

HB656 INTRODUCED



1 HB656
2 KH3SYUA-1
3 By Representative Pringle
4 RFD: Transportation, Utilities and Infrastructure
5 First Read: 31-Mar-26



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SYNOPSIS:

Under existing law, a city council may establish a board of water and sewer commissioners to administer water and sewer systems for the city.

This bill would require that before a board located in a county in which a Class 2 municipality is located may sell or develop real property owned by the board, all local governments with jurisdiction over the real property must approve.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL
TO BE ENTITLED
AN ACT

Relating to boards of water and sewer commissioners; to amend Section 11-50-343, Code of Alabama 1975; to require that before boards located in counties with a Class 2 municipality may sell or develop real property owned by the board, local governments with jurisdiction over the real property must approve; and to make nonsubstantive, technical revisions to



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29 update the existing code language to current style.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Section 11-50-343, Code of Alabama 1975, is
32 amended to read as follows:

33 "§11-50-343

34 (a) Each board created under ~~the provisions of~~ this
35 article shall ~~be deemed to~~ be a public agency or
36 instrumentality exercising public and governmental functions
37 to provide for the public health and welfare, and each ~~such~~
38 board ~~is hereby authorized and empowered~~ may do any of the
39 following:

40 (1) ~~To adopt~~ Adopt bylaws for the regulation of its
41 affairs and the conduct of its business~~†.~~

42 (2) ~~To adopt~~ Adopt an official seal and alter the same
43 at its pleasure~~†.~~

44 (3) ~~To maintain~~ Maintain an office at ~~such a~~ place or
45 places within the city as ~~it~~ the board may designate~~†.~~

46 (4) ~~To sue~~ Sue and be sued in its own name~~†.~~

47 (5) ~~To acquire~~ Acquire, purchase, lease as lessee,
48 construct, reconstruct, improve, extend, operate, and maintain
49 any water system or part thereof or any sewer system or part
50 thereof or any combination thereof within or without or partly
51 within and partly without the corporate limits of the city,
52 and to acquire by gift, purchase, or the exercise of the ~~right~~
53 power of eminent domain lands or rights in land or water
54 rights in connection therewith and to acquire ~~such~~ personal
55 property as ~~it~~ the board may deem necessary in connection with
56 the construction, improvement, extension, enlargement, or



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57 operation of any water system or sewer system and to hold and
58 dispose of all real and personal property under its control~~†~~,
59 provided~~†~~ that any proceedings to acquire property by the
60 exercise of the power of eminent domain shall be conducted~~†~~,
61 and the compensation to be paid shall be ascertained and paid
62 in the manner provided by the laws of the state then
63 applicable which relate to condemnation or the exercise of the
64 power of eminent domain by~~such~~ the city~~†~~.

65 (6) ~~To issue~~ Issue revenue bonds of the board for any
66 of its corporate purposes, ~~such~~ the bonds to be payable solely
67 from revenues, and to refund its bonds, all as provided in
68 this article~~†~~.

69 (7) ~~To combine~~ Combine the water system and the sewer
70 system as a single system for the purpose of operation and
71 financing~~†~~.

72 (8) ~~To fix~~ Fix and revise ~~from time to time~~ and charge
73 and collect rates, fees, and charges for the use of or for the
74 services and facilities furnished by any system operated by
75 the board~~†~~.

76 (9) ~~To exercise~~ Exercise jurisdiction, control, and
77 supervision over any water system or sewer system owned,
78 operated, or maintained by the board and to ~~make~~ adopt and
79 enforce ~~such~~ rules ~~and regulations~~ for the maintenance and
80 operation of any ~~such~~ system as ~~may~~, in the judgment of the
81 board, may be necessary or desirable for the efficient
82 operation of ~~such~~ the system and for accomplishing the
83 purposes of this article~~†~~.

84 (10) ~~To make~~ Make and enter into all contracts and



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85 agreements as the board may determine ~~which~~ that are necessary
86 or incidental to the performance of its duties and to the
87 execution of its powers under this article, and to employ ~~such~~
88 consulting and other engineers, superintendents, managers,
89 construction and financial experts, accountants, ~~and~~
90 attorneys, and such other employees and agents as ~~it~~ the board
91 may determine necessary in its judgment and ~~to~~ fix their
92 compensation; provided, however, that all ~~such~~ expenses shall
93 be payable solely from funds made available under ~~the~~
94 ~~provisions of~~ this article; .

95 (11) ~~To enter~~ Enter upon, use, occupy, and dig up, with
96 the consent of the city, any street, alley, road, highway, or
97 other public places necessary to be entered upon, used, or
98 occupied in connection with the acquisition, construction,
99 improvement, maintenance, or operation of any water system or
100 sewer system; .

101 (12) ~~To receive~~ Receive and accept from any federal
102 agency grants for or in aid of the construction of any water
103 system or sewer system or part thereof and ~~to~~ receive and
104 accept aid or contributions from any source of ~~either~~ money,
105 property, labor, or other things of value to be held, used,
106 and applied only for the purposes for which ~~such~~ the grants or
107 contributions ~~may be~~ are made; ~~and~~ .

108 (13) ~~To do~~ Do all acts and things necessary or
109 convenient to carry out the powers expressly granted in this
110 article.

111 (b) All resolutions adopted ~~or promulgated~~ by the board
112 ~~shall~~, as soon as practicable after ~~their~~ passage, shall be



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113 recorded in a book kept for that purpose and be authenticated
114 by the signature of the secretary or other administrative
115 officer authorized to authenticate ~~such~~ resolutions; and all
116 resolutions of a general or permanent nature shall be
117 published in some newspaper of general circulation in the
118 city, but if no such newspaper is published within the limits
119 of the city, ~~such~~ the resolutions may be published by posting
120 three copies thereof in three public places within the limits
121 of the city.

122 (c) (1) Notwithstanding subdivision (a) (5), or any other
123 law to the contrary, before a board, or successor entity, that
124 is located within a county in which a Class 2 municipality is
125 located may sell, convey any interest in, or develop any real
126 property owned by the board, all local governing bodies with
127 jurisdiction over the real property shall approve of the sale,
128 conveyance, or development by resolution of the governing
129 body.

130 (2) Approval or disapproval by a local governing body
131 pursuant to this subsection shall only be rendered after
132 notice and public hearing."

133 Section 2. This act shall become effective on October
134 1, 2026.