

1 HB215  
2 209253-1  
3 By Representatives Reynolds, Simpson, Brown (C), Marques,  
4 Stringer, Moore (P), Bedsole, Lipscomb, Whitt, Kitchens,  
5 Robertson, Dismukes, Collins, Pettus, Wilcox, Smith, Ingram,  
6 Stadthagen, Ball, Sells and Estes  
7 RFD: County and Municipal Government  
8 First Read: 02-FEB-21  
9 PFD: 01/29/2021

SYNOPSIS: Under existing law, the term of office of the sheriff commences on the first Monday after the second Tuesday in January next following election.

This bill would provide that the term of office of the sheriff would commence on the third Wednesday following election.

This bill would also make technical revisions to provisions relating to the term of county commissioners.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to sheriffs; to amend Section 36-3-4 of the Code of Alabama 1975, relating to the term of office of certain county elected officers; to further provide for the term of office of the sheriff effective beginning the next term of office; and to make certain technical revisions to the provisions in this section.

1 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

2 Section 1. Section 36-3-4 of the Code of Alabama  
3 1975, is amended to read as follows:

4 "§36-3-4.

5 "(a) The sheriff, for the term of office of a  
6 sheriff serving on the effective date of the act adding this  
7 language; one coroner~~;~~ ~~members of county commissions;~~ one  
8 county treasurer, when elective~~;~~ and one constable for each  
9 election precinct, except when the office of constable has  
10 been abolished, shall hold their respective offices for the  
11 term of four years from the first Monday after the second  
12 Tuesday of January next after their election and until their  
13 successors are elected and qualified, except as provided in  
14 ~~subsection~~ subsections (b) and (c) hereof.

15 "~~(b) Beginning with the next term of office for each~~  
16 ~~county commissioner, such term shall expire six days next~~  
17 ~~following the day of the general election at which the~~  
18 ~~successor to that office is elected. Thereafter each such~~  
19 ~~county commissioner shall hold his respective office from~~  
20 ~~12:01 A.M. of the seventh day next following his election and~~  
21 ~~until his successor is elected and qualified. Each county~~  
22 commissioner shall serve a term as provided for in Section  
23 11-3-1.

24 "(c) Beginning with the next term of office for each  
25 sheriff, the term of the sheriff shall expire fourteen days  
26 after the day of the general election at which the successor  
27 to that office is elected. Thereafter, each sheriff shall hold

1 his or her respective office from 12:01 a.m. of the fifteenth  
2 day after election and until his or her successor is elected  
3 and qualified."

4           Section 2. This act shall become effective  
5 immediately following its passage and approval by the  
6 Governor, or its otherwise becoming law.