

## HB57 INTRODUCED



1 HB57  
2 FU21CDC-1  
3 By Representative Hulsey  
4 RFD: Education Policy  
5 First Read: 04-Feb-25  
6 PFD: 01-Oct-24



## 4 SYNOPSIS:

5 Under existing law, a city board of education's  
6 power to administer and manage the public schools in  
7 its municipality includes the right to acquire land for  
8 the purpose of school development. This right currently  
9 extends to allowing a city board of education to  
10 acquire land in a neighboring municipality to develop  
11 facilities for a school within the municipality served  
12 by the board.

13 This bill would prohibit a city board of  
14 education from purchasing or acquiring land outside of  
15 its municipality unless the board's municipality  
16 obtains an agreement in writing from the appropriate  
17 governing body of the municipality or county where the  
18 land is located and the municipality served by the  
19 board of education annexes the property.

20 This bill would also delete duplicative language  
21 and make nonsubstantive, technical revisions to update  
22 the existing code language to current style.

23  
24 A BILL

25 TO BE ENTITLED

26 AN ACT

27 Relating to city boards of education; to amend Section  
28 16-11-9, Code of Alabama 1975, to prohibit a city board of



## HB57 INTRODUCED

education from acquiring real property outside of the city served by the board for the purpose of developing school facilities unless the governing body of the city or county where the real property is located agrees to the acquisition; to require that real property to be acquired by a city school board be annexed by the city served by the board; to delete duplicative language; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-11-9, Code of Alabama 1975, is amended to read as follows:

"§16-11-9

(a) The city board of education is ~~hereby~~ vested with all the powers necessary or proper for the administration and management of the ~~free~~ public schools within ~~such~~the city and any adjacent territory that is annexed to the city ~~which has been annexed as a part of the school district which includes a city having a city board of education.~~

(b) Notwithstanding subsection (a) and notwithstanding the right of a city board of education to purchase real property recognized by this chapter, on and after June 1, 2025, a city board of education may not purchase or acquire any interest in real property that is outside of the corporate limits of the city that formed the board of education for the purpose of developing or constructing facilities or otherwise using the real property to serve a school function before the following conditions are met:



## HB57 INTRODUCED

57       (1) The governing body of the political subdivision  
58       where the real property is located, whether a municipality or  
59       county, agrees in writing to the purchase or other acquisition  
60       of the interest in writing with the governing body of the  
61       municipality that formed the board of education.

62       (2)a. The governing body of the municipality that  
63       formed the board of education shall use any lawful means to  
64       annex the real property and shall approve the board's purchase  
65       of the real property or take any steps otherwise necessary to  
66       enable the board's acquisition of the interest pursuant to the  
67       written agreement required in subdivision (1).

68       b. If the political subdivision where the real property  
69       is located is a municipality, that municipality shall deannex  
70       the property followed by its annexation by the municipality  
71       that formed the board of education."

72       Section 2. This act shall become effective on October  
73       1, 2025.