

HB134 ENROLLED



1 HB134
2 4UQE63I-2
3 By Representative Estes (N & P)
4 RFD: Local Legislation
5 First Read: 13-Jan-26
6 PFD: 07-Jan-26



Enrolled, An Act,

Relating to Lamar County; to amend Section 45-38-71.01,

Code of Alabama 1975; to revise the process for personal property auctions by the county commission; to remove any publication requirement for the disposition of county property via online auction; and to make nonsubstantive, technical revisions to update existing code to current language style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 45-38-71.01, Code of Alabama 1975,
11 is amended to read as follows:

"§45-38-71.01

(a) This section shall only apply in Lamar County.

14 (b) (1) All contracts for the sale or disposal of real
15 property, ~~or~~ tangible personal property, ~~equipment, or other~~
16 items owned by or under the control of the county commission
17 shall be let by free and open competitive sealed bids. The
18 chair of the county commission shall certify to the
19 description and condition of the property, shall give
20 jurisdiction in writing for the disposal of the property,
21 shall estimate the value of the property, and shall keep the
22 certification as a part of the permanent record of the
23 commission. Tangible personal property, ~~equipment, or other~~
24 items owned by or under the control of the county commission
25 which ~~have~~ has trade-in value may be offered as a credit
26 against the cost of property purchased in accordance with ~~the~~
27 Alabama Competitive Bid Law Article 3 of Chapter 16 of Title
28 41.



29 (2) Every proposal to make a sale covered by this
30 section shall be publicly advertised for ~~four~~ two consecutive
31 weeks in a newspaper of countywide circulation and ~~advertised~~
32 ~~one time in a newspaper of statewide circulation~~ not less than
33 seven days in advance of the date fixed for closing the
34 receipt of bids. The advertisements shall state a description
35 of the property to be sold along with the date, time, and
36 place of opening of the sealed bids.

37 (c) All bids shall be publicly opened and all bidders
38 shall be entitled to be present at the bid opening in person
39 or by representative. Any agreement or collusion among bidders
40 or prospective bidders or any other person in restraint of
41 freedom of competition, by any agreement to bid at a fixed
42 price or to refrain from bidding, shall render the bids of the
43 bidders void and shall cause such bidders to be disqualified
44 from submitting further bids on the sale. Any disclosure prior
45 to opening the sealed bids or the terms of a bid shall render
46 the proceedings void.



57 auctioned shall be available in the offices of the county
58 commission.

59 (e) All proceeds from the sale or other disposition of
60 the property under this section shall be deposited in the fund
61 of the district owning the property or the general fund of the
62 county, if the property was owned by the county.

63 ~~(f) Anyone who knowingly violates this section shall be
64 guilty of a Class B felony and upon conviction shall be fined
65 up to fifteen thousand dollars (\$15,000) and may be imprisoned
66 in the state penitentiary for up to seven years.~~

67 ~~(g)~~ (f) Any taxpayer of the area within the jurisdiction
68 of the county and any bona fide unsuccessful bidder on a
69 particular contract may bring a civil action in the
70 appropriate court to enjoin execution of any contract entered
71 into in violation of this section."

72 Section 2. This act shall become effective on June 1,
73 2026.



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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

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House of Representatives

94 I hereby certify that the within Act originated in and
95 was passed by the House 20-Jan-26.

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97 John Treadwell
98 Clerk
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104 Senate
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22-Jan-26

Passed