



**House County and Municipal Government Reported
Substitute for SB10**

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A BILL
TO BE ENTITLED
AN ACT

Relating to libraries; to amend Sections 11-90-2 and 11-90-4, Code of Alabama 1975; to further provide for the appointment of county and municipal library boards; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-90-2 and 11-90-4, Code of Alabama 1975, are amended to read as follows:

"§11-90-2

(a) ~~The government and supervision of such~~ All libraries ~~shall be vested in~~ created pursuant to this section shall be supervised by a library board consisting of five members ~~who shall be appointed by the county commission or the governing body of the municipality.~~

(b) Each library board member shall be appointed by the governing body of the county or municipality that established the library.

(c) Each library board member shall be appointed to a four-year term and shall serve at the pleasure of their respective appointing authority and may be removed for cause



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29 at any time by a two-thirds vote of the appointing
 30 authority~~The terms of membership on the library board, as~~
 31 ~~first appointed, for one member shall be for one year, for the~~
 32 ~~second member shall be for two years, for the third member~~
 33 ~~shall be for three years, and for the remaining two members~~
 34 ~~the terms shall be for four years. After the first term, all~~
 35 ~~appointments shall be for four years.~~

36 (d) ~~The county commission or~~ respective governing body
 37 shall fill all vacancies including expired and unexpired
 38 terms.

39 (e) Each library board created pursuant to this
 40 section, no later than December 31, shall provide, annually,
 41 to the Governor, the Speaker of the House of Representatives,
 42 the President Pro Tempore of the Senate, and the respective
 43 appointing authority a report detailing the membership of the
 44 board and any actions the board has taken regarding the review
 45 or removal of items in their collection during the previous 12
 46 months.

47 (f) Members of the library board shall serve without
 48 compensation.

49 (g) The appointing authorities shall coordinate their
 50 appointments to assure the library board membership is
 51 inclusive and reflects the racial, gender, geographic, urban,
 52 rural, and economic diversity of the state."

53 "§11-90-4

54 (a) In lieu of establishing or maintaining free public
 55 libraries exclusively for a single county or municipality in
 56 the manner provided in ~~this chapter~~ Section 11-90-2, the



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57 library board of any county or municipality free public
58 library may contract, ~~in behalf of the political unit~~
59 ~~represented by such local library board, to and with the~~
60 library board of another political unit ~~or governmental agency~~
61 ~~or instrumentality with respect to the establishment or~~
62 ~~maintenance of~~ establish and maintain a joint library service
63 ~~upon such on the~~ terms as may be agreed upon by the several
64 contracting parties.

65 (b) Where there is no existing public library, ~~the~~
66 ~~power thus to contract shall vest in the county commission of~~
67 ~~the county or the governing body of the~~ a municipality may
68 contract with the governing body of another political unit to
69 establish and maintain a joint library. ~~Included in the power~~
70 ~~conferred is the determination of the basis and personnel of~~
71 ~~representation of the local political units on the joint~~
72 ~~library board administering the joint library service~~
73 ~~established under this section.~~

74 (c) In establishing a joint library, the contracting
75 parties may determine the size and appointing authorities of
76 the joint library board.

77 (d) Such A joint library board, when appointed,
78 appointed pursuant to this section shall have the powers and
79 duties granted by this chapter to county or municipal library
80 boards. Each joint library board member shall serve at the
81 pleasure of their respective appointing authority and may be
82 removed for cause at any time by a two-thirds vote of the
83 appointing authority. ~~County and municipal library boards or~~
84 ~~joint library boards shall have the power to cooperate with~~



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85 ~~all state and federal agencies and institutions in furtherance~~
86 ~~of the purpose of this chapter, and all municipal, county and~~
87 ~~joint library boards shall from time to time submit such~~
88 ~~records and reports as may be required by the public library~~
89 ~~service; provided, that nothing~~

90 (e) Nothing in this section shall be ~~so~~ construed ~~as~~ to
91 infringe upon any municipal charter provisions governing the
92 administration of existing free public libraries."

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