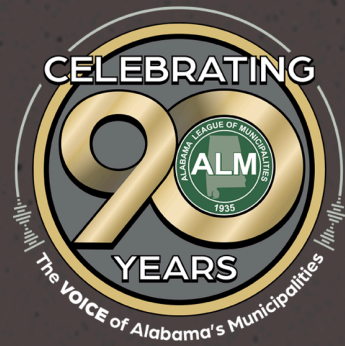


STATE HOUSE ADVOCATE

This Week in League Advocacy



The State House Advocate is a service of the Alabama League of Municipalities.

Week 13 - May 19, 2025



Session Overview

The League's success this session would not have been possible without your direct involvement. Thank you for the phone calls, text messages and conversations with your legislators to support and protect your municipality!

Last Wednesday evening, the Alabama Legislature adjourned sine die - without day - bringing to a close the 2025 Regular Legislative Session. The Legislature used all 30 legislative days. The governor still has several bills which are awaiting her review and signature.

The 2026 Regular Legislative Session will begin on the second Tuesday in January.

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Budgets

The governor signed both the General Fund and the Education Trust Fund budgets.

The \$3.8 billion General Fund included increases in funding for airport

development grants, the Alabama Medicaid Agency, and the Alabama Department of Corrections. Additionally, there was a \$50 million supplemental appropriation of American Rescue Plan Act (ARPA) funds for the Alabama Innovation Corporation.

The \$9.9 billion Education Trust Fund (ETF) included increased funding for a new career tech program, new workers compensation fund, and parental leave policy. The combined education budget which includes the ETF, supplemental budgets, and other funds brings allocation to education up to \$12.2 billion. The combined budgets helped fund \$101.5 million for the CHOOSE Act.

As opportunities become available for municipalities to collaborate with state agencies to maximize their funds for the purposes of municipal use, the League's advocacy team will update its membership.

To read the General Fund, click [here](#).

To read the Education Trust Fund, click [here](#).



[Bills of Interest](#)

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When you see the sponsors of the legislation below, please thank them for their support of municipal government! These bills were signed by the governor.

HB-86 by Rep. Terri Collins establishes a Rural Hospital Investment Program to provide financial support for rural hospitals in the state of Alabama. The program incentivizes donations to rural hospitals by creating a tax credit for individuals and entities to offset their state income, excise, premium, and utility tax liability. Qualifying hospitals can use these donations to pay for their provision of acute care services to rural populations served by the hospitals. These funds may be used for direct care and operational expenses, including expenditures to maintain or upgrade facilities. A board within the Office of the State Treasurer is established to determine the eligibility of qualifying rural

hospitals to receive donations that qualify for the tax credit and to operate the program with the support of the Alabama Department of Revenue.

HB-134 by Rep. Reed Ingram provides that one-half of fines arising from a conviction for operating a motor vehicle without a current license plate are distributed to the agency employing the arresting officer, and one-half are distributed in the same manner as motor vehicle licenses and registration fees. If a local law enforcement officer issues a ticket for a special access parking violation or a disability parking violation, all of the fines collected are paid to the agency employing the officer.

HB-191 by Rep. Allen Baker provides conditions under which a county or municipality may adopt local sales and use tax exemptions.

HB-281 by Rep. Cynthia Almond further provides for the procedures for an aggrieved party to file an appeal of the final decision of a municipal zoning board of adjustment in the circuit court. A notice of appeal would be required to be filed within 15 days after the final decision to the board, and for an appeal to the circuit court to be filed within 30 days after the final decision of the board. The decision of the board would remain in effect during the appeal, unless the circuit court grants a stay.



While the League's advocacy team succeeded in preventing the legislation below from passing, we can expect to see similar legislation introduced in future years. Discuss these bills with your lawmakers between now and the next session about how they would negatively affect your communities. As you will notice, most of these bills target your municipality's health, safety and revenue authority.

HB-14 by Rep. Reed Ingram would authorize the attorney general or the governor to appoint an interim police chief of certain municipal police departments. This bill would also provide procedures and requirements for a municipality with an interim police chief.

HB-36 by Rep. Chris England would levy an additional simplified sales and use tax and provide for the distribution of the proceeds from the additional tax.

HB-241 by Rep. Brett Easterbrook would prohibit any county or municipality from requiring the approval of a registered architect or professional engineer on

plans for the construction of a single-family residence under three stories in height.

HB-362 by Rep. Chris Sells would require each local governing body and local board of education to record each open and public meetings of the body. This bill would also require each local governing body and local board of education to make the recording available online within 24 hours after the meeting adjournment and provide instructions on its website about how to view recorded meetings.

HB-475 by Rep. Ernie Yarbrough would change the cap on increases in the assessed value of real property.

HB-566 by Rep. Brett Easterbrook would prohibit any county and certain municipalities from requiring the approval of a registered architect or professional engineer on plans for the construction of a single-family residence under three stories in height excluding Baldwin County.

SB-12 by Sen. Chris Elliot would prohibit a state or local governmental entity from requiring, as a condition for issuing certain types of licenses or permits to a person, that the person first obtain a different license or permit from another state or local agency.

SB-29 by Sen. Chris Elliot would establish timelines for a license, permit, or other certification. State and local governmental entities would have 15 days to determine if an application is complete. After receiving a completed application, a government entity has 45 days to approve or deny an application. Failure to respond in 45 days results in an automatic approval.

SB-100 by Sen. Larry Stutts would change the cap on increases in the assessed value of real property. The current cap is 7%. This bill would change that cap to the consumer price index (CPI), which, in our research, is often much lower than 7%.

SB-249 by Sen. Gerald Allen would propose that a municipality can only levy a new tax, license fee, or increase the rate of any existing tax or license fee, through an ordinance. The bill stipulates that the ordinance cannot be considered for approval until after a public hearing has taken place. Additionally, it requires at least 30 days' notice before the public hearing, along with specific requirements for that notice.

SB-275 by Sen. Dan Roberts would require mobile food vendors to comply with local regulations where their permanent commissary is located. This bill exempts them from needing additional licenses when operating outside their

home jurisdiction.

SB-306 by Sen. Wes Kitchens would require county and municipal government agencies, boards, commissions, and departments, and county and municipal employees and officials with discretionary accounts to publish their discretionary account fund amounts and expenditures online.

SB-307 by Sen. Keith Kelley would require the online publication of financials, audits, monthly expenditures, and budgets of counties and municipalities.

SB-344 by Sen. Gerald Allen would require any governmental entity replacing a memorial building to keep the original name or place a marker honoring it. The bill states that a waiver petition is automatically denied if the Committee on Alabama Monument Protection does not act within 90 days. It also revises penalties for violations and allows the attorney general to initiate civil action.



HB-414 by Rep. Bill Lamb would require a municipality with annual expenditures of at least \$500,000 to undergo annual audits, and a municipality with annual expenditures less than \$500,000 but greater than \$300,000 to undergo biennial audits. This bill would require a municipality with annual expenditures less than \$300,000 to undergo a biennial audit or, in place of an audit, to submit an annual report to the Alabama Department of Examiners of Public Accounts. This bill raises the existing threshold for filing these reports.

- This bill was League supported legislation.
- While HB-414 passed the House, it did not receive a vote in a Senate committee.
- We look forward to working with the sponsor again next year.

HB-471 by Rep. Chip Brown would remove a prohibition on a state or local officer from serving on the board of directors of a local water, sewer, or fire protection authority.

- This bill was League supported legislation.
- While HB-471 passed the House, it did not receive a vote in a Senate committee.
- We look forward to working with the sponsor again next year.

HB-46 by Rep. Ed Oliver would create a renewed rural physician income tax credit effective for tax years beginning on or after January 1, 2026, for four years.

- This bill was League supported legislation.
- While HB-46 passed the House, it did not receive a vote in a Senate committee.
- We look forward to working with the sponsor again next year.

SB-115 by Sen. Clyde Chambliss provides that a person commits the crime of impersonating a peace officer if he or she is employed as or otherwise accepts an appointment either knowing that he or she is not eligible to serve as a peace officer under the laws of this state or knowing that his or her certification with the Alabama Peace Officers' Standards and Training Commission has been revoked or suspended. A person commits the crime of impersonating a peace officer if he or she employs, appoints, or otherwise facilitates an individual serving as a peace officer when he or she knows that the individual is prohibited from serving as a peace officer.

- This bill was part of the governor's Safe Alabama Legislative Package.
- SB-115 was signed by the governor.

SB-116 by Sen. Will Barfoot prohibits persons from possessing a part or combination of parts designed or intended to convert a pistol into a machine gun.

- This bill was part of the governor's Safe Alabama Legislative Package.
- SB-116 was signed by the governor.

SB-118 by Sen. Will Barfoot would propose an amendment to the Constitution of Alabama of 2022 that would add to the list of enumerated offenses certain offenses related to the unlawful use or possession of a firearm. This bill would also add to the list of enumerated offenses any solicitation, attempt, or conspiracy to commit any of the offenses for which bail may be denied.

- This bill was part of the governor's Safe Alabama Legislative Package.
- SB-118 passed both chambers. However, since it is a constitutional amendment, it will be voted on by the public.

SB-119 by Sen. Will Barfoot prohibits possession of a firearm by a person who has been charged with committing a crime of violence, a misdemeanor offense of domestic violence, or a violent offense, and who thereafter was released pending or during trial. The penalty for discharging a firearm into an occupied dwelling, building, or other designated space would increase to a Class A felony. This bill allows the Alabama Board of Pardons and Paroles to revoke parole, or a court to revoke probation, when a parolee or probationer has been found in possession of a firearm. Certain offenses related to the unlawful use or possession of a firearm are added to the list of enumerated offenses, as well as any solicitation, attempt, or conspiracy to commit any of the offenses for which bail may be denied.

- This bill was part of the governor's Safe Alabama Legislative Package.
- SB-119 was signed by the governor.

HB-188 by Rep. Allen Treadaway would establish a program to pay tuition and associated expenses on behalf of children and spouses of long-term city, county, and state law enforcement officers. The scholarship money may be used for an undergraduate course of study offered by a public or private technical school, college, or university in the state of Alabama. This bill would also provide for the administration of this scholarship by the Alabama Commission on Higher Education; and would require annual reporting on the program to the Legislature.

- This bill was part of the governor's Safe Alabama Legislative Package.
- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-199 by Rep. Travis Hendrix would authorize the Alabama Board of Pardons and Paroles or any other state agency to provide electronic monitoring services for an allegedly delinquent child released subject to electronic monitoring. This bill would repeal an existing requirement under which status offenders who violate a valid court order may not be detained in a juvenile facility for more than 72 hours within a six-month period.

- This bill was part of the governor's Safe Alabama Legislative Package.
- HB-199 was signed by the governor.

HB-202 by Rep. Rex Reynolds repeals existing law concerning peace officer immunity and establishes a new form of legal protection for law enforcement officers. This new protection would foreclose any claim that seeks to impose civil liability against a law enforcement officer premised on conduct performed within his or her discretionary authority unless: (1) the law enforcement officer acted recklessly without law enforcement justification or (2) the conduct violated a clearly established state or federal statutory or constitutional right of the plaintiff. A heightened pleading standard and an automatic stay of proceedings would remain in effect while the law enforcement officer seeks to establish that the protection applies. This bill also provides that a law enforcement officer is justified in, and immune from criminal prosecution for, the use of physical force against a person in the performance of conduct within his or her discretionary authority unless the use of force violates the person's constitutional rights to be free from excessive force.

- This bill was part of the governor's Safe Alabama Legislative Package.
- The League worked with the governor's office, the sponsor and other stakeholders to ensure there were no unintended consequences.
- HB-202 was signed by the governor.

HB-7 by Rep. Ernie Yarbrough would provide that state and local law enforcement agencies may enter into memorandums of understanding and agreements with the United States Department of Justice, the United States Department of Homeland Security, and any other federal agency for the purpose of enforcing federal immigration and customs laws and the detention, removal, and investigation of illegal aliens and the immigration status of any person in this state. State and local government employees would be required to send, receive, and maintain information relating to the immigration status of any individual as required for public safety purposes. This bill would allow state and local law enforcement officers to transport an illegal alien to the custody of the federal government, and state and local law enforcement officers could arrest an illegal alien based on his or her status as an illegal alien or for a violation of any federal immigration law. This bill would require county and municipal jails to honor immigration detainer requests issued by the United States Department of Homeland Security in certain circumstances and require quarterly reports by county and municipal jails regarding foreign nationals.

- The League worked with the sponsor to make sure the bill did not place an undue burden on law enforcement.
- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-27 by Rep. Bubba Underwood prohibits sex offenders from being employed or volunteering as a first responder and provide for limited liability in certain circumstances.

- HB-27 was signed by the governor.

HB-34 by Rep. Ron Bolton would also include within the offense giving a false date of birth to a law enforcement officer under the same circumstances. A violation would be subject to the same criminal penalties. This bill would also further provide that a person who knowingly refuses to comply with a lawful request for the information requested under a lawful stop would be guilty of a Class C misdemeanor.

- While this bill passed a House committee, it did not receive a vote on the House floor.

HB-35 by Rep. Russell Bedsole would provide compensation to the survivors of a volunteer firefighter who dies of work-related cancer by making them eligible for the death benefit awarded by the Alabama State Board of Adjustment for first responders who die in the line of duty.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-152 by Rep. Neil Rafferty exempts the purchase of certain baby supplies, baby formula, maternity clothing, and menstrual hygiene products for personal use from the state portion of sales and use tax.

- The League thanks the sponsor for working with us to include language that allows local government to decide to participate in the tax exemption.
- HB-152 was signed by the governor.

HB-156 by Rep. Paul Lee would provide that an individual may be arrested on an out-of-state warrant for any crime that would constitute a felony in this state or if the arresting officer has actual knowledge that an out-of-state warrant has been issued for the individual for a felony or misdemeanor in accordance with the laws of that state.

- While this bill passed a senate committee, it never received a vote on the senate floor.

HB-161 by Rep. Craig Lipscomb would provide for the standardization of the building codes across the state and would place the authority to adopt the codes with the Division of Construction Management. This bill would also include all non-residential buildings within the state building code and would specify that county and municipal governing bodies would have the primary authority to enforce the building codes with respect to the non-residential buildings. **The bill as substituted would allow municipalities to adopt more or less stringent building code modifications based on local needs by following certain procedures before adoption. Additionally, the standardized non-residential building code would not supersede any rules, regulations, or building codes of a Class 1, Class 2, or Class 3 municipality unless the municipality gave its consent.** This bill would also further provide for the scope of practice of architecture and the duties of a local building code official, and would provide criminal penalties for a violation.

- The League thanks the sponsor for working with us to include language that allows for local discretion.
- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-165 by Rep. Rick Rehm adds Juneteenth as a state holiday.

- HB-165 was signed by the governor.

HB-176 by Rep. Mark Shirey would exempt the gross proceeds from the sale of optical aids, including eyeglasses and contact lenses, from sales and use tax.

- The League thanks the sponsor for working with us to include language that allows local government to decide to participate in the tax exemption.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-285 by Rep. Jamie Kiel would require a citing agency to notify a minor's parent, legal guardian, or legal custodian whenever a minor is cited for a traffic infraction.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-287 by Rep. Juandalynn Givan would require each county and municipal law enforcement agency to report annually the number of sworn law enforcement officers employed by the agency to the Alabama State Law Enforcement Agency and the attorney general.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-320 by Rep. Chris Pringle provides certain additional methods of publication that would serve as a safe harbor for the award of a contract for public works in the event a publication by a newspaper fails to be completed.

- HB-320 was signed by the governor.

HB-333 by Rep. David Faulkner authorizes two or more municipalities to establish a regional law enforcement training facility authority and would provide for the financing of the facility.

- HB-333 was signed by the governor.

HB-364 by Rep. James Lomax would provide that local delivery services are not marketplace facilitators subject to the Simplified Sellers Use Tax (SSUT) Remittance Program.

- This bill did not receive a vote in committee.

HB-386 by Rep. Danny Garrett reduces the state sales and use tax rate on food to 2% on September 1, 2025. The bill was amended to also remove the limitation on how local governments could lower their sales tax on food.

- HB-386 was signed by the governor.

HB-387 by Rep. Danny Garrett would revise the provisions authorizing a county or municipal governing body to reduce their sales and use tax on food to eliminate the 25% limitation on the rate cut and remove the growth requirement. However, the bill was amended to lower the excise tax rate on certain machine equipment.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-474 by Rep. Craig Lipscomb would further provide for additional procedures and clarify the jurisdiction under which local law enforcement may operate to remove an unauthorized individual from the premises.

- While this bill passed a Senate committee, it never received a vote on the Senate floor.

HB-521 by Rep. Craig Lipscomb would define a new category of ready-to-drink mixed liquor beverages containing no more than 7% alcohol by volume, called "mixed spirit beverages." This bill would institute a licensing structure in Alabama for mixed spirit beverages, which would require all mixed spirit beverages, other than those sold in Alabama Beverage Control Board stores, to be distributed through licensed wholesalers to licensed retailers for on-premise and off-premise consumption. This bill would provide for the levy of a privilege or excise tax on mixed spirit beverages. Suppliers of mixed spirit beverages would be required to designate exclusive sales territories for each brand and enter into a distribution agreement with a licensed wholesaler for each sales territory. Requirements for distribution agreements between suppliers and wholesale distributors of mixed spirit beverages would be set for no-cause termination or nonrenewal of a distribution agreement.

- The League thanks the sponsor for working with us to include language that protects municipal business license authority.
- While this bill passed the House, it did not receive a vote in a Senate committee.

HB-529 by Rep. David Faulkner levies a tax on vaping products and provides for the reporting, collection, and distribution of the proceeds from this tax. This bill would also provide for the permitting of retailers of these products and would impose criminal penalties for violations of this act.

- The League thanks the sponsor for working with us to include language that protects municipal business license authority.
- HB-529 was signed by the governor.

HB-597 by Rep. Steve Clouse would provide for new alternative means for procuring design and construction services for public contracts by authorizing the use of Construction Manager at Risk (CMAR), Design-Build, Design-Build-Finance-Operate-Maintain, Design-Build-Operate-Maintain, and Progressive Design-Build, project delivery methods and establish the criteria for project approval. Administrative rules would be adopted to administer this law and establish a process to protest a contract award, and establish reporting

requirements. This bill would further provide for the establishment of a Public Works Advisory Council.

- This bill did not receive a vote in committee.

SB-4 by Sen. Chris Elliot allows sheriffs or local police chiefs to contract with nonpublic K-12 schools for school resource officers, provided these officers are also available to every public school in the area. Additionally, it mandates that the nonpublic school cover the full cost of the resource officer's employment.

- SB-4 was signed by the governor.

SB-63 by Sen. Lance Bell mandates that law enforcement collect fingerprints and DNA from illegal aliens in custody and submit them for testing or cataloging. The bill also covers certain court costs.

- SB-63 was signed by the governor.

SB-82 by Sen. Arthur Orr would require a municipal magistrate to annually audit and recall outstanding warrants for certain Class B and C misdemeanors and would provide for exceptions. The bill was amended in a House committee to require the audit every five years.

- SB-82 failed to pass on the House floor.

SB-107 by Sen. David Sessions would provide for the purposes of the distribution of the net proceeds from the SSUT to municipalities, that the population of a municipality, under certain circumstances, may be adjusted every fifth year after the release of a federal decennial census upon the submission of the required documentation to the Alabama Department of Revenue.

- SB-107 passed a Senate committee, but it never received a vote on the Senate floor.

SB-117 by Sen. Will Barfoot would authorize certain municipalities to enter into memoranda of understanding with sheriffs regarding traffic enforcement and provide for additional fees in certain circumstances in municipalities with a valid memorandum of understanding.

- While this bill passed a House committee, it never received a vote on the House floor.

SB-140 by Sen. Jabo Wagoner requires coaches of youth athletic activities to undergo training related to concussions, head trauma, and other serious injuries that may result from participating in high-risk youth sports. Additionally, the bill stipulates that any youth athletic association that fails to comply with the

Coach Safely Act for four consecutive years will be prohibited from administering or conducting youth athletic activities on state property.

- The League thanks the sponsor for working with us to make sure that the bill would not place an undue burden on municipalities.
- SB-140 was signed by the governor.

SB-174 by Sen. Clyde Chambliss expands the Alabama Tax Tribunal's jurisdiction to include appeals of business license tax decisions from counties and municipalities. It mandates these local governments to report business license tax information to the Alabama Department of Revenue and allows legal action against any private entity attempting to collect an unlawfully owed business privilege tax or business license tax.

- The League thanks the sponsor for working with us to make sure that the bill would not limit our business license authority.
- SB-174 was signed by the governor.

SB-216 by Sen. Clyde Chambliss allows certain retired fire medics to return to work as fire medics without losing their retirement benefits for a limited period. Additionally, it limits their annual compensation to \$52,000.

- SB-216 was signed by the governor.

SB-217 by Sen. Arthur Orr would require bond financing agreements to include a schedule of all county debt obligations covering the maturity period of the new debt. The county commission chair and bond underwriter's signatory must confirm that the total debt obligations and payment schedules have been explained to all commission members before bond sales. The bill mandates that a statement be added to the county government bond financing review form, acknowledging receipt of a potential debt service schedule and advising on the county's ability to meet debt obligations. It also extends these requirements to municipalities, which must complete a bond financing review form from the Alabama Department of Examiners of Public Accounts before entering a bond agreement. This form must be submitted to the department and made publicly accessible.

- While this bill passed a committee, it did not receive a vote on the Senate floor.

SB-252 by Sen. William Beasley regulates pharmacy benefit managers.

- SB-252 was signed by the governor.

SB-253 by Sen. Garlan Gudger among other things allows the executive director of the massage therapy board to issue an emergency order suspending the operation of a massage therapy establishment without a prior hearing when

a law enforcement agency notifies the board that the law enforcement agency is investigating a massage therapy establishment for an offense under Section 13A-6-152, this chapter, or rules adopted by the board pursuant to this chapter. Additionally, during an investigation if the executive director of the massage therapy board believes a massage therapy establishment is in violation of a local, municipal, or other applicable law, the executive director shall notify local law enforcement of the possible violations.

- SB-253 was signed by the governor.

SB-265 by Sen. Chris Elliott would allow peer-to-peer car-sharing programs in the state, connecting vehicle owners with drivers for financial compensation. The bill establishes requirements for these programs, including insurance, notifications, taxes, recordkeeping, liability, consumer protection disclosures, and safety recall compliance.

- While this bill passed a House committee, it never received a vote on the House floor.

SB-271 by Sen. Gerald Allen prohibits municipalities from imposing specific fees or charges on any natural or manufactured gas utility when granting consent to use public streets and spaces.

- SB-271 was signed by the governor.

SB-312 by Sen. Rodger Smitherman allows entities with Alcoholic Beverage Control Board licenses to store alcoholic beverages in a permanent facility for transfer to event locations. Unconsumed drinks must be returned for future events. The bill also creates a new license for government entities to serve alcohol on their properties, like concert venues and parks, and sets fees for these licenses.

- SB-312 was signed by the governor.

SB-316 by Sen. Bobby Singleton creates a new licensure called "educational tourism distillery" under the Alcoholic Beverage Control Board. This license would allow distilleries that offer public tours to sell their manufactured liquor and other alcoholic beverages for consumption on-site. Licensees pay taxes on their liquor at the same rate as that sold in Alcoholic Beverage Control Board stores and could store their products at a separate location from the manufacturing facility.

- SB-316 was signed by the governor.

SB-332 by Sen. Sam Givhan would allow new methods for procuring design and construction services for public contracts, including Construction Manager at Risk (CMAR), Design-Build, and Progressive Design-Build. It establishes

criteria for project approval, administrative rules, a contract award protest process, reporting requirements, and creates a Public Works Advisory Council.

- This bill did not receive a vote in committee.

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League Contacts

Advocacy and Legal Teams





For more information, reach out to one of these
League Team members.

Advocacy Team

Baker Allen

Director of Governmental Affairs

(334) 386-8118

ballen@almonline.org

Kaleb Beck

Legislative Counsel

(334) 262-2566

kbeck@almonline.org

Adam Kilpatrick

Grassroots Coordinator

(334) 262-2566

akilpatrick@almonline.org

Legal Team

Rob Johnston

Director of Legal Services

(334) 262-2566

rjohnston@almonline.org

Mary Elizabeth Dial

Associate Counsel

(334) 262- 2566

mdial@almonline.org

Mikal Webb

Associate Counsel

(334)262-2566

mwebb@almonline.org

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Alabama League of Municipalities
PO Box 1270
Montgomery, AL 36102-1270

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