

HB108 INTRODUCED



1 HB108
2 R6RBYYN-1
3 By Representatives Clouse, Sorrells, Rehm (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 06-Feb-24



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SYNOPSIS:

Under existing general law, a local health care authority determines procedures for appointing board members through its articles of incorporation. The Houston County Health Care Authority is a duly constituted local health care authority created pursuant to general law.

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Houston County, to authorize the Houston County Commission to appoint members to the board of the Houston County Health Care Authority.

A BILL
TO BE ENTITLED
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Houston County, to authorize the Houston County Commission to appoint members to the Houston County Health Care Authority Board of Directors; and to further provide for the replacement of members who have completed their six-year term.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29 Section 1. The following amendment to the Constitution
30 of Alabama of 2022, is proposed:

31 PROPOSED AMENDMENT

32 (a) On and after the ratification of this amendment,
33 for any existing vacancy, as vacancies occur, and at the
34 expiration of any term of office of any director, the
35 directors of the board of the Houston County Health Care
36 Authority, or any successor health care authority in Houston
37 County established or reincorporated pursuant to Article 11 of
38 Chapter 21 of Title 22, Code of Alabama 1975, or any other
39 provision of law, who are appointed by the Houston County
40 Commission shall be individuals appointed by the county
41 commission at its discretion and without regard to any
42 individuals nominated by the board. Any member appointed shall
43 be of good moral character and shall never have been convicted
44 of a felony or other offense involving moral turpitude.

45 (b) Any director of the board of the Houston County
46 Health Care Authority who has completed a six-year term as of
47 the ratification of this amendment, whether that director was
48 appointed or elected by the county commission to serve an
49 additional term or whose term has expired without a successor
50 having been elected or appointed, shall have his or her
51 position on the board immediately vacated and shall be
52 replaced by the county commission no later than 30 days after
53 the ratification of this amendment. Any director who has not
54 completed a six-year term as of the ratification of this
55 amendment may complete his or her term. Upon the expiration of
56 the term, each replacement must reflect the requirements of



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57 this amendment.

58 (c) The board of the Houston County Health Care
59 Authority shall amend the governing documents of the authority
60 to reflect the requirements of this amendment.

61 Upon ratification of this constitutional amendment, the
62 Code Commissioner shall number and place this amendment as
63 appropriate in the constitution omitting this instructional
64 paragraph and may make the following nonsubstantive revisions:
65 change capitalization, hierarchy, spelling, and punctuation
66 for purposes of style and uniformity; correct manifest
67 grammatical, clerical, and typographical errors; revise
68 internal or external citations and cross-references; and
69 translate effective dates.

70 END PROPOSED AMENDMENT

71 Section 2. An election upon the proposed amendment
72 shall be held in accordance with Sections 284, 284.01, and 285
73 of the Constitution of Alabama of 2022, and the election laws
74 of this state. The appropriate election official shall assign
75 a ballot number for the proposed constitutional amendment on
76 the election ballot and shall set forth the following
77 description of the substance or subject matter of the proposed
78 constitutional amendment:

79 "Relating to Houston County, proposing an amendment to
80 the Constitution of Alabama of 2022, to authorize the elected
81 members of the Houston County Commission to appoint members to
82 the Board of Directors of the Houston County Health Care
83 Authority to ensure the public interest of the residents of
84 Houston County.



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85 Proposed by Act ____."

86 This description shall be followed by the following
87 language:

88 "Yes() No()."

89 Section 3. The proposed amendment shall become valid as
90 part of the Constitution of Alabama of 2022, when approved by
91 a majority of the qualified electors voting thereon.

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