

1 HB827
2 119596-1
3 By Representative Gordon
4 RFD: Education Policy
5 First Read: 13-APR-10

2
3
4
5
6
7
8 SYNOPSIS: Under existing law, an individual member of
9 a local board of education may not be held liable
10 for the misappropriation of local board of
11 education funds absent malicious intent.

12 This bill would allow a local superintendent
13 of education and a member of a local board of
14 education to be held personally liable for the
15 mismanagement of local board of education funds.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT

20
21 To amend Section 16-13A-11, Code of Alabama 1975,
22 relating to local board of education fiscal accountability; to
23 provide that a local superintendent of education or member of
24 a local board of education may be held personally liable for
25 the mismanagement of board funds.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 16-13A-11 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§16-13A-11.

4 "No individual member of a local board of education
5 shall be held financially liable for misappropriation of funds
6 of the local board of education unless the individual acts
7 willfully, maliciously, fraudulently, in bad faith beyond his
8 or her authority, or pursuant to a mistaken interpretation of
9 the law. The local superintendent of education and each
10 individual member of the local board of education may be held
11 personally liable for the mismanagement of funds of the local
12 board of education."

13 Section 2. This act shall become effective
14 immediately following its passage and approval by the
15 Governor, or its otherwise becoming law.