

## HB380 INTRODUCED



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



SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to public K-12 education, to provide a process for two or more county boards of education to form a consolidated school system.

This bill would require the State Board of Education to conduct an impact study on the potential effects of the consolidation.

This bill would provide a procedure for protesting the proposed consolidation of two or more county school systems.

This bill would also require the State Board of Education to adopt rules as necessary for implementation.

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



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

(b) Before a consolidation may occur, the State Board of Education shall conduct an impact study on the potential effects of the proposed consolidation, including, but not limited to, the impact on students, families, educational



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quality, educational programs, staff, facilities, transportation and operations, finances and taxes, community identity, and governance. At least 30 calendar days before adopting the formal resolution finalizing the consolidation, the State Board of Education shall post a copy of the impact study on the public website of the State Department of Education.

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

(2) The consolidation shall become operative only if approved by a majority of the qualified electors who reside within the combined territory of the affected county school systems who vote in a referendum election to be held on the date of the next regularly scheduled general election. The order setting the election shall be entered by the judge of probate of each affected county within one month after the expiration of the 30-day time period provided in subdivision (1). Notice of the election shall be given by the judge of probate of each county, and the election shall be held, conducted, and the results canvassed in the manner as other



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85 county elections. The ballots shall have printed at the top a  
86 statement of the purpose of the referendum election and  
87 directly underneath, in plain type and on different lines, the  
88 words, "For Consolidation," and "Against Consolidation." If a  
89 majority of the qualified electors voting in the combined  
90 territory of the affected county school systems vote to  
91 approve the consolidation, the consolidation shall be  
92 finalized as designated in the formal resolution.

93 (d) The consolidation shall not operate to relieve any  
94 board of education, or other governing body, of liability for  
95 obligations previously incurred, or to impair rights existing  
96 before the consolidation. The agreement and formal resolution  
97 shall be binding on the combined county boards of education.  
98 If a consolidation occurs, the remaining controlling  
99 multi-county board of education shall have the right to compel  
100 the execution of contractual obligations made to any of the  
101 boards before the consolidation.

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

104 Upon ratification of this constitutional amendment, the  
105 Code Commissioner shall number and place this amendment as  
106 appropriate in the constitution omitting this instructional  
107 paragraph and may make the following nonsubstantive revisions:  
108 change capitalization, hierarchy, spelling, and punctuation  
109 for purposes of style and uniformity; correct manifest  
110 grammatical, clerical, and typographical errors; revise  
111 internal or external citations and cross-references; harmonize  
112 language; and translate effective dates.



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### END OF PROPOSED AMENDMENT

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

"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 contiguous 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.

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

This description shall be followed by the following language:

"Yes( ) No( )."

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