

1 HB662  
2 150954-3  
3 By Representative England (N & P)  
4 RFD: Tuscaloosa County Legislation  
5 First Read: 23-APR-13

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2 ENROLLED, An Act,

3 Relating to Tuscaloosa County; to amend Section 4 of  
4 Act 97-616, 1997 Regular Session (Acts 1997, p. 1080), as  
5 amended by Act 2000-362, 2000 Regular Session (Acts 2000, p.  
6 566) and Act 2000-588, 2000 Regular Session (Acts 2000, p.  
7 1075); to amend Section 6 of Act 97-616, 1997 Regular Session  
8 (Acts 1997, p. 1080), to revise the qualifications for  
9 membership on the board and to conform local law with  
10 applicable general law governing the operation of city boards  
11 of education; and to repeal Acts 1973, Act 873, 1973 Regular  
12 Session (Acts 1973, p. 1378), and Sections 8, 9, 10, and 12 of  
13 Act 97-616, 1997 Regular Session (Acts 1997, p. 1080),  
14 relating to compensation, audits, and meetings of the board,  
15 as nonconforming with general law.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. Section 4 of Act 97-616, 1997 Regular  
18 Session (Acts 1997, p. 1080), as amended by Act 2000-362, 2000  
19 Regular Session (Acts 2000, p. 566) and Act 2000-588, 2000  
20 Regular Session (Acts 2000, p. 1075), and Section 6 of Act  
21 97-616, 1997 Regular Session (Acts 1997, p. 1080), are amended  
22 to read as follows:

23 "Section 4. A candidate for the board of education  
24 shall be at least 18 years of age. A candidate for a district  
25 member shall have been a resident of the board of education

1 district which he or she seeks to represent on the board for  
2 at least 90 days prior to the election and shall remain a  
3 resident of the district during his or her term. A candidate  
4 for chair of the board shall have been a resident of the city  
5 for at least 90 days prior to the election and shall remain a  
6 resident of the city during his or her term. The qualification  
7 fee for election to membership on the board shall be fifty  
8 dollars (\$50) for each candidate. If any person desiring to  
9 become a candidate for membership on the board is financially  
10 unable to pay the qualification filing fee, then he or she  
11 shall file with the city clerk a verified statement of  
12 indigence supported by three verified statements of city  
13 electors to the effect that the candidate is not financially  
14 capable of paying the filing fee.

15 "Section 6. (a) Upon the assumption of office of the  
16 initially elected members of the board of education, the  
17 Tuscaloosa City Board of Education, as provided in Section 1,  
18 shall be constituted. At this time, the terms, powers, duties,  
19 responsibilities, and emoluments of office of the prior  
20 members of the board of education shall end.

21 "(b) (1) Upon assumption of office of the elected  
22 members of the board of education, these members shall have  
23 the powers, authority, duties, compensation, and  
24 responsibilities as are otherwise provided by law for members

1 of city boards of education as set forth in the Code of  
2 Alabama 1975.

3 "(2) At the first meeting after the board takes  
4 office and each term thereafter, the board shall by majority  
5 vote of those voting select a vice chair from among its  
6 members. The chair shall preside over meetings of the board  
7 and the vice chair shall preside over meetings of the board in  
8 the absence of the chair.

9 "(3) All property, records, supplies, and equipment  
10 of the prior board of education shall be vested in the  
11 succeeding board.

12 "(c) The establishment of the board of education as  
13 provided in this act shall not affect or impair any of the  
14 following:

15 "(1) Existing rights or privileges of employees of  
16 the board including, but not limited to, employment,  
17 personnel, salary, and retirement rights and privileges.

18 "(2) Existing contractual obligations of the board  
19 of education.

20 "(3) Existing civil and criminal actions."

21 Section 2. The provisions of this act are severable.  
22 If any part of this act is declared invalid or  
23 unconstitutional, that declaration shall not affect the part  
24 which remains.

1           Section 3. All laws or parts of laws which conflict  
2 with this act are repealed. Specifically, Acts 1973, Act 873,  
3 1973 Regular Session (Acts 1973, p. 1378), and Sections 8, 9,  
4 10, and 12 of Act 97-616, 1997 Regular Session (Acts 1997, p.  
5 1080), are repealed.

6           Section 4. This act shall become effective  
7 immediately following its passage and approval by the  
8 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 25-APR-13.

Jeff Woodard  
Clerk

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Senate 20-MAY-13 Passed