

1 SB148
2 195770-2
3 By Senator Waggoner
4 RFD: Judiciary
5 First Read: 20-MAR-19

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8 SYNOPSIS: Under existing law, appeals from orders of
9 the State Board of Pharmacy may be filed in the
10 circuit court where the party aggrieved resides.
11 Appeals are otherwise governed by the judicial
12 review provisions of the Alabama Administrative
13 Procedure Act (AAPA). Appeals under the AAPA may be
14 filed in the Circuit Court of Montgomery County or
15 in the circuit court of the county in which the
16 agency maintains its headquarters, or unless
17 otherwise specifically provided by statute, in the
18 circuit court of the county where a party resides.

19 This bill would authorize an appeal from
20 orders of the State Board of Pharmacy to be filed
21 in the county where the board maintains its
22 headquarters.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To amend Section 34-23-94 of the Code of Alabama
2 1975, relating to judicial review of orders of the State Board
3 of Pharmacy; to authorize appeals of orders of the board to be
4 filed in the county where the board maintains its
5 headquarters.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 34-23-94 of the Code of Alabama
8 1975, is amended to read as follows:

9 "§34-23-94.

10 "From any order of the board, any party affected
11 thereby may appeal ~~such~~ the ruling to the circuit court of the
12 county where the party aggrieved resides or where the board
13 maintains its headquarters. The notice of appeal shall be
14 filed within 30 days from the receipt of ~~such~~ the order or
15 ruling. Appeals shall otherwise be governed by the judicial
16 review provisions of the Alabama Administrative Procedure
17 Act."

18 Section 2. All laws or parts of laws which conflict
19 with this act are repealed.

20 Section 3. This act shall become effective
21 immediately following its passage and approval by the
22 Governor, or its otherwise becoming law.