

SB320 INTRODUCED



1 SB320
2 4UV59IR-1
3 By Senators Coleman-Madison, Coleman, Stewart, Smitherman,
4 Sessions
5 RFD: Fiscal Responsibility and Economic Development
6 First Read: 24-Feb-26



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SYNOPSIS:

The Public Service Commission regulates certain utilities in the state. The commission is comprised of three members who are elected at-large.

This bill would increase the number of public service commissioners so that a commissioner is elected from each congressional district, starting in the November 2030 general election and every four years thereafter.

This bill would require the newly constituted commission to elect a president from among the commissioners.

This bill would require the commission to hold informational public meetings at least annually.

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 the Public Service Commission; to amend Sections 37-1-3 and 37-1-8, Code of Alabama 1975; to revise



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29 the number of public service commissioners and to provide that
30 each commissioner is elected from a respective congressional
31 district; to require the commission to hold certain periodic
32 public informational meetings with utility representatives; to
33 amend Sections 17-14-2, 17-14-3, and 36-3-1, Code of Alabama
34 1975, to make conforming changes; and to make nonsubstantive,
35 technical revisions to update the existing code language to
36 current style.

37 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

38 Section 1. Sections 37-1-3 and 37-1-8, Code of Alabama
39 1975, are amended to read as follows:

40 "§37-1-3

41 (a) (1) The terms of office of the commissioners shall
42 be for four years. ~~;~~ ~~at~~ At the election to be held in the state
43 on the first Tuesday after the first Monday in November, 1940,
44 and every four years thereafter until the general election
45 held in November 2028, a president of the commission shall be
46 elected by the qualified electors of this state. At the
47 general election held in November 2028, the president of the
48 commission shall be elected to serve a two-year term until
49 November 2030. ~~;~~ ~~and~~ ~~at~~ At the election to be held in the state
50 on the first Tuesday after the first Monday in November, 1942,
51 and every four years thereafter, until the general election
52 held in November 2030, two associates, who, with the
53 president, shall constitute the commission, shall be elected
54 by the qualified electors of the state.

55 (2) Effective for the general election held in November
56 2030, there shall be seven public service commissioners. Each



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57 commissioner shall serve a geographical district that shall be
58 identical with a corresponding congressional district as fixed
59 and established by Section 17-14-70, as may be amended. Each
60 candidate must reside in that district and must remain a
61 resident of his or her district for the full term.

62 (3) The result of such election shall be ascertained
63 and declared by the same authority and in the same manner as
64 are the results of election for Chief Justice and associate
65 justices of the Supreme Court.

66 (b) ~~(1) The persons elected to fill the offices shall~~
67 ~~enter upon the discharge of their respective duties on the day~~
68 ~~after the general election at which they are elected and~~
69 ~~expire on the day after the general election held in the~~
70 ~~fourth year after their election~~The term of office of
71 commissioners shall be for four years in accordance with
72 Section 36-3-1. A commissioner may not serve more than two
73 full terms.

74 (2) At the beginning of each term, starting with the
75 term elected in November 2030, the commissioners shall elect a
76 president from among the membership of commissioners.

77 (c) If any vacancy ~~should occur~~occurs in any one of the
78 offices, caused by death, resignation, relocating outside of
79 his or her congressional district, or otherwise, the ~~same~~
80 office shall be filled by appointment by the Governor, ~~the~~
81 ~~appointee holding for the balance~~to serve for the remainder
82 of the unexpired term. If any ~~person~~individual elected to the
83 office of public service commissioner ~~shall fail or refuse~~
84 fails or refuses for 30 days to qualify, ~~such~~the failure or



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85 refusal shall be ~~held to create~~ deemed a vacancy in the
86 office, ~~which vacancy shall be filled by appointment by the~~
87 ~~Governor, the appointee to hold for the term for which the~~
88 ~~person so failing or refusing to qualify was elected.~~

89 (d) The provisions of this section shall not diminish
90 the ~~current~~ term of any member elected to the Public Service
91 Commission before the effective date of this act."

92 "§37-1-8

93 (a) The commissioners shall have an office at
94 Montgomery, Alabama, and shall meet there a minimum of once a
95 month, with the public information officer giving notice of
96 the monthly meeting at least one week prior to the meeting,
97 and shall remain in session until all business before them is
98 disposed of; and they shall hold other meetings at such times
99 and places as may be necessary for the proper discharge of
100 their duty, or as the convenience of parties in the judgment
101 of the commission may require. They shall keep a record of all
102 their proceedings, which shall be open at all times to the
103 inspection of the public.

104 (b) The commissioners and staff of the commission shall
105 convene at least one public meeting per calendar year with
106 utility representatives to provide information to the public
107 on cost trends, reliability, resilience, general
108 infrastructure investment plans, competitiveness with peer
109 states, economic development impacts, national trends in
110 energy production, and other regulatory issues the commission
111 deems relevant. The public meetings shall be conducted in a
112 manner that facilitates public participation, addresses



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113 concerns voiced by the public, and provides a review of key
114 issues that the commission believes will be helpful to the
115 public in understanding issues that impact services under its
116 jurisdiction."

117 Section 2. Sections 17-4-2, 17-4-3, and 36-1-1, Code of
118 Alabama 1975, are amended to make conforming changes to read
119 as follows:

120 "§17-14-2

121 General elections throughout the state shall be held
122 for Governor, Lieutenant Governor, Attorney General, Auditor,
123 Secretary of State, Treasurer, Commissioner of Agriculture and
124 Industries, ~~three~~ public service commissioners from each
125 congressional district, ~~no two of whom shall be elected from~~
126 ~~the same congressional district~~, Chief Justice and associate
127 justices of the Supreme Court, judges of the courts of
128 appeals, electors for President and Vice President of the
129 United States, United States senators, and such other officers
130 as may be required by law to be elected by the voters of the
131 entire state; for a member of Congress in each congressional
132 district; judges of the circuit court in each judicial
133 circuit; judges of the district courts in each district;
134 district attorneys in each judicial circuit; a senator in each
135 senatorial district; a representative in the Legislature in
136 each house district; a judge of the probate court, sheriff,
137 clerks of the circuit courts, tax assessor, tax collector, a
138 county treasurer in counties of more than 56,000 population,
139 as provided by law, coroner, and members of the county
140 commission in each county, and constables in each precinct of



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141 the county."

142 "§17-14-3

143 The Governor, Lieutenant Governor, Attorney General,
144 Auditor, Secretary of State, Treasurer, Commissioner of
145 Agriculture and Industries, senators and representatives in
146 the Legislature, a sheriff in each county, one coroner in all
147 counties having a coroner, and other officers not otherwise
148 provided for, shall be elected on the first Tuesday after the
149 first Monday in November 2006, and every fourth year
150 thereafter. ~~A president of the Public Service Commission shall~~
151 ~~be elected on the first Tuesday after the first Monday in~~
152 ~~November 2008, and every fourth year thereafter. Two associate~~
153 ~~public service commissioners shall be elected on the first~~
154 ~~Tuesday after the first Monday in November 2006, and every~~
155 ~~fourth year thereafter. All public service commissioners shall~~
156 ~~be elected on the first Tuesday after the first Monday in~~
157 ~~2030, and every fourth year thereafter."~~

158 "§36-3-1

159 The Governor, Lieutenant Governor, Attorney General,
160 Auditor, Secretary of State, Treasurer, Commissioner of
161 Agriculture and Industries, ~~the President of the Public~~
162 ~~Service Commission and two associate~~ and public service
163 commissioners shall hold their respective offices for the term
164 of four years from the time of their installation in office
165 and until their successors shall be elected and qualified,
166 such installation to take place on the first Monday after the
167 second Tuesday in January next after their election."

168 Section 3. Section 1 of this act shall become effective



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169 on October 1, 2026, and Section 2 of this act shall become
170 effective October 1, 2029.