

## SB100 INTRODUCED



1 SB100  
2 3P7I8ZZ-1  
3 By Senator Kelley  
4 RFD: Fiscal Responsibility and Economic Development  
5 First Read: 13-Jan-26



## 4 SYNOPSIS:

5 Under existing law, termination dates are  
6 established for enumerated state agencies. The agencies  
7 are periodically reviewed by the Alabama Sunset  
8 Committee. After the review process is completed, the  
9 committee prepares its recommendation for the agencies  
10 to the Legislature in the form of sunset bills which  
11 either continue, terminate, or continue with  
12 modification each agency reviewed.

13 This bill would provide for the continuance of  
14 the Alabama State Board of Pharmacy until October 1,  
15 2027, with the following change: To revise the  
16 appointing authority for one member of the board.

17  
18  
19 A BILL  
20 TO BE ENTITLED  
21 AN ACT

22  
23 Relating to the Alabama Sunset Law; to continue the  
24 existence and functioning of the Alabama State Board of  
25 Pharmacy until October 1, 2027, with certain modifications; to  
26 amend Section 34-23-90, Code of Alabama 1975, as last amended  
27 by Act 2025-372 of the 2025 Regular Session, to revise the  
28 appointing authority for a certain board member.



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BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Pursuant to the Alabama Sunset Law, the Sunset Committee recommends the continuance of the Alabama State Board of Pharmacy until October 1, 2027, with the additional recommendation for statutory change as set out in Section 3.

Section 2. The existence and functioning of the Alabama State Board of Pharmacy, created and functioning pursuant to Sections 34-23-1 to 34-23-187, inclusive, Code of Alabama 1975, is continued until October 1, 2027, and those code sections are expressly preserved.

Section 3. Section 34-23-90, Code of Alabama 1975, as last amended by Act 2025-372 of the 2025 Regular Session, is amended to read as follows:

"§34-23-90

(a) The Alabama State Board of Pharmacy is created and vested with the authority to carry out the purposes of and enforce this chapter.

(b) (1) Beginning January 1, 2026, the board shall consist of nine members who are residents of this state. Subject to subdivision (3), membership of the board shall be as follows:

a. One hospital pharmacist licensed by the board who is appointed by the Governor from a list of three names submitted by the Alabama Society of Health System Pharmacists.

b. One chain pharmacist licensed by the board who is appointed by the Governor from a list of three names submitted from the Alabama Pharmacy Association.



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c. One independent pharmacist licensed by the board who is appointed by the Lieutenant Governor from a list of three names submitted from the Alabama Pharmacy Association.

d. One specialty pharmacist, such as a nuclear, home infusion, compounding only, or consultant pharmacist, licensed by the board who is appointed by the Speaker of the House of Representatives from a list of three names submitted from the Alabama Pharmacy Association.

e. One institutional pharmacist, such as a non-hospital, nursing home, assisted living, or prison pharmacist, licensed by the board who is appointed by the President Pro Tempore of the Senate from a list of three names submitted from the Alabama Society of Health System Pharmacists.

f. One academic pharmacist licensed by the board who is appointed by the Lieutenant Governor from a list of four names, with two names each submitted from the two state pharmacy schools.

g. One at-large pharmacist licensed by the board appointed by the Speaker of the House of Representatives from a list of ~~three~~ four names, with two names each submitted ~~by the Alabama Pharmacy Association~~ from the two state pharmacy schools.

h. One registered pharmacy technician licensed by the board appointed by the President Pro Tempore of the Senate from a list of three names submitted from the Alabama Pharmacy Association.

i. One at-large consumer who is appointed by the



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Governor.

(2) The pharmacist members of the board shall be licensed pharmacists who have been licensed in this state for a minimum of five years and who are actively engaged in the practice of pharmacy or pharmacy administration, or both. The pharmacy technician member of the board shall be a nationally certified technician who has been registered in this state for a minimum of five years and who is actively engaged in the practice as a pharmacy technician.

(3) Any member serving on the board on January 1, 2026, shall continue to serve until his or her term expires, at which time the ~~Governor~~ respective appointing authority shall appoint a member who meets the requirements in subdivision (1). A member serving on the board on January 1, 2026, who meets the requirements of subdivision (1) may be reappointed to an additional term, provided the reappointment complies with subsection (d).

(4) The appointing authorities shall coordinate their appointments to assure that board membership is inclusive and reflects the racial, gender, geographic, urban, rural, and economic diversity of the state.

(5) For the four additional members of the board whose term begins January 1, 2026, the Governor shall set staggered terms of two years, three years, and four years, at his or her discretion, with all initial terms ending on December 31 of the respective terms. Following initial terms, each member of the board shall serve a term of five years beginning on January 1 following appointment and terminating on December 31



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of his or her fifth year as a member of the board.

(6) If an applicable nominating entity does not submit a list of nominees for a board position within 45 days after a vacancy occurs on the board, the applicable appointing authority shall appoint a qualified individual. Each appointing authority shall have 45 days within which to fill a vacancy.

(c) Any vacancies occurring on the board shall be filled by appointment by the respective appointing authority for the unexpired term.

(d) No member shall serve more than two full terms consecutively.

(e) (1) The Governor may remove a member of the board upon proven charges of inefficiency, incompetency, immorality, or professional misconduct. The replacement member shall be appointed by the respective appointing authority for the unexpired term.

(2) Appointees to the board, within 30 days after their appointment, shall take an oath or make affirmation before a properly qualified officer that he or she will faithfully and impartially perform the duties of his or her office. This oath or affirmation shall be filed with the Secretary of State.

(3) At its last regular meeting in each calendar year, the board shall elect for a term of one year, effective the following January 1, a president, a vice president, and a treasurer who shall be pharmacist members of the board. No member shall serve more than two years in the same office on the board during a five-year term.



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141 (4)a. Not later than November 1, 2025, the board shall  
142 appoint a secretary as executive officer to the board, to  
143 serve at the pleasure of the board. The individual appointed  
144 by the board may not have served in any capacity for the  
145 board, including as secretary, during the five years prior to  
146 his or her appointment. The secretary may not serve as a  
147 member of the board and may not be employed during his or her  
148 service by any person holding a license, permit, certificate,  
149 or registration issued by the board.

150 b. The board shall fix the secretary's salary."

151 Section 4. The Legislature concurs in the  
152 recommendations of the Sunset Committee as provided in  
153 Sections 1, 2, and 3.

154 Section 5. This act shall become effective June 1,  
155 2026.