



## ***SINE DIE June 5, 2008***

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**H.4754, Rep. G.R. Smith**, recreation districts, the bill passed with the following amendment that the SPD association was able to work out with the Senate. The bill awaits the Governor's Signature

**SECTION 1. Article 15, Chapter 11, Title 6 of the 1976 Code is amended by adding:**

**"Section 6-11-2027. (A) Notwithstanding the provisions of this article, the assets and liabilities of a special purpose district that:**

- (1) is created by act of the General Assembly that does not require a referendum;**
- (2) provides only recreational services; and**
- (3) has as its boundary the same as the county in which it is located may be transferred to the governing body of the county in which the special purpose district is located if the governing body of the special purpose district, the governing body of the county, and the legislative delegation for the county each pass by a supermajority of two-thirds vote of members present and voting resolutions that transfer the special purpose district's assets and liabilities to the governing body of the county in which the special purpose district is located. The governing body of the special purpose district must hold a public hearing prior to the passage by a supermajority of two-thirds vote of the resolutions by the governing body of the special purpose district, the governing body of the county, and the legislative delegation for the county. The provisions of this section are applicable only if the governing body of the county also adopts a resolution agreeing to follow the provisions of Section 6-11-2140.**

**(B) For purposes of calculating the millage limitation imposed pursuant to Section 6-1-320 for a county, any millage for operating purposes imposed by the dissolved special purpose district is considered to have been imposed by the county.**

**(C) The provisions of this section do not apply to a special purpose district that provides both recreational and aging services.**

**(D) The provisions of this section expire on December 31, 2008."**

**H.4578, Rep. Harrison**, is a joint resolution proposing a Constitutional Amendment to authorize the General Assembly, by special or local law, to abolish a Special Purpose District and transfer its assets and liabilities to an assuming service provider. The bill was referred to a Senate Judiciary Subcommittee and is dead for the year.

**H.3030, Rep. J.R. Smith**, would allow a rural community water district to provide a sewage collection system within the district. The bill is on the Senate calendar awaiting third reading. This bill passed as an amendment to **H.4743, Tax Increment Financing ACT and redevelopment projects**. The bill has been enrolled for ratification and awaits the Governor's signature.

.....SECTION 3. Article 1, Chapter 11, Title 6 of the 1976 Code is amended by adding:

"Section 6-11-175. Prior to beginning to construct an elevated water storage facility, the district must hold a public meeting to explain the details of the project and take comments from members of the public. The district must advertise in a newspaper of general circulation in the district the time and place of the meeting and the general nature and scope of the proposed project. The notice must be published on two occasions prior to the meeting, and at least ten days prior to the meeting."

SECTION 4. Section 6-11-1220(a) of the 1976 Code is amended to read:

"(a) The term 'district' shall mean any rural water district organized under Chapter 13 of Title 6, special purpose district, or public service district now existing or hereafter created by an act of the General Assembly now or from time to time exercising the power to construct and operate sewer collection, disposal, and treatment facilities;"

SECTION 5. Article 1, Chapter 13, Title 6 of the 1976 Code is amended by adding:

"Section 6-13-15. (A)(1) A rural water district established pursuant to this chapter prior to March 7, 1973, may provide sewer service to the area within its boundaries and its legal service area if, prior to the district utilizing the provisions of this section:

(a) the district's board has been selected from an area that encompasses the boundaries and the entire legal service area to which service has been extended by the district;

(b) the district has received permission, by written resolution, from the governing body of the county in which the district is located; and

(c) the provision of sewer service authorized by this section is consistent with any comprehensive plan or land use plan adopted pursuant to Chapter 29 of Title 6.

(2) A rural water district established pursuant to this chapter prior to March 7, 1973, utilizing the provisions of this section, must not provide sewer service to:

(a) areas outside the district's boundaries and legal service area at the time the district's governing body determines to utilize the provisions of this section; or

(b) those parts of the area within the district's boundaries and legal service area where sewer service is being provided by another private or governmental entity at the time the district's governing body determines to utilize the provisions of this section.

(B) The water district may build, acquire, construct, operate, and maintain sewage collection, treatment, and disposal facilities or contract for the use of any facilities as are, in the opinion of the governing body of the water district, necessary for the district. The district may impose such schedule of rates and charges for the use of sewage collection, treatment, and disposal facilities as the governing body of the district shall from time to time approve. The governing body of the district may place into effect and revise, whenever it wishes or is required, a schedule of rates for the sewer service made available by it to persons, firms, and corporations within the district. The powers of the district granted in Section 6-13-50 shall apply to the provision of sewer service by the district except for Section 6-13-50(23).

(C) Unless they are owned by another political subdivision or other entity, the treatment and disposal facilities, transmission and collection lines, pump stations and their several component parts, and all other apparatus, equipment, and property incident to the provision of sewer service or used or useful in the provision of sewer service and all additions, improvements, extensions, and enlargements to any of them shall constitute a portion of the system belonging to the water district.

(D) The powers provided to a water district by this section are in addition to all other powers authorized by law."

SECTION 6. Chapter 33, Title 6 of the 1976 Code is repealed.....

**H.4470, Speaker Harrell**, would allow a State Income Tax Credit for the purchase, installation, or improvement of a fire sprinkler system. The bill would also limit charges for separate lines for fire sprinkler systems to actual costs for SPD and City water systems. The bill has been enrolled for ratification and awaits the Governor's signature.

