

1 HB439  
2 189472-1  
3 By Representatives Lee, Clouse, Grimsley and Chesteen (N & P)  
4 RFD: Local Legislation  
5 First Read: 22-FEB-18

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8 SYNOPSIS: Under existing law, a municipal housing  
9 authority consists of five members appointed by the  
10 mayor.

11 This bill would provide that a Class 5  
12 municipality having the mayor/commission/city  
13 manager form of government would have a municipal  
14 housing authority comprised of seven members.

15  
16 A BILL  
17 TO BE ENTITLED  
18 AN ACT

19  
20 Relating to municipal housing authorities; to amend  
21 Section 24-1-24, Code of Alabama 1975, to provide that a Class  
22 5 municipality having the mayor/commission/city manager form  
23 of government organized under Chapter 44E of Title 11, Code of  
24 Alabama 1975, would have a municipal housing authority  
25 comprised of seven members.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 24-1-24, Code of Alabama 1975, is  
2 amended to read as follows:

3           "§24-1-24.

4           "(a) ~~An~~ Except as provided in subsection (b), an  
5 authority shall consist of five commissioners appointed by the  
6 mayor, who shall designate the first ~~chairman~~ chair. None of  
7 the commissioners may be city officials. The commissioners who  
8 are first appointed shall be designated by the mayor to serve  
9 for terms of one, two, three, four, and five years,  
10 respectively, from the date of their appointment. Thereafter,  
11 the term of office shall be five years. A commissioner shall  
12 hold office until his or her successor has been appointed and  
13 has qualified. Vacancies shall be filled for the unexpired  
14 term. Three commissioners shall constitute a quorum. The mayor  
15 shall file with the city clerk a certificate of the  
16 appointment or reappointment of any commissioner and such  
17 certificate shall be conclusive evidence of the due and proper  
18 appointment of such commissioner. A commissioner shall receive  
19 no compensation for his or her services but he or she shall be  
20 entitled to the necessary expenses including traveling  
21 expenses incurred in the discharge of his duties. However,  
22 commissioners serving on the authority board located in any  
23 Class 7 municipality, as defined in Section 11-40-12, may  
24 receive such compensation as set by the council. This  
25 compensation is not mandatory and the amount and whether or  
26 not such compensation is to be paid is within the discretion  
27 of the council. The authority may, in its discretion, refuse

1 to pay any compensation authorized by the council in such  
2 Class 7 municipalities. When the office of the first ~~chairman~~  
3 chair of the authority becomes vacant, the authority shall  
4 select a ~~chairman~~ chair from among its members. An authority  
5 shall select from among its members a ~~vice-chairman~~  
6 vice-chair, and it may employ a secretary, who shall be  
7 executive director, technical experts, attorneys and such  
8 other officers, agents, and employees, permanent and  
9 temporary, as it may require and shall determine their  
10 qualifications, duties and compensation. An authority may  
11 delegate to one or more of its agents or employees such power  
12 or duties as it may deem proper.

13 "(b) Notwithstanding subsection (a), a housing  
14 authority of a Class 5 municipality having the  
15 mayor/commission/city manager form of government organized  
16 under Chapter 44E of Title 11, shall consist of seven members  
17 appointed by the mayor. The terms of office of the two  
18 additional members shall be staggered with one member  
19 appointed for five years. Thereafter, the term of all members  
20 shall be five years. Four members shall constitute a quorum."

21 Section 2. This act shall become effective  
22 immediately following its passage and approval by the  
23 Governor, or its otherwise becoming law.