

August 2023

Dear Friends and Supporters,

The Alabama Legislature Special Session ended with a redrawn Congressional Map. Whether it complies with federal law will be determined by federal courts. The Democrats take the position, along with some federal courts, that applicable laws require there to be two Black congressional districts in Alabama. Republicans and other federal courts interpret the law to require congressional districts to be based purely on population, which means one Black congressional district. It seems to be an entirely political argument for most. In any event, Alabama will have new congressional districts for the next election.

Even though it was a Special Session, we expected issues to arise. They always do. One did this time. It dealt with procedural issues, but will have an impact on gambling legislation. In normal legislative procedure, the budget must be passed first. If it has not passed, before other non-budget related bills can be passed, legislators must vote on the “Budget Isolation Resolution”. The BIR requires a 3/5 vote before the body can then consider a non-budget related bill.

Legislation was passed to permit local acts and local constitutional amendments to be an exception to this. Our concern is that the BIR was an additional obstacle to getting local gambling legislation passed, such as the one that was tried at the end of the last regular session by Senator Singleton. See our June 2023 Educational Update.

The bill had innocent and necessary objectives. We added an amendment to remove the exemption of local constitution amendments, which was passed at one point, but then added back on. As usual, skullduggery.

This month’s Educational Update addresses a recent SCOTUS opinion involving religious freedom. Next month, we will conclude the discussion with explanation of a second religious liberty case.

Thank you for your continuing support of our efforts.

Yours very truly,

A. Eric Johnston

AEJ/jfj