

**HB178 ENGROSSED**



1      HB178  
2      11I5AL3-2  
3      By Representative Garrett  
4      RFD: Ways and Means Education  
5      First Read: 13-Jan-26



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

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



29        implemented. Subject to subsection (b), the consolidation  
30        shall be finalized as designated in the formal resolution.

31                (b) (1) If, within 30 days after the adoption of the  
32        formal resolution, 25 percent of the qualified electors  
33        residing within the boundaries of any of the school systems  
34        proposing consolidation submit a protest, in writing, to any  
35        of the affected city boards of education, the consolidation  
36        may not occur unless the consolidation is approved by a  
37        majority of the qualified electors residing in the combined  
38        territory wherein all affected city school systems are located  
39        who vote in a referendum election as provided in this  
40        subsection.

41                (2) The referendum shall be held on the day designated  
42        by the judge of probate of the county in which the remaining  
43        controlling city board of education is proposed to be located.  
44        The order setting the election shall be entered by the judge  
45        of probate within one month after the expiration of the 30-day  
46        time period provided in subdivision (1), and the election  
47        shall be held not more than 60 days after the date of the  
48        order setting the election.

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

56                (4) The elections shall be held and the results shall



57 be canvassed in the same manner as regular elections for city  
58 officers.

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

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

71 (c) The consolidation shall not operate to relieve any  
72 board of education, or other governing body, of liability for  
73 obligations previously incurred, or to impair rights existing  
74 prior to the consolidation. The agreement and formal  
75 resolution shall be binding on both the abolished city boards  
76 of education and the remaining controlling city board of  
77 education. If a consolidation occurs, the remaining  
78 controlling city board of education shall have the right to  
79 compel the execution of contractual obligations made to any of  
80 the boards before the consolidation.

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

83 Section 2. This act shall become effective on October  
84 1, 2026.



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House of Representatives

88      Read for the first time and referred .....13-Jan-26  
89      to the House of Representatives  
90      committee on Ways and Means  
91      Education  
92  
93      Read for the second time and placed .....21-Jan-26  
94      on the calendar:  
95           0 amendments  
96  
97      Read for the third time and passed .....03-Feb-26  
98      as amended  
99           Yeas 104  
100           Nays 0  
101           Abstains 0  
102  
103  
104           John Treadwell  
105           Clerk  
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