

# HB84 INTRODUCED



1 3PT2VZ-1

2 By Representative Pringle

3 RFD: Constitution, Campaigns and Elections

4 First Read: 07-Mar-23

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SYNOPSIS:

Under existing law, candidates for city council and mayor in a Class 2 municipality must qualify by the fourth Tuesday in June.

This bill would require candidates for city council and mayor in a Class 2 municipality to qualify by the fourth Tuesday in May.

This bill would require the mayor of a Class 2 municipality to publish notice of a regular municipal election by the fourth Tuesday in April.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to Class 2 municipalities; to amend Sections 11-44C-7 and 11-44C-9, Code of Alabama 1975, relating to the deadline to qualify as a candidate for city council and mayor prior to the election; to extend the qualifying deadline for each office; to change the publication date for notice of a regular Class 2 municipal election; and to make



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29 nonsubstantive, technical revisions to update the existing  
30 code language to current style.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Sections 11-44C-7 and 11-44C-9, Code of  
33 Alabama 1975, are amended to read as follows:

34 "§11-44C-7

35 Council candidates shall qualify ~~as provided by law~~ by  
36 5:00 p.m. on the fourth Tuesday in May and shall have the  
37 qualification and eligibility set forth herein. Each voter in  
38 the election may cast one vote for a candidate from his or her  
39 district, and one vote for a candidate for mayor. Any district  
40 ~~councilman~~ council candidate receiving a majority of the total  
41 votes cast from the district in which he or she is a candidate  
42 shall be elected as a district ~~councilman~~ council member in  
43 his or her district. In the event that a district ~~councilman~~  
44 council candidate, ~~r~~ should fail to receive such a majority,  
45 then another election shall be held upon the same day of the  
46 week three weeks thereafter to be called and held in the same  
47 mode and manner and under the same rules and regulations. In  
48 the second election there shall be two candidates for each  
49 place upon the council to be filled in such run-off election  
50 and these candidates shall be the two who received the highest  
51 number of votes. The candidate or candidates for the council  
52 receiving the highest number of votes cast in the second  
53 election shall be elected, so that in the first and second  
54 elections seven ~~councilmen~~ council members shall be elected.  
55 Regular municipal elections shall be held quadrennially  
56 thereafter under the same rules and regulations and in the



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57 same mode and manner as provided by law. The ~~councilmen~~  
58 council members so elected shall take office upon the  
59 expiration of the terms of office of the present municipal  
60 officeholders. Each ~~councilman~~ council member shall hold  
61 office for four years, but shall serve until his or her  
62 successor shall have qualified. A ~~councilman~~ council member  
63 may succeed himself or herself in office."

64 "§11-44C-9

65 The mayor shall qualify by 5:00 p.m. on the fourth  
66 Tuesday in May and take office in the manner herein  
67 prescribed. The regular election for mayor shall be held  
68 quadrennially thereafter under the same rules and regulations  
69 and in the same mode and manner herein provided. The mayor  
70 elected at such regular election shall qualify by making oath  
71 that he or she is eligible for said office and will execute  
72 the duties of same according to the best of his or her  
73 knowledge and ability. Said oath may be administered by any  
74 person authorized to administer an oath under the laws of  
75 Alabama. A mayor may succeed himself or herself."

76 Section 2. Except as otherwise provided in Chapter 44C  
77 of Title 11, the mayor shall give notice of each municipal  
78 election by publishing notice in a newspaper published within  
79 the municipality in the manner provided by 11-46-22. When the  
80 notice is of a regular election, the mayor shall publish  
81 notice on the fourth Tuesday in April preceding the election  
82 or the first publication day thereafter. Candidates may begin  
83 to qualify after the notice of election is given by the mayor.

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85           Section 3. This act shall become effective on October  
86   1, 2023, following its passage and approval by the Governor,  
87   or its otherwise becoming law.