

1 SB52
2 91904-1
3 By Senators Butler, McClain, and Bedford
4 RFD: Finance and Taxation Education
5 First Read: 27-MAY-08

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8 SYNOPSIS: This bill would require that an automated
9 external defibrillator be placed in each public
10 K-12 school in Alabama.

11 Amendment 621 of the Constitution of Alabama
12 of 1901, now appearing as Section 111.05 of the
13 Official Recompilation of the Constitution of
14 Alabama of 1901, as amended, prohibits a general
15 law whose purpose or effect would be to require a
16 new or increased expenditure of local funds from
17 becoming effective with regard to a local
18 governmental entity without enactment by a 2/3 vote
19 unless: it comes within one of a number of
20 specified exceptions; it is approved by the
21 affected entity; or the Legislature appropriates
22 funds, or provides a local source of revenue, to
23 the entity for the purpose.

24 The purpose or effect of this bill would be
25 to require a new or increased expenditure of local
26 funds within the meaning of the amendment. However,
27 the bill does not require approval of a local

1 governmental entity or enactment by a 2/3 vote to
2 become effective because it comes within one of the
3 specified exceptions contained in the amendment.
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5 A BILL
6 TO BE ENTITLED
7 AN ACT
8

9 To require that an automated external defibrillator
10 be placed in each public K-12 school in Alabama; and in
11 connection therewith would have as its purpose or effect the
12 requirement of a new or increased expenditure of local funds
13 within the meaning of Amendment 621 of the Constitution of
14 Alabama of 1901, now appearing as Section 111.05 of the
15 Official Recompilation of the Constitution of Alabama of 1901,
16 as amended.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) For purposes of this section, the
19 term automated external defibrillator is given the same
20 definition as provided in Section 6-5-332.3(c), Code of
21 Alabama 1975.

22 (b) An automated external defibrillator shall be
23 placed in each public K-12 school in Alabama. The
24 superintendent of each local board of education shall
25 designate at least one employee at each school to be trained
26 in the use of an automated external defibrillator.

1 (c) The Alabama Department of Education shall
2 implement and administer the provisions of this section and
3 shall adopt such rules as are necessary.

4 Section 2. Although this bill would have as its
5 purpose or effect the requirement of a new or increased
6 expenditure of local funds, the bill is excluded from further
7 requirements and application under Amendment 621, now
8 appearing as Section 111.05 of the Official Recompilation of
9 the Constitution of Alabama of 1901, as amended, because the
10 bill requires expenditures only by a school board.

11 Section 3. This act shall become effective
12 immediately following its passage and approval by the
13 Governor, or its otherwise becoming law.