

1 HB313
2 217231-1
3 By Representatives Collins and Wood (R)
4 RFD: Boards, Agencies and Commissions
5 First Read: 08-FEB-22

SYNOPSIS: Under existing law, the Alabama Board of
Chiropractic Examiners lacks statutory authority to
acquire, convey, or hold real property.

This bill would allow the Alabama Board of
Chiropractic Examiners to acquire, convey, and hold
real property.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Board of Chiropractic
Examiners; to amend Section 34-24-143, Code of Alabama 1975,
to allow the board to acquire, convey, and hold real property.
BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 34-24-143, Code of Alabama 1975,
is amended to read as follows:

"§34-24-143.

"(a) All examination fees, certification fees,
renewal fees, and other similar funds received by the board

1 under the provisions of this article shall be deposited ~~in~~
2 into the State Treasury to the credit of the State Board of
3 Chiropractic Examiners, and all such funds are hereby
4 appropriated to the board to defray the expenses incurred in
5 carrying out the provisions of this article. The expenses
6 shall include printing, stamps, stationery, clerical help,
7 travel, and other necessary expenditures.

8 "(b) In all cases, any fee which is received by the
9 board shall not be refunded, and no applicant shall have the
10 right to recover any part of a fee accompanying his or her
11 application for licensure or otherwise paid to the board
12 except on the death, disability, or retirement from practice
13 of any applicant or licensee between payment of any fee and
14 the expiration of his or her current renewal or the issuance
15 of the initial license or permit or on the failure of the
16 board to conduct any scheduled examination.

17 "(c) The books and records of the board shall be
18 subject to state audit in the same manner and to the same
19 extent as any other state agency. The secretary-treasurer or
20 the executive director shall keep a true and accurate account
21 of all funds received by the board and all expenditures made
22 by the board.

23 "(d) (1) The State Board of Chiropractic Examiners
24 may acquire and hold, in its own name, real property by
25 purchase, gift, grant, or other lawful means, except eminent
26 domain, which real property is used by the board to carry out
27 its responsibilities.

1 "(2) The board may also transfer, sell, convey, or
2 cause to be conveyed real property and any improvements
3 thereon, subject to the requirements of this section. In
4 purchasing any real property, the board may expend its own
5 funds, and any obligations created in connection with the
6 purchase of real property shall solely and exclusively be
7 obligations of the board and shall not create debts,
8 obligations, or liabilities of the State of Alabama."

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.