

1 SB199  
2 217212-1  
3 By Senators Price and Orr  
4 RFD: Governmental Affairs  
5 First Read: 09-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.