

HB89 INTRODUCED



1 HB89
2 BXD744J-1
3 By Representatives Mooney, Carns, DuBose (N & P)
4 RFD: Shelby County Legislation
5 First Read: 06-Feb-24
6 PFD: 05-Feb-24



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to Shelby County; to amend Section 9 of Act 88-258 of the 1988 Regular Session (Acts 1988, p. 393), as last amended by Act 2000-358 of the 2000 Regular Session (Acts 2000, p. 557), authorizing public library districts, to further provide for the election of the library board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Relating to Shelby County; to amend Section 9 of Act 88-258 of the 1988 Regular Session (Acts 1988, p. 393), as last amended by Act 2000-358 of the 2000 Regular Session (Acts 2000, p. 557), authorizing public library districts, to further provide for the election of the library board.

"Section 9. (a) The affairs and business of the district shall be managed by a library board consisting of five members ~~who shall be elected by the qualified electors residing in the district.~~ The current board members on the effective date of this amendatory act ~~elected at the general election in November 1996, shall serve until October 1, 2000, and the current board members elected at the general election in November 1998,~~ shall serve until ~~October 1, 2002, at which~~



HB89 INTRODUCED

29 ~~time~~ the new board members elected pursuant to this ~~act~~
30 section ~~shall~~ take office. The members of the library board
31 shall be elected by the members of the Shelby County
32 legislative delegation representing the geographic area of the
33 library district or any portion thereof. The election of the
34 members of the library board shall be certified in writing by
35 the Shelby County Legislative Delegation in a document filed
36 with the Judge of Probate of Shelby County. ~~conduct the~~
37 ~~elections for board membership on the second Tuesday of~~
38 ~~September of every even year, to take office on October 1, of~~
39 ~~that year and every four years thereafter.~~ The new board
40 members shall take office immediately upon election and
41 qualification as provided in this section.

42 (b) ~~No person shall be elected to~~ Each member of the
43 board ~~unless he or she is a person who is~~ shall be a
44 registered voter ~~residing~~ and shall reside within the
45 boundaries of the district. ~~A person who desires to run for~~
46 ~~the board shall file a notice of candidacy for a place on the~~
47 ~~board with the judge of probate on or before July 15 preceding~~
48 ~~the election. The person receiving the highest number of votes~~
49 ~~for each place shall be the successful candidate. In the event~~
50 ~~of a tie vote, the top two candidates will draw lots in the~~
51 ~~presence of the judge of probate to determine the winning~~
52 ~~candidate. In event that there is only one candidate who~~
53 ~~qualifies to run for a place, the judge of probate shall~~
54 ~~certify the election of that candidate to that place and no~~
55 ~~election for that place shall be held.~~ One member of the board
56 shall be an owner of commercial property in the district.



HB89 INTRODUCED

57 (c) ~~Each~~ The initial board members elected by the
58 Shelby County Legislative Delegation shall serve until
59 December 31, 2026, or until their successors are elected.
60 Thereafter, the term of each board member shall be ~~for a term~~
61 ~~of~~ four years. ~~Provided, however, that to stagger the terms,~~
62 ~~Place No. 1 and Place No. 2 initially shall be elected for a~~
63 ~~term of two years, and Places 3, 4, and 5 shall be elected for~~
64 ~~a term of four years, in the first election held after an~~
65 ~~election providing for the formation of a district created~~
66 ~~pursuant to this act. The initial election shall be conducted~~
67 ~~on the second Tuesday of September of the first even year~~
68 ~~after organization.~~

69 (d) In the event of a vacancy on a library board, the
70 ~~place vacant~~ vacancy shall be filled ~~by the majority vote of~~
71 ~~the remaining membership of the board for the unexpired term~~
72 ~~of the vacant position. A vacancy shall also be deemed to~~
73 ~~occur in the event there is a place for which no candidate has~~
74 ~~been nominated, and the vacancy for the new term shall be~~
75 ~~filled as provided for herein, except that the office holder~~
76 ~~whose term has expired shall continue to hold office until the~~
77 ~~vacancy is filled.~~ in the same manner as the original
78 appointment for the unexpired term of the vacant position.

79 (e) The library board shall elect annually from its own
80 number a president, a vice president, and a
81 secretary/treasurer. The members of the board shall not be
82 entitled to any compensation for their services, but they
83 shall be entitled to reimbursement for all reasonable expenses
84 incurred by them in the performance of their duties. A quorum



HB89 INTRODUCED

85 of the board shall consist of three members and a quorum shall
86 be present in order for the board to transact business. The
87 board may adopt rules, ~~regulations~~, and by-laws to further
88 provide for the operation of the district.

89 (f) The board shall maintain a ~~complete~~ record of the
90 proceedings of its meetings and shall require the director of
91 the library to maintain a detailed record of the receipts and
92 disbursements of all library funds."

93 Section 2. This act shall become effective June 1,
94 2024.