



Special Edition



ALABAMA
ASSOCIATION OF
SCHOOL BOARDS

2019 Regular Legislative Session Enacted Legislation

General Bills

This publication includes only enactments of interest to education.

Act	Synopsis
<u>2019-233</u>	<p>Establishes the Stringer-Drummond Vaping Act to regulate the sale of electronic or alternate nicotine devices as if tobacco products; prohibits the sale or transfer to minors; prohibits advertisement near schools; requires retailers to post warnings about risks associated with vaping; and provides penalties.</p> <p>H.41 (Stringer) <i>Effective Aug.1, 2019</i></p>
<u>2019-241</u>	<p>Requires the Pledge of Allegiance be conducted at the beginning of each school day in K-12 public schools; students who refuse may not be punished or penalized.</p> <p>H.339 (Ledbetter) <i>Effective Aug. 1, 2019</i></p>
<u>2019-281</u>	<p>Requires the State Board of Education to adopt a policy to offer release time for students to receive religious instruction off campus during the school day; local school boards are not required to implement the policy or award credit for the elective course; a parent or guardian must provide written consent and the sponsoring entity must maintain attendance records and assume liability for the student; no public funds may be expended and public school personnel may not provide the religious instruction; prohibits release from a core curriculum class.</p> <p>H.291 (Garrett) <i>Effective Aug. 1, 2019</i></p>
<u>2019-316</u>	<p>Provides the Partial Lump-Sum Option (PLOP) as a 5th retirement option in the Retirement Systems of Alabama; allows eligible retirees to elect to receive a partial lump-sum payment not to exceed 24 months of the maximum monthly retirement allowance; reduces the monthly benefit proportionately thereafter.</p> <p>H.21 (Baker) <i>Effective May 29, 2019</i></p>
<u>2019-326</u>	<p>Authorizes electric providers to use existing infrastructure and easements to provide a broadband system and services; authorizes electric providers to offer access to unaffiliated broadband providers.</p> <p>H.400 (Shedd) <i>Effective Aug. 1, 2019</i></p>

- 2019-327** Amends the Alabama Broadband Accessibility Act to further define unserved areas; increases the amount of appropriated funds ADECA may use to administer the grant program for new investment in rural broadband service; revises proposed grant amounts, project specifications and use of federal and state support.
S.90 (Scofield) *Effective May 30, 2019*
- 2019-345** Proposes a constitutional amendment to be placed on the March 2020 primary ballot that, if approved by the majority of voters, would replace the elected State Board of Education with the Alabama Commission on Elementary and Secondary Education; would require the governor to appoint, subject to senate confirmation, nine commissioners for staggered six-year terms; would require the commission to appoint, subject to senate confirmation, a Secretary of Elementary and Secondary Education; would require the commission to adopt standards, a comprehensive educator certification program, professional development program, and assessment and accountability system; would require the governor appoint a diverse team of educators and school officials to make recommendations; would stipulate the State Department of Education be governed by the commission and work in coordination with local boards of education.
S.397 (Marsh) *Effective May 31, 2019*
- 2019-364** Extends the duration of an Emergency Teacher Certificate* from one to two years and authorizes a one-time certificate renewal.
*A State Department of Education [June 10, 2019 memo](#) provides implementation guidance.
H.506 (Estes) *Effective Sept. 1, 2019*
- 2019-375** Provides a supplemental appropriation from the Education Trust Fund to multiple agencies; appropriates \$3.1 million to the State Department of Education and directs \$1.8 million for a new student administration system; \$303,000 to pilot projects addressing dyslexia; and \$1 million to 2019 summer programs offering teacher professional development for literacy, numeracy and career technical education.
S.195 (Orr) *Effective June 4, 2019*
- 2019-383** Provides K-12 a \$128.7 million supplemental appropriation from the Education Trust Fund Advancement & Technology Fund to be used in FY19; authorizes funds to be used for repairs and deferred maintenance, classroom instructional supplies, insurance for facilities, transportation, acquisition or purchase of education technology, or school safety.
S.196 (Orr) *Effective June 5, 2019*
- 2019-388** Amends building code requirements for high school sports stadiums to reduce the required number of restroom plumbing fixtures for each sex based on total stadium occupancy.
H.159 (Lee) *Effective June 6, 2019*
- 2019-389** Requires public schools to offer computer science instruction, beginning with high schools in 2020-21; middle schools in 2021-22; and elementary schools in 2022-23; allows the course to satisfy either a mathematics or science course credit requirement for high school graduation; requires the State Department of Education to develop a K-12 course of study for digital literacy and computer science, establish certification pathways, and create a state computer science specialist position; funds computer science professional learning and requires the governor to establish a computer science education task force.
H.216 (Faulkner) *Effective Sept. 1, 2019*
- 2019-392** Provides the Alabama Incentives Modernization Act to provide incentives to attract and expand business to rural areas and attract technology companies to the state; revises insurance premium taxes and unearmarks life insurance premium tax revenue, currently deposited in the Education Trust Fund, to the General Fund beginning Oct. 1, 2020.
H.540 (Poole) *Effective Aug. 5, 2019*

- 2019-399** Provides a 4 percent pay increase to public education employees; excludes superintendents of education; specifies any pay increase for the superintendent shall be made by a majority recorded vote of the governing body.
S.192 (Orr) *Effective June 6, 2019*
- 2019-403** Appropriates \$7.1 billion from the Education Trust Fund for the support, maintenance and development of public education, debt service and capital outlay for the fiscal year ending Sep. 30, 2020. [View Budget spreadsheet here.](#)
S.199 (Orr) *Effective Oct. 1, 2019*
- 2019-447** Clarifies statutory inconsistencies to determine the age an individual is classified as a minor or adult; stipulates a person under 19 years of age and on track to graduate may not be denied admission to public school solely based on age.
H.349 (Collins) *Effective Sept. 18, 2019*
- 2019-456** Amends current law to specify a student may possess and self-administer a *single dose* of auto-injectable epinephrine.
H.32 (Boyd) *Effective June 7, 2019*
- 2019-476** Authorizes a probate judge to appoint up to two qualified high school or college students to work as unpaid student interns for each county polling place on election day to count as an excused school absence.
S.240 (Chesteen) *Effective Sept. 1, 2019*
- 2019-504** Authorizes certain registered athlete agents to pay for qualified expenses incurred by a student athlete before signing an agency contract.
S.5 (Allen) *Effective June 10, 2019*
- 2019-506** Establishes the Alabama Industry Recognized and Registered Apprenticeship Program; allows 9th-grade students to participate in pre-apprenticeship programs and 10th-, 11th- and 12th-grade students to participate in industry-recognized apprenticeships; creates an Alabama Office of Apprenticeship under the Department of Commerce, an Alabama Apprenticeship Council and an Alabama Workforce Council Committee on Credentialing and Career Pathways; allows a state income tax credit for eligible employers.
S.295 (Orr) *Effective Sept. 1, 2019*
- 2019-508** Allows public schools to offer an elective course on the Bible and religious history for grades 6-12; permits the school principal to authorize the display of certain historic artifacts and related materials; requires the State Board of Education to adopt rules and policies; provides parameters for teacher presentation of material; provides a teacher is not required to teach the course; grants local boards of education immunity from liability; requires the Attorney General to defend any litigation filed and the Legislature to appropriate funds to pay fines, court costs or attorneys' fees.
S.14 (Melson) *Effective Sept. 1, 2019*
- 2019-510** Requires the governor would appoint minority members to the Commission on Elementary and Secondary Education from a list of nominees provided by the minority caucuses of the House of Representatives and Senate; would require the Secretary of Elementary and Secondary Education to provide the Legislature an update on state education policy objectives and improvement of K-12 student academic achievements; requires the majority of voters approve the constitutional amendment ([Act 2019-345](#)) in the March 2020 primary election to be implemented.
S.398 (Marsh) *June 10, 2019*

2019-523 Creates the Alabama Literacy Act to require allocation of resources to public school K-3 reading initiatives; establishes the goal of all students reading at or above grade level by the end of third grade; creates a standing task force; directs funding for the Alabama Reading Initiative; targets additional reading specialists be assigned to schools in lowest five percent of performing schools; addresses minimum certification for reading specialists; requires assessments and screening protocol; outlines parental notice and specific supports to be provided for students identified with reading deficiencies; requires that starting in 2021-22 school year, third grade students who do not demonstrate sufficient reading skills not be promoted to fourth grade with exceptions provided; establishes reporting requirements; requires dyslexia therapy teacher preparation courses; requires Colleges of Education to increase the rigor and required number of reading science courses by 2020-21; and requires targeted teacher professional development on the science of reading.

H.388 (Collins) *Effective Sept. 1, 2019*

2019-524 Authorizes local boards of education to use a facility for career technical classes that does not meet building code if the facility is better suited for use than the existing facility.

H.462 (Easterbrook) *Effective June 10, 2019*

2019-526 Authorizes public school systems to donate surplus, non-expired food to charitable organizations to redistribute to eligible students for consumption on or off campus.

H.566 (Kitchens) *Effective Sept. 1, 2019*

2019-527 Allows in-school youth apprentices to work in certified programs for eligible employers and provides employer incentives.

H.570 (Collins) *Effective Sept. 1, 2019*

2019-532 Authorizes a law enforcement officer retired in good standing with at least twenty years of experience to carry a firearm on campus while on duty as a School Resource Officer/school security; provides requirements.

H.209 (Pettus) *Effective Sept. 1, 2019*

2019-533 Reframes the comprehensive school safety plan as School Emergency Plans; revises “Code Red” to a “School Lockdown Safety Plan” with a four-tiered alert Protocol: (1) Heightened awareness, (2) Secure your area of responsibility, (3) Secure the perimeter, and (4) Lockdown.

H.385 (Robertson) *Effective June 10, 2019*

Local Bills

2019-51 Madison County: Authorizes the Triana Town Council to propose a 12-mill special ad valorem tax increase for educational purposes; provides the increase is effective only upon approval of voters in a special election AND if the City of Madison approves its 12 mill special ad valorem tax increase ([Act 2019-88](#)) in its special election.

H.130 (Ball) *Effective April 19, 2019*

2019-64 St. Clair County: Proposes a constitutional amendment that, if approved by voters, would authorize the governing body in St. Clair County to levy and collect a cumulative 20-mill special ad valorem tax for public school purposes; defines school districts as St. Clair County schools, Pell City schools or a School Attendance and Tax District determined by the St. Clair County board of education; provides the proposed tax is subject to approval by voters in each school district.

H.232 (Hill) *Effective April 23, 2019*

- 2019-88** Madison County: Authorizes the Madison City Council to propose a special ad valorem tax increase for public school purposes that, if approved by voters in a special election, would increase the city general ad valorem tax by 12 mills of assessed value.
H.129 (Ball) *Effective April 30, 2019*
- 2019-151** Phenix City: Establishes an elected board of education; designates a seven member board with two members elected from each of three city council districts and one at-large member; requires a fiscal audit by a licensed audit firm approved by the board.
H.181 (Blackshear) *Effective May 13, 2019*
- 2019-202** Jefferson County: Authorizes the Hoover City Council to propose a special ad valorem tax increase for public school purposes that, if approved by voters at a special election, would increase the tax by 2.4 mills of assessed value.
S.176 (Waggoner) *Effective May 21, 2019*
- 2019-203** Jefferson County: Authorizes the Mountain Brook City Council to propose a special ad valorem tax increase for public school purposes that, if approved by voters at a special election, would increase the tax from 10.6 mills to 20.6 mills of assessed value.
S.177 (Waggoner) *Effective May 21, 2019*
- 2019-264*** Huntsville City: Authorizes the Huntsville City Council, if approved by voters, to equalize the level of ad valorem tax collected throughout the city for public school purposes; provides the school tax rate may not exceed 22 mills.
*See [Act 2019-372](#)
H.572 (Whitt) *Effective May 23, 2019*
- 2019-265** Autauga County: Provides the local board of education will appoint the county superintendent upon vacancy of office or term completion of the current elected county superintendent.
S.287 (Chambliss) *Effective May 23, 2019*
- 2019-272** Morgan County: Provides for the distribution of the county proceeds from the simplified seller use tax; five percent to be retained by Morgan County for administrative purposes, 85 percent allocated to its county and city local boards of education; an additional 13.5 percent to the Morgan County Board of Education for public school purposes; and 1.5 percent to the volunteer fire departments in the county.
S.344 (Orr) *Effective Aug. 1, 2019*
- 2019-372*** Huntsville City: Authorizes the Huntsville City Council, if approved by voters, to equalize the level of ad valorem tax collected throughout the city for public school purposes; provides the school tax rate may not exceed 22 mills.
*See [Act 2019-264](#)
S.380 (Givhan) *Effective June 4, 2019*
- 2019-377** Baldwin County: Provides for the transfer of local public school facilities upon formation of a city school system; requires the city school system assume outstanding indebtedness and contractual agreements for the facilities; sets the timeframe and valuation for payment.
S.366 (Elliott) *Effective June 4, 2019*

For a copy of any act listed above, click the act number or go to the Alabama Secretary of State's Office to view [legislative acts here](#).

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