

**SB310 ENROLLED**



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



1      Enrolled, An Act,

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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 19012022, 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



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

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

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

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

42 "§45-37-72.21

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

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



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 more 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.



## SB310 Enrolled

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President and Presiding Officer of the Senate

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Speaker of the House of Representatives

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SB310

Senate 15-Apr-25

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

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Patrick Harris,  
Secretary.

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House of Representatives

100 Passed: 29-Apr-25

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By: Senator Waggoner