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For press inquiries only, contact:

Cameron Mixon (334) 242-7491

Steve Marshall

Alabama Attorney General



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**Attorney General Steve Marshall Announces Another Victory
Over Biden’s Unconstitutional Ban on State Tax Cuts**

(MONTGOMERY) – Alabama Attorney General Steve Marshall announced today that the U.S Court of Appeals for the 11th Circuit has affirmed the state’s victory over the U.S. Department of Treasury in a dispute over a key provision of the American Rescue Plan Act that would have punished states for reducing taxes.

“This federal tax mandate was an unprecedented and unconstitutional assault by the federal government on state sovereignty and an attempt to commandeer the State of Alabama’s sovereign power to tax and spend,” said Attorney General Marshall. “The authority of states to determine their own fiscal policies is a core tenet of our federalist system. I am thrilled to announce that the 11th Circuit agreed.”

In its opinion, the 11th Circuit noted that the tax mandate violated the U.S. Constitution by impinging on “the States’ sovereign authority to tax by binding them to a deal with ambiguous terms and placing them on the hook for billions of dollars in potential recoupment actions.”

“My office has been in court on a weekly basis fighting countless instances of federal government overreach and we have no intention of stopping,” added Attorney General Marshall. “As I have said before, the Attorney General’s Office is truly the last line of defense.”

Alabama, leading this lawsuit in conjunction with West Virginia and Arkansas, was joined by Alaska, Florida, Iowa, Kansas, Montana, New Hampshire, Oklahoma, South Carolina, South Dakota, and Utah. The 11th Circuit’s decision is linked [here](#).

The Attorney General would like to commend Solicitor General Edmund LaCour and Assistant Attorney General Reid Harris for their work on the matter and extend his gratitude to Senate General Fund Budget Chair Greg Albritton for his invaluable assistance in this case.

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