

1 HB196
2 215385-6
3 By Representatives Clouse and Sorrells (Constitutional
4 Amendment)
5 RFD: Local Legislation
6 First Read: 01-FEB-22

SYNOPSIS: Under existing general law, a local health care authority determines procedures for appointing board members through its articles of incorporation. The Houston County Health Care Authority is a duly constituted local health care authority created pursuant to general law.

This bill proposes a local constitutional amendment, related to Houston County, to authorize the County Commission of Houston County to appoint members to the board of the Houston County Health Care Authority.

A BILL
TO BE ENTITLED
AN ACT

Relating to Houston County; to propose an amendment to the Constitution of Alabama of 1901, to authorize the County Commission of Houston County to appoint members to the Houston County Health Care Authority Board of Directors.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. The following amendment to the
3 Constitution of Alabama of 1901, is proposed and shall become
4 valid as a part of the Constitution when all requirements of
5 this act are fulfilled:

6 PROPOSED AMENDMENT

7 (a) On and after the ratification of this amendment,
8 for any existing vacancy and as vacancies occur, the Public
9 Directors of the Board of the Houston County Health Care
10 Authority, or any successor health care authority in Houston
11 County established or reincorporated pursuant to Article 11 of
12 Chapter 21 of Title 22, Code of Alabama 1975, who are
13 appointed by the Houston County Commission shall be
14 individuals appointed by the county commission at its
15 discretion and without regard to any individuals nominated by
16 the board. Any member appointed shall be of good moral
17 character and shall have never been convicted of a felony or
18 other offense involving moral turpitude.

19 (b) The board shall amend the governing documents of
20 the authority to reflect the requirements of this amendment.

21 Upon ratification of this constitutional amendment
22 and contingent upon the ratification of the Constitution of
23 Alabama of 2022, the Code Commissioner shall number and place
24 this amendment as appropriate in the constitution based upon a
25 logical sequence and the particular subject or topic of the
26 amendment. In this amendment, the Code Commissioner may change
27 capitalization, spelling, and punctuation for the purpose of

1 style and uniformity; correct manifest grammatical, clerical,
2 and typographical errors; and correct incorrect
3 cross-references. When publishing the Constitution of Alabama
4 of 2022, as amended, the Code Commissioner may omit this
5 instructional paragraph.

6 Section 2. An election upon the proposed amendment
7 shall be held in accordance with Section 284.01 of the
8 Constitution of Alabama of 1901, now appearing as Section
9 284.01 of the Official Recompilation of the Constitution of
10 Alabama of 1901, as amended, and the election laws of this
11 state.

12 Section 3. The appropriate election official shall
13 assign a ballot number for the proposed constitutional
14 amendment on the election ballot and shall set forth the
15 following description of the substance or subject matter of
16 the proposed constitutional amendment:

17 "Relating to Houston County, proposing an amendment
18 to the Constitution of Alabama of 1901, to authorize the
19 Houston County Commission to appoint members to the Board of
20 Directors of the Houston County Health Care Authority at its
21 discretion and without nominations or directives made by the
22 members of the board. This amendment only pertains to Houston
23 County. All other health care authorities in the state will
24 remain the same.

25 "Proposed by Act _____"

26 This description shall be followed by the following
27 language:

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"Yes () No ()."