

**HB380 ENGROSSED**



1 HB380  
2 BYRBKJQ-2  
3 By Representative Collins (Constitutional Amendment)  
4 RFD: Education Policy  
5 First Read: 03-Feb-26



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A BILL  
TO BE ENTITLED  
AN ACT

Proposing an amendment to the Constitution of Alabama of 2022, to provide a process for the creation of a consolidated county school system by merging two or more county boards of education; to require the State Board of Education to conduct an impact study on the potential effects of the consolidation; to require publication of the impact study; to provide a procedure for protesting a proposed consolidation of two or more county school systems; and to require the State Board of Education to adopt rules.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

(a) Whenever two or more contiguous county boards of education deem it advisable to consolidate the administration of their respective county school systems under one remaining controlling multi-county board of education, each county board of education shall adopt and record within the minutes of each board an agreement providing for the consolidation. A formal resolution adopted by all members of the agreeing boards shall



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29 detail and provide for the payment of their respective  
30 indebtedness, specify how the consolidation will take place,  
31 identify how the remaining controlling multi-county board of  
32 education will operate, provide for the roles and duties of  
33 the resulting multi-county board members, and designate the  
34 time frame during which the consolidation will be implemented.  
35 Subject to subsection (c), the consolidation shall be  
36 finalized as designated in the formal resolution.

37 (b) Before a consolidation may occur, the State Board  
38 of Education shall conduct an impact study on the potential  
39 effects of the proposed consolidation, including, but not  
40 limited to, the impact on students, families, educational  
41 quality, educational programs, staff, facilities,  
42 transportation and operations, finances and taxes, community  
43 identity, and governance. At least 30 calendar days before  
44 adopting the formal resolution finalizing the consolidation,  
45 the State Board of Education shall post a copy of the impact  
46 study on the public website of the State Department of  
47 Education.

48 (c) (1) If, within 30 days after the adoption of the  
49 formal resolution, 25 percent of the qualified electors  
50 residing within the boundaries of any of the school systems  
51 proposing consolidation submit a protest, in writing, to any  
52 of the affected county boards of education, the consolidation  
53 may not occur unless the consolidation is approved by a  
54 majority of the qualified electors residing in each county or  
55 counties wherein all affected county school systems are  
56 located who vote in a referendum election as provided in this



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57 subsection.

58 (2) The consolidation shall become operative only if  
59 approved by a majority of the qualified electors who reside  
60 within the combined territory of the affected county school  
61 systems who vote in a referendum election to be held on the  
62 date of the next regularly scheduled general election. The  
63 order setting the election shall be entered by the judge of  
64 probate of each affected county within one month after the  
65 expiration of the 30-day time period provided in subdivision  
66 (1). Notice of the election shall be given by the judge of  
67 probate of each county, and the election shall be held,  
68 conducted, and the results canvassed in the manner as other  
69 county elections. The ballots shall have printed at the top a  
70 statement of the purpose of the referendum election and  
71 directly underneath, in plain type and on different lines, the  
72 words, "For Consolidation," and "Against Consolidation." If a  
73 majority of the qualified electors voting in the combined  
74 territory of the affected county school systems vote to  
75 approve the consolidation, the consolidation shall be  
76 finalized as designated in the formal resolution.

77 (d) The consolidation shall not operate to relieve any  
78 board of education, or other governing body, of liability for  
79 obligations previously incurred, or to impair rights existing  
80 before the consolidation. The agreement and formal resolution  
81 shall be binding on the combining county boards of education.  
82 If a consolidation occurs, the remaining controlling  
83 multi-county board of education shall have the right to compel  
84 the execution of contractual obligations made to any of the



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85 boards before the consolidation.

86 (e) The State Board of Education shall adopt rules as  
87 necessary to provide for the implementation of this section.

88 (f) The Legislature, by general or local law, may enact  
89 legislation to implement approved board consolidations  
90 pursuant to this section.

91 Upon ratification of this constitutional amendment, the  
92 Code Commissioner shall number and place this amendment as  
93 appropriate in the constitution omitting this instructional  
94 paragraph and may make the following nonsubstantive revisions:  
95 change capitalization, hierarchy, spelling, and punctuation  
96 for purposes of style and uniformity; correct manifest  
97 grammatical, clerical, and typographical errors; revise  
98 internal or external citations and cross-references; harmonize  
99 language; and translate effective dates.

### 100 END OF PROPOSED AMENDMENT

101 Section 2. An election upon the proposed amendment  
102 shall be held in accordance with Sections 284 and 285 of the  
103 Constitution of Alabama of 2022, and the election laws of this  
104 state. The appropriate election official shall assign a ballot  
105 number for the proposed constitutional amendment on the  
106 election ballot and shall set forth the following description  
107 of the substance or subject matter of the proposed  
108 constitutional amendment:

109 "Proposing an amendment to the Constitution of Alabama  
110 of 2022, to provide a process for the creation of a  
111 consolidated county school system by merging two or more  
112 contiguous county boards of education; to require the State



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113 Board of Education to conduct an impact study on the potential  
114 effects of the consolidation; to require publication of the  
115 impact study; to provide a procedure for protesting a proposed  
116 consolidation of two or more county school systems; and to  
117 require the State Board of Education to adopt rules.

118 Proposed by Act \_\_\_\_."

119 This description shall be followed by the following  
120 language:

121 "Yes( ) No( )."

122 Section 3. The proposed amendment shall become valid as  
123 a part of the Constitution of Alabama of 2022, when approved  
124 by a majority of the qualified electors voting thereon.



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House of Representatives

Read for the first time and referred .....03-Feb-26  
to the House of Representatives  
committee on Education Policy  
  
Read for the second time and placed .....19-Feb-26  
on the calendar:  
0 amendments  
  
Read for the third time and passed .....03-Mar-26  
as amended  
Yeas 96  
Nays 2  
Abstains 5

John Treadwell  
Clerk