

1 HB503
2 173555-3
3 By Representative South (N & P)
4 RFD: Local Legislation
5 First Read: 07-APR-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Fayette County; to amend Sections
14 45-29-71.02, 45-29-71.03, 45-29-71.04, and 45-29-83 of the
15 Code of Alabama 1975, relating to the county commission and
16 the judge of probate; to further provide for the membership,
17 duties, and compensation of the county commission; and to
18 further provide for the duties and compensation of the judge
19 of probate.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. Sections 45-29-71.02, 45-29-71.03,
22 45-29-71.04, and 45-29-83 of the Code of Alabama 1975, are
23 amended to read as follows:

24 "§45-29-71.02.

25 "(a) Beginning on the second Monday of the year
26 2019, the Judge of Probate of Fayette County shall serve as
27 the chairman of the county commission. These duties shall be

1 in addition to the other duties of the judge of probate, who
2 shall receive the compensation provided in Section 45-29-83.

3 "(b) The county commission shall consist of six
4 members, who shall possess qualifications as hereinafter
5 prescribed. district commissioners, plus the judge of probate,
6 who shall serve as the chair. The compensation of each
7 district commissioner shall be sixteen thousand seven hundred
8 ninety dollars (\$16,790) per year, and the amount shall be
9 adjusted at any time the Fayette County employees are given an
10 across the board raise, not to exceed five percent per year.
11 The compensation adjustments for commissioners and other
12 elected county officials, other than those set by state law,
13 shall take effect at the beginning of the next term of each
14 office affected. Multiple raises during a term of office shall
15 be accumulated during the term of office and shall become
16 effective at the start of the next term of office.

17 "§45-29-71.03.

18 "Each district commissioner may serve a one-year
19 term as vice-chair on the basis of a six-year rotation, the
20 term beginning on the anniversary date of the seventh day next
21 following the general election next preceding his or her term
22 each year in the following order: District 1, District 3,
23 District 6, District 5, District 4, District 2. A commissioner
24 may elect to pass at any time that the term of the vice-chair
25 arises or may swap terms with another consenting commissioner.
26 The vice-chair, when presiding in the absence of the chair,
27 shall have a vote in all matters before the commission except

1 in the event of a tie whereupon the vice-chair, when
2 presiding, shall have a second vote for the limited purpose of
3 casting the deciding vote. The vice-chair, during his or her
4 term as vice-chair, shall receive a salary supplement of five
5 thousand dollars (\$5,000) per year. In addition to his or her
6 duties of presiding in the absence of the chair, the
7 vice-chair will be expected to perform additional duties as
8 assigned by the chair.

9 "§45-29-71.04.

10 "The district members of the Fayette County
11 Commission shall be elected from six single-member districts
12 within the county, of which ~~at least one shall have a majority~~
13 ~~black~~ one district shall have a population of which the
14 majority of the population is minority or as near to a
15 majority as is possible under the law. The district members of
16 the county commission shall serve in a part-time capacity
17 ~~effective upon the commencement of the next term of office of~~
18 ~~any of its members.~~ The district members ~~shall~~ may not be
19 precluded from holding other employment if it is not
20 inconsistent with their duties and the laws of the state."

21 "§45-29-83.

22 "(a) ~~The~~ Beginning with the next term of office
23 after the effective date of this act, the Judge of Probate of
24 Fayette County shall receive as his or her compensation an
25 amount equal to ~~90~~ 75 percent of the ~~total amount~~ starting
26 total compensation paid the presiding circuit judge of the
27 Twenty-fourth Judicial Circuit. The Judge of Probate of

1 Fayette County shall be subject to the same compensation
2 increases at the same time and in the same manner as the
3 presiding circuit judge of the Twenty-fourth Judicial Circuit.

4 The compensation shall be paid out of the General Fund of
5 Fayette County.

6 "(b) All fees and monies received by the judge of
7 probate or his or her office shall be deposited into the
8 county general fund."

9 Section 2. This act shall become effective on the
10 first day of the third month following its passage and
11 approval by the Governor, or its otherwise becoming law.