

HB178 ENROLLED



1 HB178
2 11I5AL3-3
3 By Representative Garrett
4 RFD: Ways and Means Education
5 First Read: 13-Jan-26



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1 Enrolled, An Act,

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4 Relating to public K-12 education; to provide a process
5 for the creation of a consolidated city school system by
6 merging two or more city boards of education; to provide a
7 procedure for protesting a proposed consolidation of two or
8 more city school systems; and to require the State Board of
9 Education to adopt rules.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. (a) Whenever two or more contiguous city
12 boards of education deem it advisable to consolidate the
13 administration of their respective city school systems under
14 one remaining controlling multi-city board of education, each
15 city board of education shall adopt and record within the
16 minutes of each board an agreement providing for the
17 consolidation. A formal resolution adopted by all members of
18 the agreeing boards shall detail and provide for the payment
19 of their respective indebtedness, specify how the
20 consolidation will take place, identify how the remaining
21 controlling multi-city board of education will operate,
22 provide for the roles and duties of the resulting multi-city
23 board members, and designate the time frame during which the
24 consolidation will be implemented. Subject to subsection (b),
25 the consolidation shall be finalized as designated in the
26 formal resolution.

27 (b) (1) If, within 30 days after the adoption of the
28 formal resolution, 25 percent of the qualified electors



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29 residing within the boundaries of any of the school systems
30 proposing consolidation submit a protest, in writing, to any
31 of the affected city boards of education, the consolidation
32 may not occur unless the consolidation is approved by a
33 majority of the qualified electors residing in the combined
34 territory wherein all affected city school systems are located
35 who vote in a referendum election as provided in this
36 subsection.

37 (2) The referendum election shall be held on the date
38 of the next regularly scheduled general election. The order
39 setting the election shall be entered by the judge of probate
40 of each county in which an affected city school system is
41 located within one month after the expiration of the 30-day
42 time period provided in subdivision (1).

43 (3) At least 30 days before the referendum elections
44 are scheduled to be held, the sheriff of each county in which
45 an affected city school system is located shall give notice of
46 the election.

47 (4) The elections shall be held and the results shall
48 be canvassed in the same manner as regular elections for city
49 officers.

50 (5) The ballots shall have printed at the top a
51 statement of the purpose of the referendum elections and
52 directly underneath, in plain type and on different lines, the
53 words, "For Consolidation" and "Against Consolidation".

54 (6) If a majority of the qualified electors voting in
55 the combined territory of the affected city school systems
56 vote to approve the consolidation, the consolidation shall be



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57 finalized as designated in the formal resolution.

58 (c) The consolidation shall not operate to relieve any
59 board of education, or other governing body, of liability for
60 obligations previously incurred, or to impair rights existing
61 prior to the consolidation. The agreement and formal
62 resolution shall be binding on all parties. If a consolidation
63 occurs, the multi-city board of education shall have the right
64 to compel the execution of contractual obligations made to any
65 of the boards before the consolidation.

66 (d) The State Board of Education shall adopt rules as
67 necessary to provide for the implementation of this section.

68 Section 2. This act shall become effective on October
69 1, 2026.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 03-Feb-26, as amended.

John Treadwell
Clerk

Senate	<hr/> 08-Apr-26 <hr/>	Amended and Passed
House	<hr/> 08-Apr-26 <hr/>	Concurred in Senate Amendment