

HB380 ENROLLED



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



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1 Enrolled, An Act,

2

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

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 PROPOSED AMENDMENT

16 (a) Whenever two or more contiguous county boards of
17 education deem it advisable to consolidate the administration
18 of their respective county school systems under one remaining
19 controlling multi-county board of education, each county board
20 of education shall adopt and record within the minutes of each
21 board an agreement providing for the consolidation. A formal
22 resolution adopted by all members of the agreeing boards shall
23 detail and provide for the payment of their respective
24 indebtedness, specify how the consolidation will take place,
25 identify how the remaining controlling multi-county board of
26 education will operate, provide for the roles and duties of
27 the resulting multi-county board members, and designate the
28 time frame during which the consolidation will be implemented.



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

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

42 (c) (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 county 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 county school systems are
50 located who vote in a referendum election as provided in this
51 subsection.

52 (2) The consolidation shall become operative only if
53 approved by a majority of the qualified electors who reside
54 within the combined territory of the affected county school
55 systems who vote in a referendum election to be held on the
56 date of the next regularly scheduled general election. The



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

71 (d) 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 before the consolidation. The agreement and formal resolution
75 shall be binding on the combining county boards of education.
76 If a consolidation occurs, the remaining controlling
77 multi-county board of education shall have the right to compel
78 the execution of contractual obligations made to any of the
79 boards before the consolidation.

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

82 (f) The Legislature, by general or local law, may enact
83 legislation to implement approved board consolidations
84 pursuant to this section.



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

94 END OF PROPOSED AMENDMENT

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

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

112 Proposed by Act ____."



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113 This description shall be followed by the following
114 language:

115 "Yes() No()."

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

