

1 HB256
2 127550-3
3 By Representatives Ison, Barton, Gaston, Fincher, Buskey,
4 Kennedy and Davis (N & P)
5 RFD: Mobile County Legislation
6 First Read: 09-FEB-12

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ENROLLED, An Act,

Relating to Class 2 municipalities; to amend Section 11-44C-22, Code of Alabama 1975, to provide further for the setting of the date for special elections to fill certain vacancies on the council.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply only in Class 2 municipalities.

Section 2. Section 11-44C-22 of the Code of Alabama 1975, is amended to read as follows:

"§11-44C-22.

"Vacancies of any nature in the council, other than those occurring less than one year prior to the date of the next regular council election, shall be filled by special elections to be held for that purpose, the dates of which shall be set by the council at the next regular meeting or any subsequent meeting of the council after such vacancy occurs, such dates to be set no later than 120 nor less than 60 days after the occurrence of such vacancies. Such elections shall be held in the same manner and subject to the same procedures as regular council elections and the person so elected shall hold office for the remainder of the unexpired term. ~~Such election shall be held in conjunction with a general, special or constitutional election, if any falls within the period~~

1 ~~herein specified; otherwise a~~ A special election shall be
2 called by the mayor on the date set by the council and shall
3 be held in accordance with the provisions of this chapter and
4 the general laws applicable to such city.

5 "If a vacancy occurs after reapportionment has
6 changed the district boundaries, l but before the new districts
7 take effect, the old district boundaries will remain in effect
8 for filling that vacancy.

9 "Vacancies where less than one year remains of the
10 unexpired term shall be filled by appointment by the mayor
11 with confirmation by the council."

12 Section 3. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.

