



ANALYSIS

**An Analysis of the
Proposed Statewide
Amendment for the
2024 General Election**

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When Alabamians vote on November 5, they will be asked to vote on one statewide amendment.

“Proposing an amendment to the Constitution of Alabama of 2022, to grant certain sixteenth section and indemnity school lands that are owned in fee simple by the Franklin County School System, are located in Fayette County and Walker County, and are for the exclusive use of schools in the Franklin County School System to the Franklin County Board of Education; and to provide for the distribution of any proceeds and interest generated by this land.”

This proposal seeks to amend the *Constitution of Alabama of 2022* to address the management of a piece of land in Fayette and Walker Counties that is owned by the Franklin County Board of Education.

The land in question stems from an 18th century law wherein the federal government designated land in each county for the support of public education in that county. These lands are designated as sixteenth section lands. Such designations in Alabama pre-date statehood.

In the late 19th century, the Alabama Legislature recognized that not all sixteenth section land was of equal value and allocated additional lands to some school boards. Some local school boards were allocated land outside of their county, which is known as indemnity land. This is the case with Franklin County.

Alabama law describes both sixteenth section and indemnity lands for schools as ‘school lands.’ Such lands are technically owned by the State of Alabama, held in trust for local schools by the Alabama State Board of Education (ALSDE), and managed by the Alabama Department of Conservation and Natural Resources (DCNR). DCNR currently manages about 30,000 acres of such land around the state. DCNR leases the land for timber, hunting rights, or mining and is entitled to a management fee of no more than 10% an up to 10% of revenue if the land is sold.

Amendment 1 concerns indemnity land located in Fayette and Walker Counties and owned by the Franklin County Board of Education. DCNR reports an estimated 1,451 acres of such land. The Board owns the land but cannot manage leases and cannot sell it without the approval of the State Superintendent of Education and the Governor. DCNR reports that land generated \$26,467.39 from FY2024–25 hunting leases.

The 1,451 acres include approximately 225 acres at the intersection of State Highway 13 and Interstate 22.

The Board will also gain the power to sell the land without the approval of the State Superintendent and Governor and retain 100% of the proceeds.

Fayette County and Fayette County Schools and Walker County and Walker County Schools currently receive no revenue from the land. This will not change. Those school systems own other school land.

However, if the Franklin County Board sells the land along I-22 to a developer, Fayette County, Walker County, and the Walker County town of Eldridge could see annual property tax and sales tax revenue depending on the nature of future developments.

If the Amendment is Not Approved

Franklin County Board of Education will continue to own the land and receive 90% of the revenue generated by the property.

The Board will continue to need approval from the State Superintendent of Education and the Governor to sell the land.

The land will continue to be managed by the DCNR.

Local Amendments

While all voters will be asked to decide one amendment, [twenty local](#) amendments will also be on the ballot in various counties and will be decided by voters in the county the amendment concerns.

Alabama's Constitution

In 2022, Alabama adopted a “new” constitution, an improved and reorganized version of the *Alabama Constitution of 1901*. The new constitution removed the racist and unconstitutional provisions that were relics of the white supremacist 1901 constitution.

With the recompilation, the almost 1,000 amendments to the 1901 document were folded into the new document. However, it is still, by far, the longest state constitution in the United States, three times as long as the next longest state constitution.

Since the recompilation in 2022, one amendment has been added. If all proposed amendments are approved on November 5, the recompiled Constitution will have 22 amendments. The U.S. Constitution has 27.



Public Affairs Research Council of Alabama

WHO WE ARE

The Public Affairs Research Council of Alabama, PARCA, is Alabama's trusted source for non-partisan, non-ideological research, founded in 1988 by former Governor Albert Brewer.

WHAT WE BELIEVE

State and community leaders make better-informed decisions when provided with unbiased, non-partisan data and resources about the topics they care about the most.

HOW WE WORK

We conduct *non-ideological research* on issues affecting the people of Alabama so state and community leaders, and others, can make better-informed decisions based on facts, not rhetoric.

We *independently evaluate* the efficacy of public programs and nonprofit services.

We offer technical and research assistance for public and nonprofit partners to help them integrate the use of *accurate data* into their work.

We engage in *meaningful dialogue* with state and community leaders and others on the topics Alabamians care about the most.

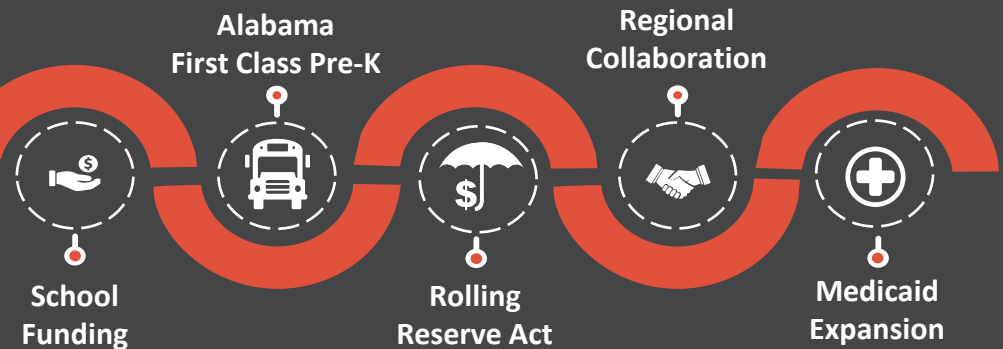


WHY WE MATTER

Good leaders use good information to make sound policies. This is what PARCA provides: trustworthy, non-ideological data, policy research, and evaluation so that public decisions might be made, and public money, both tax dollars and charitable donations, might be spent, informed by fact, not rhetoric.

Major Projects

PARCA's research informs major policy debates of the day and is relied upon policymakers and policy organizations across the political spectrum.



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