- 1 HB497
- 2 204772-2
- 3 By Representative Shedd (N & P)
- 4 RFD: Local Legislation
- 5 First Read: 04-MAY-20

| 1 | <u>ENGROSSED</u> |
|----|--|
| 2 | |
| 3 | |
| 4 | A BILL |
| 5 | TO BE ENTITLED |
| 6 | AN ACT |
| 7 | |
| 8 | Relating to Cullman County; to amend Section |
| 9 | 45-22-223, Code of Alabama 1975, as created by Act 435 of the |
| 10 | 2019 Regular Session; to further provide for the Joppa |
| 11 | Historical Board; to provide for immunity from civil liability |
| 12 | of the members of the board; and to provide that the board may |
| 13 | only transfer the property under certain conditions. |
| 14 | BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: |
| 15 | Section 1. Section 45-22-223, Code of Alabama 1975, |
| 16 | as created by Act 435 of the 2019 Regular Session, is amended |
| 17 | to read as follows: |
| 18 | " §45-22-223. |
| 19 | "(a) In Cullman County, there is established the |
| 20 | Joppa Historical Board to own, operate, manage, and preserve |
| 21 | the former Joppa School property in the unincorporated |
| 22 | community of Joppa, including any ball fields and other |
| 23 | historical structures, owned by the Cullman County Board of |
| 24 | Education. The Joppa Historical Board shall be composed of |
| 25 | five members appointed by the Cullman County legislative |
| 26 | delegation for terms of four years. Members of the board shall |
| 27 | continue to serve until a successor is appointed. Members of |

| 1 | the board are immune from civil liability for actions taken in |
|---|--|
| 2 | the conduct of their duties to the extent allowed under |
| 3 | Section 36-1-12. |

"(b) (1) The Joppa Historical Board may accept title to the former Joppa School property owned by the Cullman County Board of Education and may hold the property for the benefit and use of the public, particularly the unincorporated community of Joppa. The Joppa Historical Board may receive state—and, local, and other governmental funding and may accept charitable donations.

"(2) The board may not sell or transfer ownership of the property unless approved by majority vote of the board and then by a majority vote of the qualified electors in the unincorporated community of Joppa at a referendum called by the judge of probate and held during the following general election.

"(c) The Joppa Historical Board may be reorganized as an unincorporated nonprofit association or other entity authorized by law by unanimous consent of the board.

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

| 1 | |
|-----------------------|---|
| 2 | |
| 3 | House of Representatives |
| 4 5 6 7 8 | Read for the first time and referred to the House of Representatives committee on Local Legislation |
| 9 10 11 | Read for the second time and placed on the calendar 1 amendment 06-MAY-20 |
| 12 13 14 | Read for the third time and passed as amended |
| 15 16 17 18 | Jeff Woodard Clerk |