



# ALABAMA HOUSE MAJORITY CAUCUS

ALABAMA STATE HOUSE

MONTGOMERY, ALABAMA 36130

**NATHANIEL LEDBETTER**  
MAJORITY LEADER

**To: Alabama House Republican Caucus Members**

**From: Majority Leader Nathaniel Ledbetter**

**Date: February 12, 2021**

## HOUSE REPUBLICAN CAUCUS TALKING POINTS MEMO FOR THE WEEK OF FEBRUARY 8 - 12

### PTSD First Responder Legislation

- The Alabama House on Tuesday unanimously approved legislation by State Rep. Matt Simpson (R - Daphne) that requires cities and county governments to reimburse for certain co-payments related to post traumatic stress disorder treatment for law enforcement officers and firefighters.
- Though PTSD is not covered under Alabama's workers' compensation laws, the bill provides first responders with up to 24 months of disability leave if doctors determine their mental stresses prevent them from working.
- Simpson indicated he hopes to further expand the bill at a later time but first wanted to demonstrate to city and county governments that the associated costs of the legislation are affordable.

### Wiretapping Legislation

- The House also approved on Wednesday legislation that allows local police to tap phone calls and online communications without involving federal law enforcement if there is probable cause to believe the person involved "is committing, has committed, or is about to commit certain felony drug offenses."
  - The bill is named after Huntsville police officer Billy Clardy, who was gunned down during an undercover drug operation in 2019 and might have lived if the proposed law had been in place.
  - Under the provisions of the legislation, before a wiretap may be authorized, an affidavit has to go through SBI (State Bureau of Investigation) and ALEA (Alabama Law En-

forcement Agency) and then the Attorney General's office and finally to a judge for a signature.

- Both civil and criminal penalties are included in the measure for law enforcement agencies that abuses the wiretap tool.

### **COVID Relief Tax Exemption Bill**

- The Alabama Senate awarded final passage to House Bill 170 by State Rep. Danny Garrett (R - Trussville) that would, among other things, exempt federal CARES Act dollars and other COVID relief funding from state tax liability.
  - More than \$7.2 billion in federal CARES Act funding was distributed to businesses and individuals in 2020, and another round of economic stimulus checks was awarded in 2021.
  - The payments to individuals and businesses have already been exempted from federal taxes, but no mechanism has yet been passed that will exempt the dollars from Alabama tax liability.
  - Garrett's bill, which now goes to Gov. Ivey's desk for signature, would exempt stimulus payments, business loans, SBA subsidies, and other COVID funding that has already been distributed, and it also covers future COVID relief funding that may be awarded throughout the rest of 2021, as well.

### **Economic Incentive Extensions**

- The State Senate also on Wednesday gave final passage to a bill by State Rep. Bill Poole (R - Tuscaloosa) that would renew and improve job creation incentives found in the Alabama Jobs Act and Growing Alabama Act.
  - The incentives require businesses to achieve minimum benchmarks, such as number of jobs created, before going into effect.
  - The Alabama Jobs Act alone has been credited with attracting 183 projects and more than 32,000 jobs to the state.
  - An example of the program's success is the Toyota Mazda plant in Huntsville, which was recruited to Alabama with the help of the Jobs Act and promises to hire 4,000 people at full production.

- The bill now goes to Gov. Ivey's desk for signature

### **Limited Liability from COVID Lawsuits**

- The Alabama House gave final passage to a bill on Thursday that was carried in the chamber by State Rep. David Faulkner (R - Mountain Brook) and would protect businesses and other groups from frivolous lawsuits related to COVID-19, which has been deemed a high priority by the legislative leadership and governor.
  - The bill is designed to provide "safe harbor" to entities that took proper steps and followed Center for Disease Control and Alabama Department of Public Health recommended protocols to mitigate the spread of COVID-19.
  - Businesses and other groups that failed to mandate and maintain social distancing or take other basic precautions would not fall under the bill's umbrella.
  - Entities covered by the legislation include businesses and nonprofit groups, health care providers, educational institutions, churches, governmental bodies and cultural institutions.
- The bill now goes to Gov. Ivey's desk for signature

### **Executive Branch Contract Oversight Bill**

- House Rules Committee Chairman Mike Jones (R - Andalusia) announced on Thursday that he has filed a bill providing the Legislature with an additional layer of oversight and information on executive branch contracts, leases, and agreements exceeding \$10 million.
  - Jones noted that his measure applies only to future, not current, contracts, leases, and other obligations.
- Under the provisions of House Bill 392, a new Joint Legislative Oversight Committee on Obligation Transparency that consist of the chair and vice chair of the House Ways and Means General Fund Committee, the chair and vice chair of the Senate Finance and Taxation General Fund Committee, and the ranking minority members of both committees would be formed.
  - The oversight panel will be tasked with reviewing state agency agreements and obligations totaling at least \$10 million or five percent of the agency's annual appropriation.
  - If no objection is raised by the committee within 45 days of an agreement being submitted, it will be deemed approved, but if it is disapproved, the agreement will

remain suspended until final adjournment of the next regular session, which will provide the Legislature an opportunity to address any issues by statute or other legislative action, if necessary.

### **Alabama Firearms Protection Act**

- State Rep. Shane Stringer (R - Mobile) announced this week that he is sponsoring the “Alabama Firearms Protection Act,” which seeks to shield Alabamians from state or local government enforcement of federal firearms laws.
  - Under the provisions of House Bill 337, state and local government agencies would be prohibited from enforcing any presidential executive order or federal law that “regulates the ownership, use, or possession of firearms, ammunition, or firearms accessories.”
  - It further prohibits any state elected official or government employee from enforcing such orders, laws, or directives, as well.
  - In addition to firearms and ammunition, Stringer’s law would protect items such as magazines, scopes, laser sights, stocks, grips, suppressors, and other assorted accessories.
  - Failure to follow the law could result in an elected official or agency being taken to court by the Alabama attorney general and forced to comply by judicial order.
    - Agencies could also be denied state appropriations, grants, and other funding for violating the Alabama Firearms Protection Act.

### **Gambling Amendment**

- State Sen. Del Marsh (R - Anniston) introduced a constitutional amendment this week that would dramatically expanding gambling in Alabama by creating a state lottery, authorizing legalized sports betting, and expanding the number of casinos operating within the state.
- The amendment, if passed, would allow casinos to operate at existing dog track locations across the state and also authorize the state to negotiate a gambling compact with the Poarch Band of Creek Indians.
  - The compact would allow the Poarch casinos to add Class III table gaming at their existing locations and construct an additional casino in north Alabama in order to attract gambling customers from neighboring Tennessee and Georgia.
  - Proceeds from the gambling expansion within the state would be used for:

- Lottery - scholarships to four-year colleges and universities and two-year community colleges and trade schools
  - Casinos - General Fund needs such as rural broadband and healthcare, mental health services, and local government needs
  - Sports Betting - repayment of the Alabama Trust Fund and other General Fund uses
- 
- The amendment cleared its first hurdle this week with unanimous passage in the Senate Tourism Committee.