

1 HB736
2 82137-2
3 By Representative Ward
4 RFD: Education Finance and Appropriations
5 First Read: 07-MAR-06

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8 SYNOPSIS: This bill would provide for a statewide
9 business license for persons selling school buses
10 to school boards by competitive bid, would provide
11 for a fee for the license, and would provide for
12 the distribution of the proceeds generated by the
13 license fee.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT

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19 To provide for a statewide business license for
20 persons selling school buses to school boards by competitive
21 bid, to provide for a fee for the license, and to provide for
22 the distribution of the proceeds generated by the license fee.
23 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

24 Section 1. As used in this act, the following terms
25 shall have the following meanings:

26 (1) BUS DEALER. Any person who sells state-certified
27 public school buses pursuant to competitive bid laws to school

1 boards, school systems, or other governmental or public
2 entities engaged in public education.

3 (2) ESTABLISHED PLACE OF BUSINESS. A location
4 actually occupied by a bus dealer or a location from which the
5 business of the bus dealer is conducted.

6 (3) MUNICIPALITY. Any incorporated city or town in
7 Alabama.

8 (4) PERSON. Any individual, firm, partnership,
9 association, limited liability company, trust, corporation, or
10 other business entity.

11 (5) SCHOOL BUS. A bus which has been certified by
12 the state as a public school bus and which has been purchased
13 pursuant to competitive bid by the state or a local school
14 board, school system, or other governmental or public entity
15 engaged in public education and which is used in transporting
16 students for attendance at public schools in Alabama.

17 Section 2. A bus dealer with an established place of
18 business in this state shall obtain a statewide business
19 license prior to doing business in Alabama. A bus dealer
20 holding a statewide business license and selling, repairing,
21 including warranty work, servicing, and providing parts for
22 school buses shall be treated for all purposes as engaging in
23 or carrying on business only in the municipality or police
24 jurisdiction and county in which the bus dealer has an
25 established place of business.

26 Section 3. No municipality or county shall subject a
27 bus dealer holding a statewide business license to any

1 business license requirement and related fee or tax for the
2 privilege of engaging in or carrying on business unless the
3 bus dealer has an established place of business in the
4 municipality or police jurisdiction or the county.

5 Section 4. The cost of the statewide business
6 license shall be five thousand dollars (\$5,000) per annum and
7 shall be collected by the Alabama Department of Revenue. All
8 revenue generated by the statewide business license shall be
9 deposited into the Education Trust Fund.

10 Section 5. The Alabama Department of Revenue shall
11 promulgate such rules as are necessary for the implementation
12 and administration of the provisions of this act.

13 Section 6. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.