

SB46 ENROLLED



1 SB46
2 EM3DCC2-2
3 By Senators Sessions, Williams, Figures (N & P)
4 RFD: Mobile County Legislation
5 First Read: 04-Feb-25



SB46 Enrolled

Enrolled, An Act,

SYNOPSIS:

A BILL

TO BE ENACTED

AN ACT

Relating to Class 2 municipalities; to amend Section 22-40A-12 of the Code of Alabama 1975, relating to the Alabama Scrap Tire Environmental Quality Act, to authorize the governing body of a Class 2 municipality to establish a delegation agreement with the Alabama Department of Environmental Management to enforce the act; to authorize enforcement in a Class 2 municipality in municipal court; and to provide for criminal penalties of certain violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 22-40A-12 of the Code of Alabama 1975, is amended to read as follows:

"§22-40A-12

(a) County commissions and the governing body of any Class 2 municipality may request primacy on enforcement and establish delegation agreements with the department for enforcement of this chapter. The department shall establish by regulation rule the procedures for delegation. ~~Counties A county or a Class 2 municipality that wish to~~ voluntarily ~~establish such~~ establishes a delegation-agreements agreement



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with the department for local enforcement shall have all of
the following responsibilities:

(1) Provide quarterly reports to the department on all
scrap tire activities within that quarter on a form prepared
and provided by the department.

(2) Provide a written investigation~~reports~~ report to
the department within 10 days of ~~the~~ an initial investigation.

(3) Investigate all reports and complaints regarding
scrap tires within the respective county or Class 2
municipality.

(4) Investigate illegal dumping of scrap tires.

(5) Review manifests of scrap tires at businesses

(b) Notwithstanding any other provision of law, in a
Class 2 municipality, the municipal court shall have
jurisdiction over violations of this chapter.

(c) In any Class 2 municipality, in lieu of the
penalties provide in Section 22-40A-19, the following
penalties shall apply:

(1) A person who accumulates scrap tires in violation
of this chapter as provided in Section 22-40A-19(a)(1), upon
conviction, shall be guilty of a Class C misdemeanor.

(2) A person who processes scrap tires in violation of
this chapter as provided in Section 22-40A-19(a)(2), upon
conviction, shall be guilty of a Class B misdemeanor.

(3) A person who transports scrap tires in violation of
this chapter as provided in Section 22-40A-19(a)(3), upon
conviction, shall be guilty of a Class A misdemeanor."

Section 2. This act shall become effective June 1,



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB46

Senate 04-Mar-25

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

Patrick Harris,
Secretary.

House of Representatives

Passed: 08-Apr-25

By: Senator Sessions