

HB117 ENGROSSED



1 HB117
2 F9V35DC-2
3 By Representatives Simpson, Wilcox
4 RFD: Boards, Agencies and Commissions
5 First Read: 04-Feb-25
6 PFD: 03-Feb-25



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A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama Board of Examiners in Marriage and Family Therapy until October 1, 2027, with certain modifications; to amend Section 34-17A-6, Code of Alabama 1975, to require that no two board members reside in the same congressional district.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama Board of Examiners in Marriage and Family Therapy until October 1, 2027, with additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama Board of Examiners in Marriage and Family Therapy, created and functioning pursuant to Sections 34-17A-1 to 34-17A-26, inclusive, Code of Alabama 1975, is continued until October 1, 2027, and those code sections are expressly preserved.

Section 3. Section 34-17A-6, Code of Alabama 1975, is amended to read as follows:



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29 "§34-17A-6

30 (a) There is created the Alabama Board of Examiners in
31 Marriage and Family Therapy. The board shall consist of five
32 members who are ~~citizens~~ residents of this state and appointed
33 by the Governor. In appointing members to the board, the
34 Governor shall ~~select those persons whose appointments would~~
35 ~~ensure that, to the extent possible, the membership of the~~
36 ~~board reflects the geographic, gender, and racial diversity of~~
37 ~~the state as a whole~~ coordinate his or her appointments to
38 assure the board's membership is inclusive and reflects the
39 racial gender, geographic, urban, rural, and economic
40 diversity of the state. Commencing on June 1, 2025, as the
41 terms of the members serving on the board expire, the
42 membership of the board shall be appointed so that no two
43 members of the board reside in the same congressional
44 district. The board shall perform the duties and have the
45 powers as prescribed and conferred by this chapter. No member
46 of the board shall be civilly liable for any act performed in
47 good faith for the performance of his or her duties as a
48 member of the board.

49 (b) The professional membership of the board shall be
50 licensed pursuant to this chapter.

51 (c) Vacancies on the board shall be filled for the
52 remainder of the unexpired term. Members of the board shall
53 serve until their successors are appointed and have qualified.
54 Board members shall be ineligible for reappointment for a
55 period of three years following completion of their five-year
56 term.



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57 (d) Appointments to the board shall be made by the
58 Governor as provided in this subsection. Not later than
59 October 1 of each year, the Board of Directors of the Alabama
60 Association for Marriage and Family Therapy shall submit to
61 the Governor the names of two qualified candidates for each
62 position on the board to be vacated by reason of expiration of
63 a term of office. From the two candidates, the Governor shall
64 appoint one member to serve on the board for a term of five
65 years. Other vacancies occurring on the board shall be filled
66 for the unexpired term by appointment of the Governor from two
67 candidates for each vacancy submitted by the Alabama
68 Association for Marriage and Family Therapy within 30 days
69 after the vacancy occurs. Composition of the board shall
70 consist of one public member, one marriage and family therapy
71 educator, and three practicing marriage and family therapists.

72 (e) The Governor may remove a member of the board only
73 for neglect of duty, malfeasance, or conviction of a felony or
74 crime of moral turpitude while in office. Notwithstanding the
75 foregoing, no member may be removed until after a public
76 hearing of the charges against him or her, and at least 30
77 days' prior written notice to the accused member of the
78 charges against him or her and of the date fixed for the
79 hearing. No board member shall participate in any matter
80 before the board in which he or she has a pecuniary interest,
81 personal bias, or other similar conflict of interest."

82 Section 4. The Legislature concurs in the
83 recommendation of the Sunset Committee as provided in Sections
84 1, 2, and 3.

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85 Section 5. This act shall become effective on June 1,
86 2025.



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House of Representatives

Read for the first time and referred04-Feb-25
to the House of Representatives
committee on Boards, Agencies and
Commissions
Read for the second time and placed05-Feb-25
on the calendar:
0 amendments
Read for the third time and passed06-Feb-25
as amended
Yeas 104
Nays 0
Abstains 0

John Treadwell
Clerk