

1 SB321
2 119879-2
3 By Senator Mitchell
4 RFD: Governmental Affairs
5 First Read: 02-FEB-10

1 SB321

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4 ENROLLED, An Act,

5 To adopt and incorporate into the Code of Alabama
6 1975, those general and permanent laws of the state enacted
7 during the 2009 Regular Session and Act 2009-814 of the 2009
8 First Special Session as contained in the 2009 Cumulative
9 Supplement to certain volumes of the code and 2009 Replacement
10 Volume 15A; to initially adopt and incorporate into the Code
11 of Alabama 1975, 2009 Volume 22E (Local Laws Conecuh - Cullman
12 Counties) and to adopt and incorporate into the Code of
13 Alabama 1975, 2009 Cumulative Supplements to local law
14 volumes; to make hierarchy, formatting, and internal reference
15 corrections to subdivision (21) of subsection (a) of Section
16 19-3B-816, found on page 386 of 2007 Replacement Volume 14,
17 relating to specific powers of trustees under the Alabama
18 Uniform Trust Code; and to specify that this adoption and
19 incorporation constitute a continuous systematic codification
20 of the entire Code of Alabama 1975 and that this act is a law
21 that adopts a code; to declare that the Code Publisher has
22 certified it has discharged its duties regarding the
23 replacement volumes; to expressly provide that this act does
24 not affect any other 2009 Special Session statutes or 2010
25 session statutes; and to specify the duties of the Secretary

1 of State regarding the custody of these cumulative
2 supplements, replacement volumes, and initial volume.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. (a) Those general and permanent laws of
5 the state enacted during the 2009 Regular Session and Act
6 2009-814 of the 2009 First Special Session as contained in the
7 2009 Cumulative Supplements to Volumes 3 to 15 inclusive, and
8 Volumes 16 to 22A, inclusive, and the 2009 Replacement Volume
9 15A and the additions and deletions made by the Code
10 Commissioner for editorial purposes, as edited and published
11 by West Group, as the Code Publisher, which volumes of the
12 2009 Cumulative Supplement and 2009 Replacement Volume are
13 identified and authenticated by the Great Seal of the State of
14 Alabama placed upon the front and back of each of the volumes
15 of the cumulative supplement and upon the first inside page
16 and the last inside page of the replacement volume, are
17 adopted and incorporated into the Code of Alabama 1975.

18 (b) The following correction is made:

19 Section 19-3B-816, 2007 Replacement Volume 14, page
20 386. In order to achieve appropriate hierarchy, formatting,
21 and internal references, in subdivision (21) of subsection (a)
22 after "(21)" insert (A). Designate existing paragraphs (A),
23 (B), (C), and (D) as subparagraphs 1., 2., 3., and 4. In
24 redesignated subparagraph 4., insert a period after
25 "distribution" and delete "and". Redesignate the remaining

1 language in 4. as (B) and in such language after "The trustee
2 shall not be under any duty to see to the application of the
3 payment" insert "made pursuant to subparagraphs 1. to 4.
4 above,".

5 Section 2. Those local and permanent laws of the
6 state previously enacted and contained in initial 2009 Volume
7 22E (Local Laws Conecuh - Cullman Counties) and the local and
8 permanent laws pertaining to various counties enacted during
9 the 2009 Regular Session as contained in the 2009 Cumulative
10 Supplement to Volumes 22B, 22C, and 22D and the additions and
11 deletions made by the Code Commissioner for editorial
12 purposes, as edited and published by West Group, as the Code
13 Publisher, which volumes of the 2009 Cumulative Supplement are
14 identified and authenticated by the Great Seal of the State of
15 Alabama placed upon the front and back of each of the volumes
16 of the cumulative supplement, are adopted and incorporated
17 into the Code of Alabama 1975.

18 Section 3. The adoption and incorporation of the
19 supplements, replacement volume, and initial volume specified
20 in this act shall constitute a continuous systematic
21 codification of the entire Code of Alabama 1975 for purposes
22 of Section 85 of the Official Recompilation of the
23 Constitution of Alabama of 1901, as amended. This act is a law
24 that adopts a code for the purposes of Section 45 of the

1 Official Recompilation of the Constitution of Alabama of 1901,
2 as amended.

3 Section 4. It is declared that West Group, as the
4 Code Publisher, has certified that it has discharged its
5 duties and responsibilities to edit and publish 2009
6 Replacement Volume 15A of the Code of Alabama 1975, by
7 combining the material in the previous bound volumes with the
8 material contained in the cumulative supplement without making
9 substantive changes, but making, under the supervision and
10 pursuant to the direction of the Code Commissioner,
11 nonsubstantive changes and corrections as may have resulted
12 from changes in reference numbers, changes of names and titles
13 of governmental departments, agencies, and officers,
14 typographical errors, grammatical changes, and misspellings.

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

20 Section 6. Upon passage and approval of this act,
21 the duly authenticated volumes of the 2009 Cumulative
22 Supplements, the 2009 Replacement Volume, and the 2009 initial
23 volume, shall be transmitted to the Secretary of State, who
24 shall file the volumes of the supplements, the replacement
25 volume and the initial volume in that office. The volumes of

1 the supplements, replacement volume, and initial volume shall
2 not be removed from the office of the Secretary of State, but
3 the Secretary of State, upon request, under proper certificate
4 and seal of that office, shall certify any part or parts
5 thereof upon payment of the fee specified by law for similar
6 services.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB321

Senate 18-FEB-10

I hereby certify that the within Act originated in and passed the Senate.

McDowell Lee
Secretary

House of Representatives
Amended and passed 01-APR-10

Senate concurred in House amendment 13-APR-10

By: Senator Mitchell