

SB375 INTRODUCED



1 SB375
2 QN66251-1
3 By Senators Coleman-Madison, Waggoner, Smitherman (N & P)
4 RFD: Jefferson County Legislation
5 First Read: 19-Mar-26



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SYNOPSIS:

This bill would authorize the city council of a Class 1 municipality to set the salary of the mayor.

This bill would increase the expense allowance of the mayor of a Class 1 municipality to \$10,000 per month.

This bill would also repeal Act 84-618 of the 1984 Regular Session (Acts 1984, p. 1256) and Sections 11-43-86.1 and 45-37A-52.93, Code of Alabama 1975, providing for the compensation of the Mayor of Birmingham.

A BILL
TO BE ENTITLED
AN ACT

Relating to Class 1 municipalities; to authorize the city council to set the salary of the mayor; to amend Sections 11-43-80 and 11-43-86, Code of Alabama 1975, to further provide for the mayor's compensation; to make conforming changes; and to repeal Act 84-618 of the 1984 Regular Session (Acts 1984, p. 1256), providing for an expense allowance for the mayor of a Class 1 municipality; Section 11-43-86.1, Code of Alabama 1975, providing for an increase in the salary of



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29 the mayor in a Class 1 municipality; and Section 45-37A-52.93,
30 Code of Alabama 1975, providing for the salary of the Mayor of
31 Birmingham.

32 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

33 Section 1. (a) The annual salary of the mayor of a
34 Class 1 municipality for the duration of his or her term shall
35 be set by the city council in an amount that is no less than
36 two hundred twenty thousand dollars (\$220,000) per year. The
37 salary of the mayor shall not increase or decrease during his
38 or her term.

39 (b) The mayor shall receive the annual salary payable
40 in monthly installments at the end of each month, the
41 installments to be paid at the same rate for any portion of
42 the month during which the mayor holds the office at the rate
43 provided in subsection (a).

44 (c) The salary provided in subsection (a) shall
45 supersede any other salary provided by law.

46 Section 2. Sections 11-43-80 and 11-43-86, Code of
47 Alabama 1975, are amended to read as follows:

48 "§11-43-80

49 (a) The mayor shall have the powers and perform the
50 duties provided by this title and by other applicable
51 provisions of law and shall keep an office in the city or
52 town.

53 (b) ~~The~~ Except in any Class 1 municipality, the mayor
54 shall receive such salary as the council may prescribe, which
55 must be fixed by the council not less than six months prior to
56 each general municipal election; provided, ~~however,~~ the



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57 six-month requirement in this section may be waived when
58 necessary to comply with a mandate by the U.S. Justice
59 Department pursuant to the Voting Rights Act of 1965, as
60 amended, or with an order issued by a state or federal court.

61 (c) In municipalities ~~which~~ that own and operate light
62 and power systems, municipal water systems, municipal sewage
63 systems, and municipal gas systems, one or any of them, ~~may~~,
64 by resolution of the governing body duly entered in its
65 minutes, may require the mayor to act as superintendent of
66 such system or systems and to give so much of his or her time
67 thereof as the governing body may direct. In any municipality
68 in which a municipal board or municipal public corporation
69 owns and operates a municipal light and power system,
70 municipal water system, municipal sewage system, ~~and~~ or
71 municipal gas system, one or any of them, ~~such~~ the board or
72 municipal public corporation ~~may~~, by resolution duly entered
73 in its minutes, may employ the mayor to act as superintendent
74 of ~~such~~ the system or systems and ~~to~~ give so much of his or
75 her time thereto as ~~such~~ the board or corporation may direct.
76 The mayor, as ~~such~~ the superintendent of such system or
77 systems, shall serve as purchasing agent and make all
78 purchases authorized by the governing body, board, or
79 municipal public corporation ~~therefor~~, and shall keep a check
80 on meter readings and bids for service of the system and see
81 that ~~the~~ appropriate collections ~~thereof~~ are made. He or she
82 shall see that the system or systems are kept in proper repair
83 and operation, shall keep an inventory showing the supplies
84 and equipment on hand for such system or systems, shall keep a



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85 full and complete monthly financial statement of all operation
86 costs and receipts ~~and~~, shall keep a proper inventory of the
87 fiscal assets of such system or systems, and shall handle all
88 ~~such~~ data and information relative to such system or systems
89 available for the governing body, board, or municipal public
90 corporation at such times as it shall require, but not less
91 frequently than once every three months. For his or her
92 service as superintendent of such system or systems, the mayor
93 shall be paid, in addition to his or her salary as mayor, ~~such~~
94 the sum as the governing body, board, or municipal corporation
95 shall deem reasonable. The governing body, board, or municipal
96 corporation ~~may~~, at any time it deems best, may dispense with
97 the mayor's service as superintendent.

98 (d) The provisions of this section shall be curative
99 and retroactive, and any employment of any mayor as
100 superintendent of any ~~such~~ utility or utilities heretofore
101 made by any such governing body, board, or municipal public
102 corporation, and any ~~such~~ salary heretofore paid to any mayor
103 by any such governing body, board, or municipal corporation
104 for his or her services as superintendent of ~~such~~ the system
105 or systems, is hereby validated."

106 "§11-43-86

107 (a) The mayor or other chief executive officer of any
108 Class 1 city shall be paid, in addition to the compensation
109 provided by law for the office, the additional sum of
110 ~~\$1,833.33~~ ten thousand dollars (\$10,000) per month, payable in
111 advance on the first day of each month as an allowance for
112 expenses incident to the office of mayor, for which the mayor



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113 shall not be required to file an accounting.

114 (b) All other provisions of law notwithstanding, the
115 mayor may elect in writing to have the expense allowances
116 authorized by subsection (a) and by ~~subsection (a) of~~ Section
117 11-43-7.1 (a) treated as subject to withholding of any employee
118 contribution required to be paid into the trust fund provided
119 under any pension or retirement system in which the mayor is
120 eligible to participate. ~~The mayor may also elect in writing~~
121 ~~within 90 days of October 9, 1992, to pay into the pension or~~
122 ~~retirement system trust fund the required contribution on any~~
123 ~~expense allowance previously received under this section prior~~
124 ~~to October 9, 1992, during all or any portion of the~~
125 ~~three-year period prior to the mayor's payment election,~~
126 ~~together with interest at the rate of eight percent per annum~~
127 ~~thereon computed from the date of receipt of the allowance to~~
128 ~~the date of payment.~~ If either or both of the elections
129 election is made by the mayor, the expense allowances on which
130 ~~employee contributions are paid into retirement plan trust~~
131 ~~fund~~ allowance shall be considered together with all salaries
132 received by the mayor, from which the required employee
133 contribution was likewise withheld and paid into the
134 retirement trust fund, to determine the amount of any
135 retirement benefits or allowances to which the mayor may be
136 entitled to receive as provided under the pension system upon
137 retirement under the terms of the system.

138 (c) The mayor or other chief executive officer of any
139 city shall attend as the official representative of the city
140 meetings and conferences in the city to which he or she is



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141 invited and which will, l in the opinion of such mayor or chief
142 executive officer, l result in the advertisement of the city or
143 any function or undertaking of the city. The mayor or chief
144 executive officer shall be the sole judge of the conferences
145 or meetings he or she should attend.

146 (d) This section shall not be construed so as to
147 prevent any mayor or other chief executive officer from being
148 reimbursed for actual expenses incurred on or in connection
149 with a trip on city business beyond the corporate limits of
150 the city. However, reimbursements under this subsection shall
151 not accrue against the amounts authorized in subsection (b),
152 nor shall reimbursements of actual expenses incurred beyond
153 the corporate limits of the city be eligible for pension
154 system withholding or be considered in determining pension or
155 retirement benefits or allowances."

156 Section 3. The following are repealed:

157 (1) Act 84-618 of the 1984 Regular Session (Acts 1984,
158 p. 1256), providing for an expense allowance for the mayor of
159 a Class 1 municipality.

160 (2) Section 11-42-86.1, Code of Alabama 1975, providing
161 for an increase in the salary of the mayor in a Class 1
162 municipality.

163 (3) Section 45-37A-52.93, Code of Alabama 1975,
164 providing for the salary of the Mayor of Birmingham.

165 Section 4. This act shall become effective immediately.