

**SB250 INTRODUCED**



1 SB250  
2 DGXFGHN-1  
3 By Senators Barfoot, Sessions  
4 RFD: Finance and Taxation General Fund  
5 First Read: 03-Feb-26



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## 4 SYNOPSIS:

5 Under existing law, the Alabama Indian Affairs  
6 Commission has seven representatives from the seven  
7 recognized Indian tribes, bands, or groups in the  
8 state.

9 This bill would increase the number of tribes in  
10 the State of Alabama that are represented on the  
11 commission and recognize two additional tribes in the  
12 state.

13 Under existing law, the commission may seek and  
14 receive grants, funds, and other benefits from the  
15 federal government.

16 This bill would authorize the commission to also  
17 seek and receive appropriations and other funds from  
18 the state.

19 This bill would provide that the commission may  
20 not be compelled to provide certain tribal records to  
21 membership organizations.

22 This bill would provide for the salary of the  
23 executive director of the commission and set age and  
24 residency requirements for the executive director.

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

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A BILL

31 TO BE ENTITLED

## AN ACT

33

34 Relating to the Alabama Indian Affairs Commission; to  
35 amend Sections 41-9-708, 41-9-710, 41-9-713, and 41-9-714,  
36 Code of Alabama 1975, to increase the number of tribes  
37 represented on the Alabama Indian Affairs Commission; to  
38 recognize additional tribes in the state; to provide further  
39 for the powers and duties of the commission; to provide for  
40 the salary of the executive director of the commission; to  
41 provide requirements for the executive director of the  
42 commission; and to make nonsubstantive, technical revisions to  
43 update the existing code language to current style.

44 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

45                   Section 1. Sections 41-9-708, 41-9-710, 41-9-713, and  
46   41-9-714, Code of Alabama 1975, are amended to read as  
47   follows:

48 "§41-9-708

49 (a) ~~There is hereby created and established the~~The  
50 Alabama Indian Affairs Commission, hereinafter called the  
51 ~~commission, is created and established. which~~The commission  
52 shall be administered under the direction and supervision of  
53 the Joint Committee on Administrative Regulations, as provided  
54 by Section 41-22-22.

55 (b) (1) The commission shall be composed of at least 11  
56 members. All members of the commission must reside in Alabama.



57 Members shall include a member of the State Senate, appointed  
58 by the Lieutenant Governor ~~ri~~ and a member of the House of  
59 Representatives, appointed by the Speaker of the House of  
60 Representatives ~~ri~~ seven-nine Indian representatives from the  
61 seven-nine tribes, bands, or groups in the State of Alabama,  
62 appointed by the Governor; one Alabama resident, appointed by  
63 the commission; and one member ~~at large~~ at-large, appointed by  
64 the Governor.

65 (2) The Governor shall appoint seven-nine Indian members  
66 appointed by the Governor shall be appointed from  
67 recommendations submitted by each of the seven-nine Indian  
68 tribes, bands, or groups, principally geographically located  
69 as follows: The Poarch Band of Creeks ~~of Escambia County~~, one  
70 member; the Mowa Band of Choctaws of southwest Alabama, one  
71 member; the ~~Star Clan of Muscogee Creeks of Pike~~  
72 ~~County~~ Southeast Mvskoke Nation, one member; the Echota  
73 Cherokees of Alabama, one member; the Cherokees of northeast  
74 Alabama, one member; the ~~Cherokees of southeast~~  
75 ~~Alabama~~ Chero-Creek Intratribal Indians, one member; the Piqua  
76 Shawnee Tribe of Alabama, one member; the United Cherokee  
77 Ani-Yun-Wiya Nation, one member; and the Ma-Chis Lower Creek  
78 Indian Tribe of Alabama, one member. Each of the seven-nine  
79 identified groups shall have one member appointed to the  
80 commission.

81 (3) The commission shall appoint one Alabama resident  
82 appointed by the commission shall be, ~~who is~~ a member of a  
83 federally recognized Indian tribe, band, or group, ~~that is~~ and  
84 not a member of any tribe represented on this commission.



85                   (4) The ~~Governor shall appoint~~ one member ~~at~~  
86 ~~large~~at-large appointed by the Governor, ~~who~~ may be Indian or  
87 non-Indian~~+~~. ~~provided, however, However, that~~ the majority of  
88 the members of the commission shall always be Indian.

89                   (5) All above stated tribes, bands, and groups shall be  
90 state recognized upon passage of this article. The commission  
91 ~~shall have the power to~~may recognize additional Indian tribes,  
92 bands, or groups. The commission shall adopt appropriate  
93 procedure for ~~such~~the recognition process. Any recognized  
94 Indian tribe, band, or group shall be entitled to have one  
95 representative on the commission who shall be appointed by the  
96 Governor for an initial term of three years~~by the Governor~~  
97 and subject thereafter to the same requirements and privileges  
98 as ~~specified in subsections (b) and (c) and any other~~  
99 ~~applicable sections~~the members described in subdivision (2),  
100 and this. ~~Said~~ member shall be granted the same voting powers  
101 accorded other members.

102                   (c) The commission shall elect a ~~chairman~~chair of the  
103 commission from among its members. Members serving by virtue  
104 of their office within state government shall serve so long as  
105 they hold that office. The terms of office for all other  
106 members shall be for four years each, except for the initial  
107 appointments which shall be as follows: Four members for two  
108 years; two members for three years; and two members for four  
109 years. The initial term of office for ~~persons~~individuals who  
110 are granted membership upon the recognition of their tribe,  
111 band, or group by the commission shall be as provided in  
112 ~~subsection~~subdivision (b) (5). The initial term and all



113 subsequent terms of office of the member representing the  
114 Ma-Chis Lower Creek Indian Tribe of Alabama shall be four  
115 years. Each member shall serve until his or her successor is  
116 appointed. Members shall be eligible for reappointment. Upon  
117 the death, disability, resignation, removal, or refusal to  
118 serve of any member, the Governor shall appoint a qualified  
119 member of that tribe, band, or group to fill the unexpired  
120 term of office.

121 (d) The ~~chairman~~chair shall submit any written  
122 complaint of any tribal body that appoints members to the  
123 commission, or any written complaint of any other appointing  
124 authority that any ~~commissioner~~member is negligent in the  
125 performance of his or her commission duties to the Governor  
126 for review. After reviewing the complaint, if the Governor  
127 determines the ~~commission~~member has been negligent, the  
128 Governor may remove the ~~commissioner~~member from the commission  
129 and appoint a successor as provided in this section."

130 "§41-9-710

131 (a) ~~It shall be the duty of the commission to~~The  
132 commission shall:

133 (1) ~~study~~Study, consider, accumulate, compile,  
134 assemble, and disseminate information on any aspect of Indian  
135 affairs;

136 (2) ~~to investigate~~Investigate relief needs of Indians  
137 of Alabama and ~~to~~provide technical assistance in the  
138 preparation of plans for the alleviation of such needs;

139 (3) ~~to confer~~Confer with appropriate officials of  
140 local, state, and federal governments and agencies of those

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141 concerned with Indian affairs to encourage and implement  
142 coordination of applicable resources to meet the needs of  
143 Indians in Alabama;

144 (4) to cooperate~~Cooperate~~ with and secure the  
145 assistance of the local, state, and federal governments or any  
146 agencies thereof in formulating ~~any such~~ programs for Indians  
147 in Alabama; ~~and~~

148 (5) to coordinate~~Coordinate~~ ~~such~~ programs for Indians  
149 in Alabama with ~~any program~~ federal programs regarding Indian  
150 affairs ~~adopted or planned by the federal government to the~~  
151 ~~end so~~ that the ~~Alabama Indian Affairs Commission~~commission  
152 ~~secure~~secures the full benefit of ~~such the~~ programs;

153 (6) provided, however, that such commission is hereby  
154 ~~authorized to directly seek and receive from the federal~~  
155 ~~government any grants, funds or other benefits which may be~~  
156 ~~available for Indians; to review~~Review all proposed or pending  
157 legislation and amendments to existing state legislation  
158 affecting Indians in Alabama; and

159 (7) to conduct~~Conduct~~ public hearings on matters  
160 relating to Indian affairs.

161 (b) The commission may directly seek and receive from  
162 the federal or state government any appropriations, grants,  
163 funds, or other benefits which may be available for Indians.

164 (c) The commission shall not be compelled to provide  
165 any tribal roles, genealogy, or membership information of its  
166 recognized tribes to any membership organization."

167 "§41-9-713

168 The commission shall hire an executive director for the



169 commission. The commission shall fix the executive director's  
170 salary, and the salary shall be limited to the maximum step  
171 authorized for pay grade 84 of the personnel Merit System pay  
172 plan, as provided by the State Personnel Board under Section  
173 36-6-5. The executive director shall be at least 30 years of  
174 age and shall have been a citizen and resident of this state  
175 for at least five years prior to employment. ~~Such~~The executive  
176 director shall serve as secretary of the commission and as  
177 chief administrator and executive officer of the commission,  
178 having general charge of the work of the commission under its  
179 direction~~r.~~ ~~and~~The executive director shall hire ~~such~~other  
180 personnel as may be necessary in carrying out the provisions  
181 of this article. The executive director shall always serve at  
182 the discretion of the commission."

183                   Section 2. This act shall become effective on October  
184 1, 2026.