

1 SB103
2 134843-2
3 By Senator Coleman (N & P)
4 RFD: Local Legislation No. 2
5 First Read: 07-FEB-12
6 PFD: 01/27/2012

1 SB103

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 Relating to any Class 1 municipality; to reenact the
8 provisions for an election commission for municipal election
9 with minor modification; to specifically provide for members
10 of the commission when the mayor and all members of the
11 council are candidates; and to repeal Act 302, approved August
12 27, 1915, (General Acts 1915, p. 322), as last amended by Act
13 138, approved August 14, 1975, (Acts 1975, p. 626), creating a
14 commission for certain cities classified on a population
15 basis.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. In any Class 1 municipality, the mayor,
18 the city attorney, and the president of the city council shall
19 constitute an election commission for the city.

20 Notwithstanding the forgoing, if either the mayor or the
21 president of the council is a candidate for office, the mayor
22 shall appoint a member of the city council who is not a
23 candidate for office to serve on the election commission for
24 the election in which the mayor or the president is a
25 candidate. In the event that both the mayor and the president

1 of the council are candidates for office at the same election,
2 the mayor shall appoint two members of the council who are not
3 candidates for office to serve on the election commission in
4 place of the mayor and the president. If the mayor and all
5 members of the council are candidates for office at the same
6 election, the mayor shall designate a senior member of his or
7 her staff and the council president shall designate a senior
8 member of the council administrative staff to serve in place
9 of the mayor and the president.

10 The election commission shall have charge of and
11 hold all municipal elections, including bond elections,
12 initiative, referendum, and recall elections. The election
13 commission shall appoint all election managers, clerks, and
14 returning officers, designate places for the holding of
15 municipal elections, shall arrange and prepare the ballot,
16 shall decide as to the validity of all petitions necessary or
17 incidental to elections, make such laws and rules as may be
18 necessary to prohibit illegal voting, shall canvass the vote
19 and declare the results of elections, and shall be custodian
20 of the ballots after election until the time of filing contest
21 shall have passed, after which they shall destroy the ballots
22 in accordance with state election law. It shall be the duty of
23 the commission to give notice of elections as required by law
24 and to do and perform all acts relating to municipal
25 elections, which are now or which may hereafter be vested by

1 law in the governing body of the city. Two members of the
2 commission shall constitute a quorum and may exercise the
3 powers and duties herein mentioned. The city clerk or
4 secretary of the city commission shall act as secretary of the
5 commission. The expenses of elections shall be paid out of the
6 city treasury.

7 Section 2. Act 302 approved August 27, 1915,
8 (General Acts 1915, p. 322), as last amended by Act 138,
9 approved August 14, 1975, (Acts 1975, p. 626), is repealed.

10 Section 3. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB103
Senate 03-APR-12
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 17-APR-12

By: Senator Coleman