

For Immediate Release:

For more information, contact:
Susie Ellison
Alabama Education Association
800.392.5839
Susie.ellison@alaedu.org

Ruling in Morgan County Case Favors Students

Montgomery, Alabama, March 5, 2020 - The Alabama Education Association (AEA) is proud our partnership with school districts in Morgan County has resulted in a ruling in favor of students and their classrooms. On Tuesday, March 3, 2020, Montgomery County Circuit Judge James Anderson issued his order finding that Act 2019-272 (“the act”) is constitutional and ordering the Morgan County Commission to comply with the law and forward proceeds from the online sales tax to school districts within the county.

Judge Anderson found the Alabama law is clear, the Legislature has the authority to tell county commissions how to spend state tax dollars, like online sales tax receipts, and Sen. Orr’s local law did not conflict with either the general online sales tax law or the general law on how county commissions spend money.

AEA President Sherry Tucker said, “This is a victory for public education in Morgan County, and beyond. AEA always answers the call when public education funding is threatened. This ruling shows legislators that they can direct these funds to classrooms in their districts and we hope that others follow Sen. Orr’s example.”

Hartselle City Schools Superintendent Dr. Danna Jones, lead plaintiff in the case said, “We are thankful Judge Anderson agreed with our position that Sen. Orr’s bill was constitutional. We budgeted for those online sales tax funds and we need them to provide a first-rate education to our students. I hope that the county commissioners will now accept this ruling so that we can all move forward together in a unified manner for the betterment of education in the county. We appreciate AEA’s expert assistance in this case.”

AEA Associate Executive Director Theron Stokes added, “This case shows how powerful it is when educators, through their association, work in partnership with local school boards.”

Judge Anderson ordered the online sales tax funds which had been held in escrow, and future online sales tax funds sent to the county, to be distributed in accordance with the act. If the commissioners decided to file an appeal, they must file within 42 days.

Judge Anderson’s order is attached.