

1 HB350  
2 182192-2  
3 By Representatives McMillan, Shiver, Davis, Collins, Faust,  
4 Sells and Rowe  
5 RFD: Education Policy  
6 First Read: 02-MAR-17

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8 SYNOPSIS: Under existing law, a county superintendent  
9 of education may be elected if authorized under a  
10 local law or amendment to the Constitution of  
11 Alabama of 1901.

12 This bill would require all county  
13 superintendents to be appointed by the county board  
14 of education, except as otherwise provided by the  
15 Constitution of Alabama of 1901.

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17 A BILL  
18 TO BE ENTITLED  
19 AN ACT

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21 Relating to county superintendents of education; to  
22 require all county superintendents to be appointed by the  
23 county board of education, except as otherwise provided by the  
24 Constitution of Alabama of 1901; and to provide transition to  
25 the appointed office.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. (a) Except as otherwise provided by the  
2           Constitution of Alabama of 1901, a county superintendent of  
3           education shall be appointed by the county board of education.

4           (b) This section shall apply at the expiration of  
5           the term of office of any elected county superintendent of  
6           education or upon a vacancy occurring in the office of an  
7           elected county superintendent of education occurring before  
8           the expiration of his or her term of office and after January  
9           1, 2021.

10           (c) Commencing on the effective date of this  
11           section, a county board of education may continue the services  
12           of an elected superintendent of education as an appointed  
13           superintendent of education for an additional term without  
14           following the posting and selecting procedures required under  
15           Section 16-9-11, Code of Alabama 1975, by appointing and  
16           extending the contract between the board and the  
17           superintendent. The contract may be executed at any time  
18           during the term of office of the elected county superintendent  
19           of education. On or before March 1 of the last year of the  
20           term of office of an elected county superintendent of  
21           education, the county board of education shall notify the  
22           elected superintendent of whether the board intends to  
23           contract with the elected superintendent of education for an  
24           additional term pursuant to this subsection.

25           Section 2. This act shall become effective  
26           immediately following its passage and approval by the  
27           Governor, or its otherwise becoming law.

