



SYNOPSIS:

This bill would provide a process for two or more city boards of education to form a consolidated school system.

This bill would provide a procedure for protesting the proposed consolidation of two or more city school systems.

This bill would also require the State Board of Education to adopt rules as necessary for implementation.

A BILL
TO BE ENTITLED
AN ACT

Relating to public K-12 education; to provide a process for the creation of a consolidated city school system by merging two or more city boards of education; to provide a procedure for protesting a proposed consolidation of two or more city school systems; and to require the State Board of Education to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) Whenever two or more contiguous city boards of education deem it advisable to consolidate the



29 administration of their respective city school systems under
30 one remaining controlling city board of education, each city
31 board of education shall adopt and record within the minutes
32 of each board an agreement providing for the consolidation. A
33 formal resolution adopted by all members of the agreeing
34 boards shall detail and provide for the payment of their
35 respective indebtedness, specify how the consolidation will
36 take place, identify which city board of education will be the
37 remaining controlling city board of education and which city
38 board or boards of education will be abolished, and designate
39 the time frame during which the consolidation will be
40 implemented. Subject to subsection (b), the consolidation
41 shall be finalized as designated in the formal resolution.

42 (b)(1) If, within 30 days after the adoption of the
43 formal resolution, 25 percent of the qualified electors
44 residing within the boundaries of any of the school systems
45 proposing consolidation submit a protest, in writing, to any
46 of the affected city boards of education, the consolidation
47 may not occur unless the consolidation is approved by a
48 majority of the qualified electors residing in each county or
49 counties wherein all affected city school systems are located
50 who vote in a referendum election as provided in this
51 subsection.

52 (2) The referendum shall be held on the day designated
53 by the judge of probate of the county in which the remaining
54 controlling city board of education is proposed to be located.
55 The order setting the election shall be entered by the judge
56 of probate within one month after the expiration of the 30-day



time period provided in subdivision (1), and the election shall be held not more than 60 days after the date of the order setting the election.

(3) At least 30 days before the referendum elections are scheduled to be held, the sheriff shall give notice of the time and the purpose of the referendum elections by publication in a newspaper of general circulation in each affected city. If no newspaper exists, the notice shall be published in a prominent manner on each affected city school system's official website.

(4) The elections shall be held and the results shall be canvassed in the same manner as regular elections for city officers.

(5) The ballots shall have printed at the top a statement of the purpose of the referendum elections and directly underneath, in plain type and on different lines, the words, "For Consolidation" and "Against Consolidation".

(6) If a majority of the qualified electors voting in the combined territory of the affected city school systems vote to approve the consolidation, the remaining controlling city board of education shall remain, and the other city board or boards of education shall be abolished, as provided in the formal resolution, and the schools of those city or cities shall be administered by the remaining controlling city board of education.

(c) The consolidation shall not operate to relieve any board of education, or other governing body, of liability for obligations previously incurred, or to impair rights existing



85 prior to the consolidation. The agreement and formal
86 resolution shall be binding on both the abolished city boards
87 of education and the remaining controlling city board of
88 education. If a consolidation occurs, the remaining
89 controlling city board of education shall have the right to
90 compel the execution of contractual obligations made to any of
91 the boards before the consolidation.

92 (d) The State Board of Education shall adopt rules as
93 necessary to provide for the implementation of this section.

94 Section 2. This act shall become effective on October
95 1, 2026.