SB163

699T3ZZ-1

By Senators Williams, Sessions (N & P)

RFD: Mobile County Legislation

First Read: 27-Feb-24

A BILL

TO BE ENTITLED

AN ACT

Relating to Mobile County; to amend Section 45-49-140.08 of the Code of Alabama 1975, relating to firefighting and emergency medical services districts and the boards of trustees of the districts, to further provide for the procedure to fill vacancies on the boards of trustees of the districts.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 45-49-140.08 of the Code of Alabama 1975, is amended to read as follows:

"§45-49-140.08

(a) The affairs and business of the district shall be managed by a board of trustees consisting of five members who shall be elected by the qualified electors of the district unless a candidate is unopposed for office. A candidate who is unopposed for office shall be declared elected by the judge of probate immediately following the close of the qualification period. Beginning with the year 1998, the election shall be held on the last Tuesday in March of each year and any runoff election, if needed, shall be held three weeks later. The election shall be nonpartisan and shall be administered by the

judge of probate. No person shall be elected to the board unless the person is a property owner of the district. The election shall be for a term of four years; provided, however, that two of the initial five members shall be for a term of two years, two shall be for a term of three years, and one shall be for a term of four years. The term of office shall begin immediately upon certification of the trustee election or the declaration of election of an unopposed candidate by the judge of probate. The term of any incumbent trustee in office on May 5, 2009, shall be extended until a qualified successor is chosen pursuant to the revised election schedule provided in this section.

(b) The election of the board of trustees shall be conducted using paper ballots or any other ballot method authorized by the judge of probate. The judge of probate may utilize one staff member of the probate court at the polls to work on election day for every citizen poll worker appointed. The staff members shall receive no additional compensation for working at the polls on the election day.

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

(d) Upon the death or resignation of a member of the board of trustees, or in the event no person qualifies for candidacy to fill an expiring term, the remaining trustees

shall name a ~~replacement~~ successor trustee to complete the unexpired term of office. In the event a vacancy is not filled within 60 days after it occurs, the Mobile County Commission shall appoint a successor trustee to complete the unexpired term of office. If the Mobile County Commission fails to make an appointment within 90 days after the vacancy occurs, the judge of probate shall call a special election to fill the vacancy."

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