HB89

BXD744J-1

By Representatives Mooney, Carns, DuBose (N & P)

RFD: Shelby County Legislation

First Read: 06-Feb-24

PFD: 05-Feb-24

A BILL

TO BE ENTITLED

AN ACT

Relating to Shelby County; to amend Section 9 of Act 88-258 of the 1988 Regular Session (Acts 1988, p. 393), as last amended by Act 2000-358 of the 2000 Regular Session (Acts 2000, p. 557), authorizing public library districts, to further provide for the election of the library board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Relating to Shelby County; to amend Section 9 of Act 88-258 of the 1988 Regular Session (Acts 1988, p. 393), as last amended by Act 2000-358 of the 2000 Regular Session (Acts 2000, p. 557), authorizing public library districts, to further provide for the election of the library board.

"Section 9. (a) The affairs and business of the district shall be managed by a library board consisting of five members ~~who shall be elected by the qualified electors residing in the district~~. The current board members on the effective date of this amendatory act ~~elected at the general election in November 1996, shall serve until October 1, 2000, and the current board members elected at the general election in November 1998,~~ shall serve until ~~October 1, 2002, at which~~

~~time~~ the new board members elected pursuant to this ~~act~~ section ~~shall~~ take office. The members of the library board shall be elected by the members of the Shelby County legislative delegation representing the geographic area of the library district or any portion thereof. The election of the members of the library board shall be certified in writing by the Shelby County Legislative Delegation in a document filed with the Judge of Probate of Shelby County. ~~conduct the elections for board membership on the second Tuesday of September of every even year, to take office on October 1, of that year and every four years thereafter~~. The new board members shall take office immediately upon election and qualification as provided in this section.

(b) ~~No person shall be elected to~~Each member of the board ~~unless he or she is a person who is~~ shall be a registered voter ~~residing~~ and shall reside within the boundaries of the district. ~~A person who desires to run for the board shall file a notice of candidacy for a place on the board with the judge of probate on or before July 15 preceding the election. The person receiving the highest number of votes for each place shall be the successful candidate. In the event of a tie vote, the top two candidates will draw lots in the presence of the judge of probate to determine the winning candidate. In event that there is only one candidate who qualifies to run for a place, the judge of probate shall certify the election of that candidate to that place and no election for that place shall be held.~~ One member of the board shall be an owner of commercial property in the district.

(c) ~~Each~~ The initial board members elected by the Shelby County Legislative Delegation shall serve until December 31, 2026, or until their successors are elected. Thereafter, the term of each board member shall be ~~for a term of~~ four years. ~~Provided, however, that to stagger the terms, Place No. 1 and Place No. 2 initially shall be elected for a term of two years, and Places 3, 4, and 5 shall be elected for a term of four years, in the first election held after an election providing for the formation of a district created pursuant to this act. The initial election shall be conducted on the second Tuesday of September of the first even year after organization.~~

(d) In the event of a vacancy on a library board, the ~~place vacant~~ vacancy shall be filled ~~by the majority vote of the remaining membership of the board for the unexpired term of the vacant position. A vacancy shall also be deemed to occur in the event there is a place for which no candidate has been nominated, and the vacancy for the new term shall be filled as provided for herein, except that the office holder whose term has expired shall continue to hold office until the vacancy is filled.~~ in the same manner as the original appointment for the unexpired term of the vacant position.

(e) The library board shall elect annually from its own number a president, a vice president, and a secretary/treasurer. The members of the board shall not be entitled to any compensation for their services, but they shall be entitled to reimbursement for all reasonable expenses incurred by them in the performance of their duties. A quorum

of the board shall consist of three members and a quorum shall be present in order for the board to transact business. The board may adopt rules~~, regulations,~~ and by-laws to further provide for the operation of the district.

(f) The board shall maintain a ~~complete~~ record of the proceedings of its meetings and shall require the director of the library to maintain a detailed record of the receipts and disbursements of all library funds."

Section 2. This act shall become effective June 1, 2024.