

SB45 ENGROSSED



1 EQHP2C-2
2 By Senator Barfoot
3 RFD: Finance and Taxation General Fund
4 First Read: 07-Mar-23
5



SB45 Engrossed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

A BILL
TO BE ENTITLED
AN ACT

Relating to boards of registrars; to amend Sections 17-3-2 and 17-3-5, Code of Alabama 1975, to increase the salary of each board of registrar; to provide that a county may allow any member of the county board of registrars to participate in any health insurance program provided by the county; to further provide for the employment status of members of the boards of registrars and for regular hours of operation for the boards of registrars; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 17-3-2 and 17-3-5, Code of Alabama 1975, are amended to read as follows:

"§17-3-2

(a) Registration shall be conducted in each county by a board of three reputable and suitable persons to be appointed, unless otherwise provided by law, by the Governor, Auditor, and Commissioner of Agriculture and Industries, or by a majority of them acting as a state board of appointment. The registrars shall be qualified electors, residents of the



SB45 Engrossed

29 county, shall have a high school diploma or equivalent, and
30 possess the minimum computer and map reading skills necessary
31 to function in the office. The Secretary of State shall
32 prescribe guidelines to assist the state board of appointment
33 in determining the qualifications of registrars. The
34 registrars shall not hold an elective office during their
35 term. One of the members shall be designated by the state
36 board of appointment as chair of the board of registrars for
37 each county. The Governor, Auditor, and Commissioner of
38 Agriculture and Industries, or a majority of them acting as a
39 state board of appointment shall work to ensure that
40 membership of each board of registrars is reflective of the
41 gender and racial makeup of the state. The Governor, Auditor,
42 and Commissioner of Agriculture and Industries, or a majority
43 of them acting as a state board of appointment shall work to
44 ensure that membership of each board of registrars is
45 reflective of the gender and racial makeup of the state.

46 (b) Notwithstanding the provisions of subsection (a),
47 the Legislature may provide by local law for the appointment
48 of additional members to the board of registrars for a county
49 that has two courthouses.

50 (c) The provisions of this section shall not apply in
51 any county having a population of not less than 600,000
52 inhabitants according to the 1970 or any succeeding federal
53 decennial census, and any currently effective local law or
54 general law of local application providing for the appointment
55 of any member of the board of registrars in the county shall
56 remain in full force and effect and shall not be repealed by



SB45 Engrossed

57 operation of this chapter."

58 "§17-3-5

59 (a) Each registrar shall receive a salary in the amount
60 of ~~eightyone~~ one hundred dollars ~~+\$80~~ (\$100) per day for each
61 day's attendance upon business of the board, to be paid by the
62 state and disbursed to the county commissions and disbursed by
63 the county commissions to each registrar on order of a quorum
64 of the board of registrars of the county. The state
65 Comptroller shall issue to each county commission on a monthly
66 basis an amount sufficient to fund these payments plus the
67 employer share of the Social Security or Federal Insurance
68 Corporation Act tax. The county commission will provide to the
69 state Comptroller an invoice itemized to reflect payments
70 made. If a legal holiday falls on a day the board is to be in
71 session, and the courthouse of the county is closed for the
72 holiday, the board of registrars shall be compensated for the
73 holiday. Each registrar shall receive a mileage allowance
74 equal to the amount allowed state employees or employees of
75 the county, whichever is greater, for official travel in the
76 course of attending the business of the board, including
77 attending continuing education programs. Travel and other
78 expenses shall be paid by the county commissions to the boards
79 of registrars, and the state shall reimburse the county
80 commissions based on a written request submitted by the county
81 commissions to the state Comptroller.

82 (b) The provisions of this section regarding travel
83 mileage shall not apply in any county having a population of
84 600,000 or more inhabitants according to the 1970 or any



SB45 Engrossed

85 succeeding federal decennial census, and any currently
86 effective local law or general law of local application
87 regarding travel mileage for registrars in the county shall
88 remain in full force and effect and shall not be repealed by
89 operation of this chapter.

90 (c) Members of the boards of registrars of this state
91 are ~~hereby~~ declared to be state employees for the purposes of
92 Chapter 28 of Title 36.

93 (d) Members of the boards of registrars of this state
94 shall be treated as equals with other state and county
95 employees in regard to Social Security protection and
96 benefits.

97 (e) All payments by a county to any member of a county
98 board of registrars ~~(except for mileage or reimbursement for~~
99 ~~expenses)~~, except for mileage or reimbursement for expenses,
100 shall be treated for Social Security purposes equally with
101 payments by that county to other county employees of the
102 county.

103 (f) The state office for Social Security and the state
104 Comptroller and each county commission ~~are directed to~~ shall
105 take all necessary action to ~~insure~~ ensure that members of the
106 boards of registrars of this state are treated as other state
107 and county employees in regard to Social Security protection
108 and benefits as provided in Chapter 28 of Title 36, including,
109 if necessary, amending the federal-state agreement referred to
110 in Chapter 28 of Title 36, to implement the intent of the
111 Legislature as expressed herein.

112 (g) No county commission may reduce the current county



SB45 Engrossed

113 supplement upon the effect of this section by implementation
114 of Act 94-693.

115 (h) A county ~~commission~~ may allow the chair or any
116 member of the county board of registrars ~~who has served at~~
117 ~~least 16 years in that position~~ to participate in any health
118 insurance program provided by the county upon the same terms,
119 conditions, and employee contribution as required for county
120 employees.

121 This subsection shall not apply to any health insurance
122 plans administered by the State of Alabama as described in
123 Title 36, Chapter 29 and Title 11, Chapter 91A.

124 (i) Members of the boards of registrars are not county
125 or state employees and no member of the board of registrars
126 shall be considered a county or state employee.

127 (j) On working days, the board of registrars shall do
128 both of the following:

129 (1) Be open the same hours as the courthouse of the
130 county, or alternatively, established regular hours and make
131 those hours available to the public.

132 (2) Have a registrar present during those hours."

133 Section 2. This act shall become effective on the first
134 day of the third month following its passage and approval by
135 the Governor, or its otherwise becoming law.



SB45 Engrossed

136
137
138 Senate

139 Read for the first time and referred07-Mar-23
140 to the Senate committee on Finance
141 and Taxation General Fund
142
143 Read for the second time and placed21-Mar-23
144 on the calendar:
145 0 amendments
146
147 Read for the third time and passed04-Apr-23
148 as amended
149 Yeas 28
150 Nays 1
151 Abstains 1
152
153

Patrick Harris,
Secretary.

154
155
156