

HB36 INTRODUCED



1 HB36
2 DGW3STN-1
3 By Representative Ingram
4 RFD: County and Municipal Government
5 First Read: 13-Jan-26
6 PFD: 14-Aug-25



SYNOPSIS:

This bill would authorize the Attorney General and Governor to appoint an interim police chief of certain municipal police departments.

This bill would also provide procedures and requirements for a municipality with an interim police chief.

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 procedures and requirements for municipalities with an interim police chief.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Attorney General and Governor may jointly appoint an interim police chief to superintend any municipal police department if both the Attorney General and Governor 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,



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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.

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

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

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

(c) An interim police chief may not serve more than six months from the date he or she was appointed. The Attorney General and Governor may not appoint another interim police chief for six months after a previous interim police chief's service has ended due to serving a full continuous six months.

(d) An interim police chief shall be paid a salary with funds from the operating accounts of the Attorney General and Governor in equal amounts. The salary shall be set jointly by the Attorney General and Governor.

(e) The Attorney General and Governor may jointly petition the circuit court of the county in which the municipality is located to recoup any costs incurred in acting



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pursuant to this section, including the payment of an interim police chief's salary. If the court finds that the actions required in subsection (a) were satisfied at the time of an interim police chief's appointment, the court shall award the Attorney General and Governor all costs expended pursuant to this section.

(f) An interim police chief shall be considered an officer of the state for purposes of Section 36-1-12, Code of Alabama 1975.

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

(h) The Attorney General and Governor may jointly appoint the sheriff of a county in which a municipality is located to assume the duties and powers over the municipality's police department which an interim police chief would have. If appointed, the sheriff shall be entitled to receive an expense allowance funded from the operating accounts of the Attorney General and Governor in equal amounts, not to exceed seventy-five thousand dollars (\$75,000) per year.

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

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



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85 b. Maintain and form any active or prospective
86 agreement, duty, interest in property, or obligation necessary
87 for the police department to, at a minimum, maintain a level
88 of efficacy and operation commensurate with the average of the
89 five years immediately preceding the interim police chief's
90 appointment.

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

95 Section 2. This act shall become effective immediately.