

SB5 ENGROSSED



1 SB5
2 4U4SF33-2
3 By Senator Elliott
4 RFD: County and Municipal Government
5 First Read: 04-Feb-25
6 PFD: 24-Jul-24



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A BILL

TO BE ENTITLED

AN ACT

Relating to the Department of Archives and History; to amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to further provide for the composition of the Board of Trustees of the Department of Archives and History; to further provide for the filling of vacancies on the board; and to provide for retroactive effect.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 41-6-3 and 41-6-4, Code of Alabama 1975, are amended to read as follows:

"§41-6-3

(a) The department shall be under the control of the Board of Trustees of the Department of Archives and History, which shall consist of one member from each congressional district ~~and the additional members selected pursuant to subsection (b)~~ as the districts existed on January 1, 2025, nine at-large members, and the Governor or his or her designee.

~~(b) Two additional at-large members shall be selected and an additional member shall be selected from each U.S. Congressional District. The additional members shall be~~



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~~selected by the board of trustees and their names shall be
communicated to the Senate not later than the fifth
legislative day of the 2004 Regular Session of the
Legislature. Newly selected members shall be confirmed by the
Senate in the same manner as vacancies filled pursuant to
Section 41-6-4. The board of trustees shall select three of
the new members to serve initial terms of two years, three of
the new members to serve initial terms of four years, and
three of the new members to serve initial terms of six years.
All successor members shall serve terms of six years and shall
be selected as provided in Section 41-6-4.~~

(b) Each vacancy in an appointed board seat, as it
arises, whether by expiration of term of service or by death
or resignation, shall be filled as follows:

(1) Seat 1, a resident of Congressional District 1, for
a six-year term commencing January 1, 2027, and every six
years thereafter, appointed by the Governor.

(2) Seat 2, a resident of Congressional District 2, for
a six-year term commencing January 1, 2029, and every six
years thereafter, appointed by the Governor.

(3) Seat 3, a resident of Congressional District 3, for
a six-year term commencing January 1, 2030, and every six
years thereafter, appointed by the Governor.

(4) Seat 4, a resident of Congressional District 4, for
a six-year term commencing January 1, 2026, and every six
years thereafter, appointed by the Governor.

(5) Seat 5, a resident of Congressional District 5, for
a six-year term commencing January 1, 2028, and every six



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years thereafter, appointed by the Governor.

(6) Seat 6, a resident of Congressional District 6, for a six-year term commencing January 1, 2028, and every six years thereafter, appointed by the Governor.

(7) Seat 7, a resident of Congressional District 7, for a six-year term commencing January 1, 2025, and every six years thereafter, appointed by the Governor.

(8) Seat 8, a resident of the state at-large, for a six-year term commencing January 1, 2025, and every six years thereafter, appointed by the Governor.

(9) Seat 9, a resident of the state at-large, for a six-year term commencing January 1, 2028, and every six years thereafter, appointed by the Speaker of the House of Representatives from three nominees provided by the Minority Leader of the House of Representatives.

(10) Seat 10, a resident of the state at-large, for a six-year term commencing January 1, 2030, and every six years thereafter, appointed by the Speaker of the House of Representatives.

(11) Seat 11, a resident of the state at-large, for a six-year term commencing January 1, 2027, and every six years thereafter, appointed by the Speaker of the House of Representatives.

(12) Seat 12, a resident of the state at-large, for a six-year term commencing January 1, 2026, and every six years thereafter, appointed by the Speaker of the House of Representatives.

(13) Seat 13, a resident of the state at-large, for a



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six-year term commencing January 1, 2025, and every six years thereafter, appointed by the President Pro Tempore of the Senate.

(14) Seat 14, a resident of the state at-large, for a six-year term commencing January 1, 2027, and every six years thereafter, appointed by the President Pro Tempore of the Senate.

(15) Seat 15, a resident of the state at-large, for a six-year term commencing January 1, 2029, and every six years thereafter, appointed by the President Pro Tempore of the Senate from three nominees provided by the Minority Leader of the Senate.

(16) Seat 16, a resident of the state at-large, for a six-year term commencing January 1, 2026, and every six years thereafter, appointed by the President Pro Tempore of the Senate.

(c) The membership of the board of trustees appointing authorities shall be coordinate their appointments to assure that the membership of the board is inclusive and shall reflect reflects the racial and, gender, geographic, urban, rural, and economic diversity of the state.

(d) Each appointed member of the board shall serve at the pleasure of his or her appointing authority."

"§41-6-4

(a) The board of trustees shall fill all vacancies occurring on the board, whether by expiration of term of service or by death or resignation, but the The names of all successor board members shall be communicated to the current



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session or the next ensuing regular session of the state Senate for confirmation. If the Senate rejects any ~~successor trustee~~appointed member, the ~~board~~appointing authority shall proceed forthwith to fill the vacancy.

(b) ~~A trustee~~ An individual appointed to succeed a member whose term has expired shall serve for a term of six years. ~~A person~~ An individual appointed to fill a vacancy occurring by death or resignation shall only serve out the unexpired term of his or her predecessor. ~~A person whose appointment to the board has been confirmed by the Senate shall serve beyond his or her expired term until a successor has been confirmed by the Senate.~~

(c) The board shall hold at the State Capital at least one regular meeting during every year ~~and as many special meetings as may be necessary, and at any meeting.~~ a ~~A~~ majority of the ~~trustees~~ board members shall constitute a quorum. The Governor ~~of the state~~ shall be a voting member of the board as authorized by Section 41-6-3, and he or she ~~shall~~, as far as possible, shall lend every encouragement to the success and upbuilding development of the department. The director shall be the secretary of the board. ~~The trustees~~ Members of the board shall receive no compensation for their services. Each member of the board ~~of trustees~~ shall be reimbursed at the same per diem and travel allowance amounts paid by law to state employees for each day of attendance of the business of the board.

(d) The board may do all of the following:

(1) Adopt rules for its own government and also for the



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141 government of the department.

142 (2) Elect a director and provide for the selection or
143 appointment of other officials or employees as may be
144 authorized.

145 (3) Provide for the publication of historical material
146 pertaining to the state under the supervision of the director.

147 (4) Control and expend ~~such~~ appropriations as may be
148 made for the maintenance of the department.

149 (5) Perform ~~such~~ other acts as may be necessary to
150 carry out the intent and purposes of this article."

151 Section 2. This act shall be retroactive to January 1,
152 2025.

153 Section 3. This act shall become effective immediately.

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154
155
156 Senate

157 Read for the first time and referred04-Feb-25
158 to the Senate committee on County
159 and Municipal Government

160
161 Read for the second time and placed18-Feb-25
162 on the calendar:
163 0 amendments

164
165 Read for the third time and passed17-Apr-25
166 as amended
167 Yeas 26
168 Nays 5
169 Abstains 0

170
171
172 Patrick Harris,
173 Secretary.
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