Alabama businesses will reap the benefits of much positive legislation from the recently concluded regular session of the state legislature, as bills were passed to streamline the filing of business taxes, provide incentives for job creation in the coal-mining, data processing and aerospace industries, stiffen penalties for metal theft, and make strides toward improvement in public education, among others.

“We are pleased that the Alabama Legislature has built upon the progress that was begun in the 2011 session,” said Business Council of Alabama President and CEO William Canary. “The businesses that we represent every day will benefit from the pro-growth policies reflected in the legislation that was passed and signed into law by Gov. Bentley.”

House Speaker Mike Hubbard called the session a “major success,” and added, “The days of the ‘do-nothing’ Legislature in Alabama are over.”

A number of bills on BCA’s 2012 Legislative Agenda were passed and enacted into law, and once again, no anti-business, job-killing legislation was approved.

A summary of the major bills BCA monitored throughout the regular and special session follows on these pages. For more information on any of these bills or other activity during the 2012 session, contact Anita Archie, senior vice president for intergovernmental affairs, communications and advocacy, 334-240-8775, or anitaa@bcatoday.org.

**Immigration**

Gov. Bentley signed into law HB 658, enacted as Act #2012-491, which makes several changes to the state’s immigration law (HB 56/Act 2012-535) passed a year ago. Several changes make compliance with the law less burdensome on businesses and employers; however, others make the penalties for noncompliance harsher. A comparison of the previous year’s bill and the current bill is available on the BCA website at http://www.bcatoday.org/PDF/Differencesinbills.pdf.

“The intent of the immigration law was never to make it difficult for businesses to comply and burden businesses with unnecessary red tape,” said BCA’s Canary. “These changes, while not perfect, are a much-needed step in the right direction and will allow businesses to clearly comply with both federal and state immigration law. We actively worked for passage of HB 658 in its final form, urging our member companies to voice support for these necessary changes in the law.”

**Unemployment Compensation Law Changes**

HB 72, by Rep. Paul DeMarco, R-
Homewood, enacted as Act #2012-292, provides that a person who fraudulently receives unemployment compensation benefits will be subject to disqualification of future benefits. A first offense will result in 52 weeks of disqualification. Subsequent offenses will prevent violators from receiving unemployment compensation for 104 weeks, and they will be required to repay fraudulently received benefits, plus interest, and will not be eligible for future benefits until the debt is paid. The crime will now be on a par with theft of property.

SB 300, by Sen. Trip Pittman, R-Daphne, and HB 285, by Rep. Jack Williams, R-Birmingham, enacted as Act 2012-299, establishes a one-week waiting period during the first compensable week of unemployment compensation benefits for individuals seeking unemployment benefits. Individuals will be able to receive benefits for 26 consecutive weeks beginning with the second compensable week. The new waiting period will save the Unemployment Compensation Trust Fund between $11 million and $14.5 million in the first year, according to the Alabama Department of Industrial Relations.

Metal theft

BCA members who have been the victims of metal theft, especially copper, are pleased with the passage of HB 278 by Rep. Bill Poole, R-Northport, which makes metal theft a felony. Included are metal materials used in telephone, cable and power lines and poles, railroad materials, manhole covers, grave markers and other metal property taken from a school or a church. Limitations were also placed on cash transactions involving copper, air conditioning coils and catalytic converters. Scrap metal recyclers must also now register with the Alabama Criminal Justice Information Center and transmit all business transactions daily.

Single point of filing

Businesses will find less red tape to deal with when filing taxes, thanks to SB 459 by Sen. Slade Blackwell, R-Mountain Brook. The bill established a single-point electronic filing system whereby businesses can file all sales, use, and rental/lease tax returns and make payments. The system, known as ONE SPOT(Optional Network Election for Single Point Online Transactions, will be administered by the Department of Revenue.

Charter schools

SB 513 by Sen. Dick Brewbaker, R-Pike Road, was the school flexibility and charter school bill introduced this year. It was the first step in an effort to allow new opportunities for parents when their children attend consistently failing schools. The law as originally intended would have allowed for the creation of a limited number of charter schools around the state. Charter schools are public schools allowed freedom to teach in innovative ways while being held accountable for higher standards and achievement. Charter schools are not the single solution to all of Alabama’s education problems; however, they are another tool in the education reform arsenal that will help reduce the dropout rate and prepare students to enter the workforce.

After the bill made it through the Senate Education Committee and the full Senate, it was a watered-down piece of legislation that would have made it virtually impossible to open a charter school in Alabama. Not only did it restrict charter schools to the state’s four most populous counties, it required the unanimous consent of every legislator in the county’s delegation. After passing the Senate late in the session in this watered-down form, it went to the House Ways & Means Education Committee where Rep. Phil Williams, R-Huntsville, sponsor of the House version, asked that it be carried over, essentially killing the bill for the remainder of the session. Williams did make it clear he wanted a better charter school bill and he would be back in 2013 to push for it again.

Following the committee meeting, BCA’s Canary spoke passionately of Alabama’s advances in the education reform movement and said BCA would support the charter school bill next year. “Twenty months ago, we would not have even been able to have a conversation about any education reforms,” Canary said. “The bill may not have passed, but we finally have a Legislature that is willing to spend a significant amount of time discussing reforms to our education system. The BCA looks forward to this discussion in the 2013 legislative session.”