

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



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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



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

38 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

41 "§16-11-9

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

48 (b) Notwithstanding subsection (a) and notwithstanding
49 the right of a city board of education to purchase real
50 property recognized by this chapter, on and after June 1,
51 2025, a city board of education may not purchase or acquire
52 any interest in real property that is outside of the corporate
53 limits of the city that formed the board of education for the
54 purpose of developing or constructing facilities or otherwise
55 using the real property to serve a school function before the
56 following conditions are met:



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.