

**SB310 ENROLLED**



1 SB310  
2 GMQACC2-3  
3 By Senator Waggoner (N & P)  
4 RFD: Jefferson County Legislation  
5 First Read: 08-Apr-25



## SB310 Enrolled

1 Enrolled, An Act,

2  
3 Relating to Jefferson County; to amend Sections  
4 45-37-72.20 and 45-37-72.21, Code of Alabama 1975, to further  
5 provide for the filling of vacancies on the county commission;  
6 and to repeal Sections 45-37-72.22 and 45-72.23, Code of  
7 Alabama 1975, relating to election dates.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. Sections 45-37-72.20 and 45-37-72.21, Code  
10 of Alabama 1975, are amended to read as follows:

11 "§45-37-72.20

12 As herein used, the following terms have the meanings  
13 hereby ascribed to them:

14 (1) COUNTY. Jefferson County, Alabama.

15 (2) COUNTYWIDE ELECTION. Any election, whether general,  
16 special, or primary, including runoff elections, where  
17 qualified electors throughout the county are entitled to vote  
18 and which is held to elect a federal, state, or county officer  
19 or to nominate a candidate or candidates, for a federal,  
20 state, or county office or offices, to submit one or more  
21 questions, including, but not limited to, the question of  
22 adopting a proposed amendment to the Constitution of Alabama  
23 of ~~1901~~2022, and the question of whether general obligation  
24 bonds, or revenue bonds, of the state or county shall be  
25 issued.

26 (3) ELECTION COMMISSION. The election commission of the  
27 county.

28 (4) FIRST PRIMARY ELECTION. The first primary election



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for which this ~~act~~ subpart provides to fill a vacancy as distinguished from the runoff election held hereunder, if a runoff election is necessary.

(5) ~~RUNOFF~~ GENERAL ELECTION. The ~~runoff~~ general election for which this subpart provides, ~~if no candidate at the first election receives a majority of the votes cast~~ after the party nomination.

(6) SCHEDULED COUNTYWIDE ELECTION. A countywide election which is scheduled to be held on a date definitely determined when a vacancy occurs.

(7) VACANCY. A vacancy on the governing body of the county caused by death, resignation, impeachment, or any cause except normal expiration of terms."

"§45-37-72.21

(a) (1) Within Except as provided in subsection (b), within seven days from the occurrence of any vacancy, the election commission, by a majority vote thereof, shall adopt a resolution stating the ~~dates on which~~ date of the first primary election which shall be held not less than 45 days nor more than 60 days after the adoption of the resolution and the runoff primary election, if necessary, which shall be held not less than four weeks thereafter. ~~The dates shall be determined as provided for in Sections 45-37-72.22 and 45-37-72.23~~ The resolution shall also set the date of the general election which shall be held not less than three weeks nor more than five weeks after the last primary election.

(2) The election commission may schedule the date of the first primary election, a runoff primary election if



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57 needed, and the general election on the date of any previously  
58 scheduled countywide election provided the time for holding  
59 the election meets the requirements of this section. The  
60 ballot used by the judge of probate may be a special ballot  
61 used only for an election under this section.

62 (b) When a vacancy occurs with fewer than six months  
63 remaining on the unexpired term, the position shall remain  
64 vacant until filled at the next scheduled countywide general  
65 election. The election commission may provide for the conduct  
66 of a special primary election and runoff primary election if  
67 needed for the purposes of qualifying a candidate for the  
68 general election."

69 Section 2. Sections 45-37-72.22 and 45-37-72.23, Code  
70 of Alabama 1975, relating to election dates, are repealed.

71 Section 3. This act shall become effective on June 1,  
72 2025.



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\_\_\_\_\_  
President and Presiding Officer of the Senate

\_\_\_\_\_  
Speaker of the House of Representatives

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Senate 15-Apr-25

I hereby certify that the within Act originated in and passed  
the Senate.

Senate 06-May-25

I hereby certify that the within Act originated in and passed  
the Senate, as amended by Executive Amendment.

Patrick Harris,  
Secretary.

\_\_\_\_\_  
House of Representatives

Passed: 29-Apr-25

House of Representatives

Passed: 06-May-25, as amended by Executive Amendment.

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By: Senator Waggoner