

# MAYNARD

## COOPER GALE

### 2022 Legislative Update: Regular Session - Week Nine

#### Overview

Lawmakers completed week nine of the 2022 Regular Session of the Alabama Legislature. Legislators met over two days this week and have used twenty-three of the thirty legislative days they are allowed to meet. Legislators will return to Montgomery on Tuesday, March 29<sup>th</sup>, after a Spring Break, and are expected to be in session for two days during week ten.

#### New Lottery Bill

Two weeks ago, we saw the introduction of a legislative package in the Senate proposing an Alabama Education Lottery and Gambling Commission, which would regulate traditional in-state and multi-state lottery games, eight casinos, and online sports betting. This week an alternative lottery proposal was introduced in the House, which excludes casinos and many other forms of gambling.

Under the new proposal, the Alabama Education Lottery Commission would operate the Alabama Education Lottery with limited gaming options. The permissible games would include Pick-3, Pick-4, Mega Millions, Powerball, and instant scratch-off games. Proceeds from the plan would fund scholarships, student loan repayment grants, bonuses for retirees, as well as other education-related matters.

After its introduction on Tuesday, proponents of the new proposal pushed to have the bill considered, and on Thursday, the House Economic Development and Tourism Committee advanced the legislation one step closer towards consideration by the full House. With only seven meeting days remaining, many speculate that neither proposal will make it through both chambers before the end of the session.

#### Divisive Concepts

Multiple versions of Critical Race Theory and Divisive Concepts bills have lingered around the Statehouse, and the mere notion of one coming up for a vote has led to filibustering and long debates or shutting down the process altogether. This week the House decided to stick around and tackle one of the controversial measures.

A bill which eventually passed out of the House prohibits teaching certain concepts related to race, sex, or religion in public schools and public institutions of higher education as well as excluding any such type concepts being taught or included in any training by any agency of the State. The prohibition also extends to any contractor of the State and bars the State from applying for or accepting any federal grants or federal funding related to the banned theories and teachings.

According to the bill, a divisive concept includes views that one race, sex, or religion is inherently superior to another or that an individual should bear responsibility for actions committed in the past by other members of the same race, sex, or religion. The definition also includes that no fault, blame, or bias should be assigned to an individual based on race, sex, or religion and that no individual should be asked to accept or acknowledge a sense of guilt, complicity, or a need to work harder solely on the basis of race, sex, or religion.

Proponents of the bill say the measure is necessary to create a better educational environment and to prevent people from being taught to hate the United States or each other. Opponents say the bill limits the

ability to accurately teach history and prohibits healthy conversations about the past and ways of making the future better.

The bill must now be considered in the Senate, where similar debate is expected to continue.

### **Charter School Funding**

On Thursday, the Senate passed a measure that will allow county-level tax revenue to be paid to charter schools. Currently, county education tax dollars are doled out at the discretion of local school boards. This legislation would provide funding to charter schools based on their annual enrollment.

The “funding following the student” concept has been promoted for years and will simply provide charter schools the funds that would have been attributable on a per-student basis within the county public school system.

The proposal excludes school systems in counties with populations under 40,000 and will not affect funding for any city school systems.

### **Pre-Filling Voter Ballots and Voter Registrations**

Another measure aimed at restricting voter laws passed the House on Thursday. The bill makes it a Class A misdemeanor for anyone to fill out an absentee ballot application or voter registration for someone without their consent.

Supporters of the legislation contend that third-party organizations are sending partially completed voter registration applications to individuals that are incorrect or to ineligible voters. They also stated that the mailings sometimes go to the homes of deceased former voters and at times to wrong addresses.

Those in opposition argued that the legislation is unnecessary and will only suppress voter participation and election turnouts. They also expressed concerns that the measure will deter family members and friends from helping others in the voting process out of fear of being criminally prosecuted.

### **Budgets**

The House approved a \$2.7 billion General Fund budget for fiscal year 2023 on Tuesday and returned it to the Senate with a handful of changes. The two chambers now have to reconcile minor differences in order to send the spending plan to the Governor for final approval.

The \$8.1 billion Education Trust Fund budget for fiscal year 2023 remains in the Senate and is expected to be considered by the full body when legislators return to Montgomery at the end of the month.

Both budgets include a 4% pay increase for public employees and teachers.

### **Statistics**

Through twenty-three legislative days, legislators have introduced 846 bills - 518 in the House and 328 in the Senate.