

HB153 INTRODUCED



1 HB153
2 EAYK229-1
3 By Representatives Oliver, Moore (P), Starnes, Bolton,
4 Reynolds, Shaver, DuBose, Butler, Paschal, Pettus
5 RFD: Military and Veterans Affairs
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SYNOPSIS:

This bill would create the Alabama Veterans Resource Center Act.

This bill would create and designate the center as a public corporation and would provide for a board of directors to manage the center as a comprehensive, coordinated system of support for veterans and their families.

This bill would provide for the duties and powers of the board and would authorize the board to enter into public-private partnerships on behalf of the center.

A BILL
TO BE ENTITLED
AN ACT

To establish the Alabama Veterans Resource Center Act; to create and designate the Alabama Veterans Resource Center as a public corporation; to provide for the membership of a board of directors for the center; to provide for the duties and powers of the board in managing the center; and to authorize the center to enter into public-private partnerships.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30 Section 1. This act shall be known and cited as the
31 Alabama Veterans Resource Center Act.

32 Section 2. The Legislature finds and declares all of
33 the following:

34 (1) Alabama has the highest per capita veteran
35 population in the United States.

36 (2) Veterans face unique challenges when moving from
37 military service to civilian life including, but not limited
38 to, accessing benefits, finding employment, and addressing
39 mental health needs.

40 (3) A comprehensive, coordinated system of support is
41 essential to veterans and their families.

42 (4) Public-private partnerships can leverage resources
43 and expertise to effectively serve veterans.

44 Section 3. (a) The Governor, the Speaker of the House
45 of Representatives, and the President Pro Tempore of the
46 Senate shall present to the Secretary of State an application,
47 signed by each of them, for the formation of the Alabama
48 Veterans Resource Center as a public corporation, having a
49 legal existence separate and apart from the state and any
50 county, municipality, or political subdivision, which shall
51 set forth all of the following:

52 (1) The name, official designation, and official office
53 location of each of the applicants, together with a certified
54 copy of the commission evidencing each applicant's right to
55 office.

56 (2) The date on which each applicant was sworn into



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57 office and the term of office of each applicant.

58 (3) The name of the proposed public corporation, which
59 shall be the Alabama Veterans Resource Center.

60 (4) The location of the principal office of the
61 proposed corporation.

62 (5) Any other matter relating to the corporation that
63 the applicants may choose to insert and that is not
64 inconsistent with this act or state law.

65 (b) The application shall be subscribed and sworn to by
66 each applicant before an officer authorized by the laws of the
67 state to take acknowledgments to deeds. The Secretary of State
68 shall examine the application, and, if he or she finds that
69 the application substantially complies with the requirements
70 of this section, the application shall be filed and recorded
71 in an appropriate book of records in the office of the
72 Secretary of State.

73 (c) When the application has been made, filed, and
74 recorded as provided in subsection (b), the applicants shall
75 constitute a public corporation under the name stated in the
76 application, and the Secretary of State shall make and issue
77 to the applicants a certificate of incorporation pursuant to
78 this act, under the Great Seal of the State, and shall record
79 the certificate with the application. There shall be no fees
80 paid to the Secretary of State in connection with the
81 corporation.

82 (d) Notwithstanding any provision of law to the
83 contrary, the corporation incorporated pursuant to this
84 section shall not be deemed to be a part of the state for any



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85 purpose but shall be treated as a public corporation and body
86 politic separate and apart from the state.

87 Section 4. (a) The center shall be under the management
88 and control of a board of directors, and all power necessary
89 or appropriate for the management and control of the center
90 shall be vested solely in that board.

91 (b) The board shall have all of the following members:

92 (1) Two members appointed by the Governor.

93 (2) One member appointed by the Speaker of the House of
94 Representatives.

95 (3) One member appointed by the Lieutenant Governor in
96 his or her role as Chair of the Alabama Military Stability
97 Commission.

98 (4) One member appointed by the President Pro Tempore
99 of the Senate.

100 (5) The Commissioner of the State Department of
101 Veterans Affairs, who shall serve as an ex officio member and
102 vice chair of the board.

103 (6) The Commissioner of the Department of Mental
104 Health, who shall serve as an ex officio member.

105 (7) The Secretary of the Alabama Department of
106 Workforce, who shall serve as an ex officio member and chair
107 of the board.

108 (c) All board members are voting members of the board
109 and shall be considered in determining whether a quorum is
110 present.

111 (d) (1) Each ex officio member may designate an
112 individual to serve in his or her place at any meeting of the



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113 board or may designate an individual to serve in his or her
114 place at all meetings of the board until the expiration of his
115 or her term. An ex officio member may withdraw his or her
116 designation at any time.

117 (2) A designee shall be counted for purposes of both
118 establishing a quorum and voting.

119 (3) An ex officio member shall continue to serve on the
120 board as long as he or she holds the position that authorizes
121 his or her service on the board.

122 (e) In making appointments, the appointing authorities
123 shall coordinate their appointments to assure the board
124 membership is inclusive and reflects the racial, gender,
125 geographic, urban, rural, and economic diversity of the state.

126 (f) (1) Each appointed member shall serve a term of two
127 years following his or her date of appointment.

128 (2) Each appointed member shall continue to serve until
129 he or she is reappointed or a successor is appointed to his or
130 her place on the board.

131 (3) An appointed member may only serve a maximum of two
132 consecutive terms of office and may be reappointed after not
133 serving for a period of at least two years.

134 (4) An appointed member may be removed by his or her
135 appointing authority at any time and for any reason. Upon
136 removal, the respective appointing authority shall appoint a
137 successor to serve for the unexpired term.

138 (5) An individual appointed to fill a vacancy, for any
139 reason, shall serve the remainder of the unexpired term and
140 may be reappointed to serve an additional term.



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141 (g) No board member shall receive compensation because
142 of his or her service as a member. Each member may be
143 reimbursed for actual and reasonable travel expenses incurred
144 in the performance of his or her duties as a member.

145 (h) A majority of the board members shall constitute a
146 quorum for the transaction of business by the board, and
147 decisions shall be made on the basis of a majority of the
148 quorum then present and voting. No vacancy in the membership
149 of the board or the voluntary disqualification or abstention
150 of any member shall impair the right of a quorum to exercise
151 all of the powers and duties of the board.

152 (i) Members of the board may participate in meetings of
153 the board in person, by means of telephone conference, video
154 conference, or other similar communications equipment, so that
155 all individuals participating in the meeting may hear each
156 other at the same time. Participation by any such means shall
157 constitute presence in person at a meeting for all purposes,
158 including for purposes of establishing a quorum.

159 (j) The board may appoint other officers to perform
160 duties not inconsistent with this act or applicable law, as
161 the board deems necessary or appropriate.

162 (k) In addition to regular meetings of the board, as
163 may be provided by law or bylaws adopted by the board, special
164 meetings of the board may be called by the chair acting alone
165 or by any three other board members acting in concert, in each
166 case upon notice to each board member given in person, by
167 email, by registered letter, or by other means. Notice to each
168 board member may be waived upon the unanimous written consent



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169 of all board members, either before or after the meeting with
170 respect to which the notice would otherwise be required.

171 Section 5. (a) The board shall have all of the powers
172 necessary to carry out and effectuate the purposes of this
173 act. Without limiting the generality of the foregoing, the
174 board shall have and exercise all of the following powers:

175 (1) Provide comprehensive support services to veterans
176 and their families residing in this state including, but not
177 limited to, all of the following:

178 a. Assistance with accessing federal and state
179 benefits.

180 b. Career counseling and job placement services.

181 c. Mental health and wellness programs.

182 d. Education and training opportunities.

183 e. Support for military spouses, dependents, and
184 families.

185 (2) Develop, monitor, implement, and update as
186 necessary the strategic plan and strategies for the center.

187 (3) Oversee the operations and finances of the center.

188 (4) Employ an executive director or other employees, or
189 both, to manage the day-to-day operations of the center.

190 (5) Establish committees as necessary.

191 (6) Develop and implement a hub and spoke model for the
192 center, with a central office providing core services and a
193 network of regional offices offering localized support and
194 access points through a public private-partnership. The center
195 may also utilize an online portal and other physical
196 structures or technology to conduct its operations.



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197 (7) Adopt, alter, and repeal bylaws as necessary for
198 the regulation and conduct of the affairs and business of the
199 center, and for the implementation of this act.

200 (8) Make and enter into contracts, leases, and
201 agreements and take other actions as the board determines
202 necessary or desirable to accomplish the purposes of this act
203 and the center and exercise any power necessary for the
204 accomplishment of the purposes of the center or incidental to
205 the powers expressly provided by this act.

206 (9) Appoint, employ, and contract with employees,
207 agents, advisors, consultants, and service providers
208 including, but not limited to, attorneys, accountants,
209 financial experts, and other advisors, consultants, and agents
210 as the board determines necessary or desirable to accomplish
211 any purpose of the center or incidental to the powers
212 expressly provided by this act, and to fix the compensation of
213 those individuals.

214 (10) Manage, invest, and expend funds at its disposal.

215 (11) Grant monies and things of value in aid of or to,
216 any individual, firm, corporation, or other business entity,
217 public or private, as the board determines necessary or
218 desirable to accomplish any purpose of the center or
219 incidental to the powers expressly provided by this act.

220 (12) Take any action necessary to exercise its rights
221 or fulfill its obligations relevant to the center under state
222 law.

223 (13) All other powers necessary to carry out and
224 effectuate the purposes of this act. These powers shall be



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225 construed broadly, so that the failure to state a power of the
226 board shall not be considered a limitation upon the board, as
227 long as the board determines the power is necessary to allow
228 the board to fulfill the purpose of the center, as provided by
229 this act.

230 (b) The board may make, enter into, and execute
231 contracts, agreements, and other instruments with, accept
232 appropriations, loans, gifts, aid, and grants from, and
233 cooperate with, any other individual or entity including, but
234 not limited to, all of the following:

235 (1) The United States of America, the state, or any
236 agency, instrumentality, or political subdivision of either.

237 (2) For profit and nonprofit private entities.

238 (3) Public bodies, departments, or authorities
239 including, but not limited to, any entity in the Executive
240 Branch of the state, to act on behalf of the board in carrying
241 out functions that the board determines are consistent with
242 this act and the powers of the center.

243 (c) (1) Members of the board shall be subject to the
244 state ethics laws under Chapter 25 of Title 36, Code of
245 Alabama 1975, but members of the board shall not be required
246 to submit a statement of economic interests under Section
247 36-25-14, Code of Alabama 1975. The center is not a business
248 for purposes of the state ethics laws, Chapter 25 of Title 36,
249 Code of Alabama 1975, and a public official or public employee
250 holding a position on the board is not precluded from taking
251 official actions affecting the center as long as there is no
252 impermissible personal gain.



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253 (2) The board is not subject to the Alabama Open
254 Meetings Act under Chapter 25A of Title 36, Code of Alabama
255 1975.

256 Section 6. (a) The board may enter into contracts,
257 leases, agreements, investments, and may otherwise expend
258 monies without compliance with competitive bid laws under
259 Article 5, commencing with Section 41-4-110, of Chapter 4 of
260 Title 41, Code of Alabama 1975, and Chapter 2 of Title 39,
261 Code of Alabama 1975.

262 (b) Solely as a result of entering into contracts,
263 leases, agreements, investments, or otherwise as provided in
264 subsection (a), no for-profit or nonprofit private entity, nor
265 the officers, employees, agents, or directors of any of the
266 foregoing, shall become subject to state ethics laws or the
267 Alabama Open Meetings Act under Chapter 25 and Chapter 25A of
268 Title 36, Code of Alabama 1975; competitive bid laws under
269 Article 5, commencing with Section 41-4-110, of Chapter 4 of
270 Title 41, Code of Alabama 1975; Chapter 2 of Title 39, Code of
271 Alabama 1975; or public records laws under Article 3,
272 commencing with Section 36-12-40, of Chapter 12 of Title 36,
273 Code of Alabama 1975.

274 Section 7. In addition to the powers provided in
275 Section 5, the board may enter into annual public-private
276 partnerships with nonprofit organizations and other entities
277 to leverage resources and expertise in support of the center's
278 mission and purpose. Each public-private partnership is
279 subject to annual renewal by the board.

280 Section 8. (a) The Alabama Veterans Resource Center



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281 Fund is created in the State Treasury. All monies received by
282 the board pursuant to this act or otherwise from any source
283 permitted by this act shall be deposited into the State
284 Treasury to the credit of the fund. Amounts deposited into the
285 fund shall be budgeted and allotted in accordance with
286 Sections 41-4-80 through 41-4-96 and Sections 41-19-1 through
287 41-19-12, Code of Alabama 1975.

288 (b) The center may accept additional funding from
289 public and private sources, including appropriations, loans,
290 federal gifts, grants, corporate sponsorships, and individual
291 donations.

292 Section 9. The board, at any time and by majority vote,
293 may cause its application for formation to be amended by
294 having three members of its board of directors file an
295 amendment with the Secretary of State, which shall be sworn to
296 by each signatory thereto before an officer authorized to take
297 acknowledgments to deeds.

298 Section 10. (a) The board, at any time and by a
299 three-quarters vote, may dissolve the center by having
300 three-quarters of the members of the board file with the
301 Secretary of State an application for dissolution, which shall
302 be sworn to by each signatory thereto by an officer authorized
303 to take acknowledgments to deeds.

304 (b) Upon the filing of the application for dissolution,
305 the center shall cease to exist. The Secretary of State shall
306 file and record the application for dissolution, and shall
307 make and issue, under the Great Seal of the State, a
308 certificate that the center is dissolved, and shall record the



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309 certificate with the application for dissolution. Title to all
310 property held in the name of the center shall be vested in the
311 state upon dissolution of the center, and the ex officio board
312 members, by written consent, shall direct how to dispose of
313 any monies in the Alabama Veterans Resource Center Fund.

314 Section 11. This act shall be liberally construed to
315 effectuate its purposes.

316 Section 12. This act shall become effective on June 1,
317 2025.