



**House County and Municipal Government Reported  
Substitute for HB14**

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A BILL  
TO BE ENTITLED  
AN ACT

Relating to law enforcement; to authorize the Attorney General and Governor to appoint an interim police chief under certain conditions; and to provide pertinent procedures and requirements for certain municipalities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Attorney General and Governor, acting in concert, may appoint an interim police chief to superintend any municipal police department if they jointly determine that a particular and ongoing threat to public safety exists within a municipality after doing all of the following:

(1) Reviewing relevant and pertinent federal, state, and local crime statistics.

(2) Determining that the number of law enforcement officers employed by the municipality's police department is 30 or more percent less than the average number of law enforcement officers employed by that police department for the preceding 10 years.

(3) Consulting with the district attorney of the circuit in which the municipality is located.



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29 (4) Consulting with the sheriff of the county in which  
30 the municipality is located.

31 (5) Consulting with victims of crimes committed within  
32 the municipality.

33 (b) The interim police chief shall serve under the  
34 authority and at the pleasure of the Attorney General and  
35 Governor and shall not be subject to the authority of the  
36 mayor, city council, or other official of the municipality.

37 (c) The interim police chief shall serve not more than  
38 six months from the date he or she was appointed. The Attorney  
39 General and Governor, acting in concert, may not appoint  
40 another interim police chief within six months of a previous  
41 interim police chief's service ending due to serving a full  
42 six months.

43 (d) The interim police chief shall be paid a salary  
44 with funds from the operating account of the Attorney General  
45 and Governor in equal amounts. The salary shall be set at the  
46 discretion of the Attorney General and Governor.

47 (e) The Attorney General and Governor may jointly  
48 petition the circuit court of the county in which the  
49 municipality is located for the recoupment of any costs  
50 incurred in enforcing this section, including the payment of  
51 the interim police chief's salary. If the court finds that the  
52 actions required in subsection (a) were satisfied at the time  
53 of the interim police chief's appointment, the court shall  
54 award the Attorney General and Governor all expended costs  
55 associated with the enforcement of this section.

56 (f) The interim police chief shall be considered an



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57 officer of the state for purposes of Section 36-1-12, Code of  
58 Alabama 1975.

59 (g) The interim police chief shall provide a  
60 semimonthly report of the current status of, and the remedial  
61 actions being taken by, the police department to the mayor and  
62 city council of the municipality.

63 (h) The sheriff of the county in which the municipality  
64 is located may be appointed to serve as the interim police  
65 chief. If appointed, the sheriff shall be entitled to  
66 additional compensation pursuant to subsection (d), not to  
67 exceed seventy-five thousand dollars (\$75,000) per year.

68 (i) (1) A municipality with an interim police chief  
69 shall do both of the following:

70 a. Continue to fund the police department in a manner  
71 and amount commensurate with the average of the five fiscal  
72 years immediately preceding the interim police chief's  
73 appointment.

74 b. Maintain and form any active or prospective  
75 agreement, duty, interest in property, or obligation necessary  
76 for the police department to, at a minimum, maintain a level  
77 of efficacy and operation commensurate with the average of the  
78 five years immediately preceding the interim police chief's  
79 appointment.

80 (2) A municipality that violates this subsection may  
81 not receive any funds, grants, or appropriations from the  
82 State of Alabama until the violation has ceased, as determined  
83 by the Attorney General and Governor, acting in concert.

84 Section 2. This act shall become effective immediately.