

MAYNARD

COOPER GALE

2022 Legislative Update: Regular Session - Week Eight

Overview

Lawmakers completed week eight of the 2022 Regular Session of the Alabama Legislature. Legislators met over three days this week and have used twenty-one of the thirty legislative days they are allowed to meet. Legislators will return to Montgomery on Tuesday and are expected to be in session for two days during week nine.

Concealed Carry

Governor Ivey signed the “Constitutional Carry” law within hours of the House and Senate concurring to changes both chambers made to the law, which will allow Alabamians to carry handguns on their person and in automobiles without having to obtain a permit beginning on January 1, 2023. The law makes Alabama the twenty-second state to allow carrying a concealed weapon without a permit.

Proponents of the law for years have called for repealing the mandatory “permit tax” on the Second Amendment right to bear arms. Opponents, including multiple members of the law enforcement community, claim the new law will lead to greater access to firearms and increased gun violence and prevent law enforcement from protecting themselves and citizens.

The changes to the legislation prior to both chambers agreeing to the final version included revising provisions dealing with traffic stops, law enforcement being able to temporarily take custody of firearms, and the rights businesses and property owners will have to ban guns on certain premises.

Lottery, Casinos and Sports Betting

Last week a legislative package was introduced in the Senate to establish the Alabama Education Lottery and Gambling Commission which would regulate gambling and gaming within the state. This week the Senate Tourism Committee held a hearing on the legislation and advanced the proposal to be considered by the full Senate. If passed, the legislation would allow traditional in-state and multi-state lottery games, establish eight casinos around the state and provide for online sports betting.

During the public hearing on Wednesday, Senate committee members heard from multiple supporters and opponents. Those supporting the bill want the State to capture the revenue Alabamians spend in neighboring states. Those opposed argued that gambling is fundamentally wrong and that the plan handpicked gambling facility operators and the communities that will benefit the most.

Under the plan, four of the proposed eight casinos will be located at the existing dog track sites within the state in Mobile, Shorter, Eutaw, and Birmingham. Additionally, The Poarch Band of Creek Indians would be allowed to have casino games at its three current Wind Creek locations in Atmore, Montgomery, and Wetumpka. The Poarch Band would also be able to locate an additional location in either Jackson or Dekalb County.

The legislation also includes provisions for sports betting to allow wagering on sporting events, individual performance statistics of athletes, and other sports wagering.

In order to get the proposal on the ballot in November for a statewide vote, proponents of the legislation will have to work hard to gain the support of three-fifths of legislators in the nine remaining meeting days of the legislative session. A similar package failed late in the regular session last year.

Fentanyl Test Strips

Lawmakers took steps this week to combat drug overdosing in the State by passing legislation legalizing fentanyl testing strips. Under current law possessing the strips is a criminal offense. The legislation that is now in the hands of the Governor will allow Alabamians to possess the strips that can be used to test for the presence of fentanyl in illicit drugs.

Fentanyl is often combined in illicit drugs and has been detected in thousands of drug overdose cases in Alabama. According to law enforcement and healthcare professionals, many people are unaware of the presence of the dangerous substance in drugs. Legislators believe allowing the strips will save lives and be another tool in the fight against illegal drug use in the State.

Budgets

The House approved an \$8.1 billion Education Trust Fund budget for fiscal year 2023, which includes a four percent pay raise for educators, increased funding for classroom instruction and supplies, hiring reading coaches and technology coordinators, and \$20M to improve elementary school student's math performance and scores. The spending plan for next year is now in the hands of the Senate.

The House is set to consider the State General Fund budget for fiscal year 2023 next week. Two weeks ago, the Senate passed the \$2.7 billion budget, which includes a four percent pay raise for public employees and increased funding to address mental health, prisons, and other matters in the correctional system.

Statistics

Through twenty-one legislative days, legislators have introduced 800 bills - 491 in the House and 309 in the Senate. 60 bills have been enacted with 22 more pending the signature of the Governor.