmental departments, agencies, and officers,
2 typographical errors, grammatical changes, and misspellings.

3 Section 5. The adoption of this act shall not
4 repeal, supersede, amend, or in any other way affect any
5 statute enacted into law during any 2009 Special Session,
6 other than Act 2009-814, and any 2010 session of the
7 Legislature.

8 Section 6. Upon passage and approval of this act,
9 the duly authenticated volumes of the 2009 Cumulative
10 Supplements, the 2009 Replacement Volume, and the 2009 initial
11 volume, shall be transmitted to the Secretary of State, who
12 shall file the volumes of the supplements, the replacement
13 volume and the initial volume in that office. The volumes of
14 the supplements, replacement volume, and initial volume shall
15 not be removed from the office of the Secretary of State, but
16 the Secretary of State, upon request, under proper certificate
17 and seal of that office, shall certify any part or parts
18 thereof upon payment of the fee specified by law for similar
19 services.

20 Section 7. This act shall become effective
21 immediately upon its passage and approval by the Governor, or
22 upon its otherwise becoming a law.