

1 SB251
2 183046-1
3 By Senators Coleman-Madison, Orr, Beasley, Dial, Ward, Dunn
4 and Singleton
5 RFD: Fiscal Responsibility and Economic Development
6 First Read: 28-FEB-17

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8 SYNOPSIS: Under existing law any state agency that has
9 statutory authority to levy or assess fees that are
10 retained by the agency to fund operations or
11 programs under its control may increase the fees
12 by the percentage increase in the Consumer Price
13 Index for all urban consumers as published by the
14 U.S. Department of Labor, Bureau of Labor
15 Statistics, provided that any increase of the fee
16 adopted is retained by the agency to fund the
17 operations or programs under the control of the
18 agency.

19 This bill would allow any increase of the
20 fees adopted to be distributed according to the law
21 applicable to that fee.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
26

1 To allow any increase of fees adopted by an agency
2 that has statutory authority to levy or assess fees to be
3 distributed according to the law applicable to that fee.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 41-1-11

6 "§41-1-11.

7 "(a) Any state agency that statutorily levies or
8 assesses fees ~~retained by the agency to fund its operations or~~
9 ~~programs~~ may increase the fee by the percentage increase in
10 the Consumer Price Index for all urban consumers as published
11 by the U.S. Department of Labor, Bureau of Labor Statistics
12 from the end of December in the tenth year preceding the year
13 in which the fee increase is to be effective or from the end
14 of December in the last year the fee was increased, whichever
15 period is shorter, to the end of the month preceding the month
16 in which the fee increase is to be effective, rounded down to
17 the nearest dollar. Thereafter, every five years the agency
18 may repeat this process using the Consumer Price Index for the
19 previous five years forward to the date of the requested
20 change. The change may not exceed an increase of two percent
21 per year.

22 "(b) Any change in a fee schedule pursuant to this
23 section is a rule for purposes of the Alabama Administrative
24 Procedure Act.

25 "(c) If an increase is adopted, the assessed
26 increase of the fee shall be retained by the agency to fund
27 its operations or programs under the control of the agency or

1 shall be distributed according to the law applicable to that
2 fee.

3 "(d) The provisions of this section shall not apply
4 in any manner to the Alabama Public Service Commission, the
5 State Parks Division of the Department of Conservation and
6 Natural Resources, or the State Banking Department."

7 Section 2. This act shall become effective
8 immediately following its passage and approval by the
9 Governor, or its otherwise becoming law.