

1 HB482  
2 198772-4  
3 By Representative Alexander (N & P)  
4 RFD: Local Legislation  
5 First Read: 02-MAR-21

1  
2 ENROLLED, An Act,

3           Relating to any Class 5 municipality organized under  
4 Chapter 43D of Title 11 of the Code of Alabama 1975; to amend  
5 Section 11-43D-2 of the Code of Alabama 1975, to require a  
6 candidate for a place on the city council or mayor of a Class  
7 5 municipality organized under Chapter 43D of Title 11 of the  
8 Code of Alabama 1975, to be a resident of the district which  
9 he or she seeks to represent on the council for at least 365  
10 consecutive days immediately preceding the deadline date for  
11 qualifying as a candidate and shall be a qualified elector;  
12 and would require each council member and mayor of a Class 5  
13 municipality organized under Chapter 43D of Title 11 of the  
14 Code of Alabama 1975, to reside in the district which the  
15 member represents during the entire term of office.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17           Section 1. Section 11-43D-2, Code of Alabama 1975,  
18 is amended to read as follows:

19           "§11-43D-2.

20           "If ordinance as hereinabove set out be adopted by  
21 the governing body of any municipality to which this chapter  
22 applies, then:

23           "(1) Within 90 days thereafter the governing body  
24 shall adopt an ordinance establishing the boundaries of the  
25 ~~six~~ seven council districts herein provided for and shall take

1 such steps as are necessary to comply with the federal Voting  
2 Rights Act of 1965, as amended.

3           "(2)a. The election of the mayor and all the members  
4 of the city council shall be held as set by ordinance by the  
5 council and quadrennially thereafter and in accordance with  
6 the provisions and terms of the general election laws  
7 governing mayor-council elections under the general laws of  
8 the State of Alabama.

9           "b. A candidate for each place on the city council  
10 or mayor shall be a resident of the district which he or she  
11 seeks to represent on the council for at least 365 consecutive  
12 days immediately preceding the deadline date for qualifying as  
13 a candidate and shall be a qualified elector.

14           "(3)a. On the first Monday in October, after the  
15 election of the mayor and council, the newly elected mayor and  
16 council members shall assume office and the terms, powers,  
17 duties, responsibilities, and emoluments of office of the  
18 present mayor and governing body shall end.

19           "b. Each council member and mayor shall reside in  
20 the district which the member represents during the entire  
21 term of office.

22           "(4) The municipality shall thereafter and as  
23 provided in this chapter be governed by a mayor and one  
24 council member elected at large and six council members  
25 elected from single member districts, which shall have the

1 same powers and duties as other mayor-council municipalities  
2 organized under Title 11, not inconsistent with this chapter,  
3 and any other powers and duties not inconsistent with this  
4 chapter which may have been theretofore granted to such  
5 municipality."

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

