

1 HB7
2 195770-1
3 By Representative Hill
4 RFD: Judiciary
5 First Read: 05-MAR-19
6 PFD: 01/10/2019

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8 SYNOPSIS: Under existing law, appeals from orders of
9 the State Board of Pharmacy may be filed in the
10 circuit court where the party aggrieved resides.
11 Appeals are otherwise governed by the judicial
12 review provisions of the Alabama Administrative
13 Procedure Act (AAPA). Appeals under the AAPA may be
14 filed in the Circuit Court of Montgomery County or
15 in the circuit court of the county in which the
16 agency maintains its headquarters, or unless
17 otherwise specifically provided by statute, in the
18 circuit court of the county where a party resides.

19 This bill would specify that an appeal from
20 orders of the State Board of Pharmacy would be
21 required to be filed in the county where the board
22 maintains its headquarters.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To amend Section 34-23-94 of the Code of Alabama
2 1975, relating to judicial review of orders of the State Board
3 of Pharmacy; to specify that appeals of orders of the board
4 would be filed in the county where the board maintains its
5 headquarters.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 34-23-94 of the Code of Alabama
8 1975, is amended to read as follows:

9 "§34-23-94.

10 "From any order of the board, any party affected
11 thereby may appeal ~~such~~ the ruling to the circuit court of the
12 county where the ~~party aggrieved resides~~ board maintains its
13 headquarters. The notice of appeal shall be filed within 30
14 days from the receipt of ~~such~~ the order or ruling. Appeals
15 shall otherwise be governed by the judicial review provisions
16 of the Alabama Administrative Procedure Act."

17 Section 2. All laws or parts of laws which conflict
18 with this act are repealed.

19 Section 3. This act shall become effective
20 immediately following its passage and approval by the
21 Governor, or its otherwise becoming law.