

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

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Tuscaloosa County; to amend Section 4 of
14 Act 97-616, 1997 Regular Session (Acts 1997, p. 1080), as
15 amended by Act 2000-362, 2000 Regular Session (Acts 2000, p.
16 566) and Act 2000-588, 2000 Regular Session (Acts 2000, p.
17 1075); to amend Section 6 of Act 97-616, 1997 Regular Session
18 (Acts 1997, p. 1080), to revise the qualifications for
19 membership on the board and to conform local law with
20 applicable general law governing the operation of city boards
21 of education; and to repeal Acts 1973, Act 873, 1973 Regular
22 Session (Acts 1973, p. 1378), and Sections 8, 9, 10, and 12 of
23 Act 97-616, 1997 Regular Session (Acts 1997, p. 1080),
24 relating to compensation, audits, and meetings of the board,
25 as nonconforming with general law.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 4 of Act 97-616, 1997 Regular
2 Session (Acts 1997, p. 1080), as amended by Act 2000-362, 2000
3 Regular Session (Acts 2000, p. 566) and Act 2000-588, 2000
4 Regular Session (Acts 2000, p. 1075), and Section 6 of Act
5 97-616, 1997 Regular Session (Acts 1997, p. 1080), are amended
6 to read as follows:

7 "Section 4. A candidate for the board of education
8 shall be at least 18 years of age. A candidate for a district
9 member shall have been a resident of the board of education
10 district which he or she seeks to represent on the board for
11 at least 90 days prior to the election and shall remain a
12 resident of the district during his or her term. A candidate
13 for chair of the board shall have been a resident of the city
14 for at least 90 days prior to the election and shall remain a
15 resident of the city during his or her term. The qualification
16 fee for election to membership on the board shall be fifty
17 dollars (\$50) for each candidate. If any person desiring to
18 become a candidate for membership on the board is financially
19 unable to pay the qualification filing fee, then he or she
20 shall file with the city clerk a verified statement of
21 indigence supported by three verified statements of city
22 electors to the effect that the candidate is not financially
23 capable of paying the filing fee.

24 "Section 6. (a) Upon the assumption of office of the
25 initially elected members of the board of education, the
26 Tuscaloosa City Board of Education, as provided in Section 1,
27 shall be constituted. At this time, the terms, powers, duties,

1 responsibilities, and emoluments of office of the prior
2 members of the board of education shall end.

3 "(b) (1) Upon assumption of office of the elected
4 members of the board of education, these members shall have
5 the powers, authority, duties, compensation, and
6 responsibilities as are otherwise provided by law for members
7 of city boards of education as set forth in the Code of
8 Alabama 1975.

9 "(2) At the first meeting after the board takes
10 office and each term thereafter, the board shall by majority
11 vote of those voting select a vice chair from among its
12 members. The chair shall preside over meetings of the board
13 and the vice chair shall preside over meetings of the board in
14 the absence of the chair.

15 "(3) All property, records, supplies, and equipment
16 of the prior board of education shall be vested in the
17 succeeding board.

18 "(c) The establishment of the board of education as
19 provided in this act shall not affect or impair any of the
20 following:

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

24 "(2) Existing contractual obligations of the board
25 of education.

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

1 Section 2. The provisions of this act are severable.
2 If any part of this act is declared invalid or
3 unconstitutional, that declaration shall not affect the part
4 which remains.

5 Section 3. All laws or parts of laws which conflict
6 with this act are repealed. Specifically, Acts 1973, Act 873,
7 1973 Regular Session (Acts 1973, p. 1378), and Sections 8, 9,
8 10, and 12 of Act 97-616, 1997 Regular Session (Acts 1997, p.
9 1080), are repealed.

10 Section 4. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.