

SB93 ENROLLED



1 SB93
2 ZQP1FKK-3
3 By Senator Melson
4 RFD: County and Municipal Government
5 First Read: 13-Jan-26



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1 Enrolled, An Act,

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4 Relating to municipalities; to amend Section 11-43-2,
5 Code of Alabama 1975; to further provide for legislative
6 functions of a mayor in certain municipalities.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 11-43-2, Code of Alabama 1975, is
9 amended to read as follows:

10 "§11-43-2

11 (a) (1) Except as provided in subsection (c) and
12 subdivision (2), in all cities and towns at the general
13 election to be held at the time provided by law, and
14 quadrennially thereafter, there shall be elected a mayor, who,
15 in cities having a population of 12,000 or more according to
16 the last or any subsequent federal census, shall not sit with
17 the council nor have a vote in its proceedings, and he or she
18 shall have the power and duties conferred in this chapter.

19 (2) In all cities and towns with an even number of
20 council seats, the mayor may vote as a member of the council
21 in the case of any tie vote of the council, provided that the
22 local governing body has adopted a resolution authorizing the
23 mayor to act as such.

24 (b) In all cities and towns having a population of less
25 than 12,000 inhabitants according to the last or any
26 subsequent federal census, the legislative functions shall be
27 exercised by the mayor and five aldermen. The mayor shall
28 preside over all deliberations of the council. At his or her



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29 discretion, ~~he or she~~ the mayor may vote as a member of the
30 council on any question coming to a vote, except in case of a
31 tie, in which event he or she must vote.

32 (c) (1) Notwithstanding subsection (a), cities and towns
33 having a population of 12,000 or more inhabitants, but less
34 than 25,000 inhabitants, according to the most recent federal
35 decennial census, by ordinance adopted by a majority vote of
36 the council at least six months prior to the next general
37 municipal election, may elect to operate pursuant to
38 subsection (b) as it relates to the exercise of the
39 legislative functions of the mayor until the population of the
40 city or town is 25,000 inhabitants or more according to the
41 most recent federal decennial census.

42 (2) Any city or town having a population of 12,000 or
43 more inhabitants, but less than 25,000 inhabitants according
44 to the most recent federal decennial census, which has elected
45 to operate under subsection (b) by ordinance adopted by a
46 majority vote of the council at least six months prior to the
47 next general election, may elect to operate under subsection
48 (a).

49 (d) The aldermen in the cities or towns shall be
50 elected by the city or town at large at the general election
51 held at the time provided by law, and quadrennially
52 thereafter, or from wards as the councils may determine, not
53 less than six months before an election, and shall receive
54 such salary as the council may prescribe, which must be fixed
55 by the council not less than six months prior to each general
56 municipal election.



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

62 Section 2. This act shall become effective on October
63 1, 2026.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB93
Senate 21-Jan-26
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Passed: 09-Apr-26

By: Senator Melson