

SB375 INTRODUCED



1 SB375
2 QN66251-1
3 By Senators Coleman-Madison, Waggoner, Smitherman (N & P)
4 RFD: Jefferson County Legislation
5 First Read: 19-Mar-26



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4 SYNOPSIS:

5 This bill would authorize the city council of a
6 Class 1 municipality to set the salary of the mayor.

7 This bill would increase the expense allowance
8 of the mayor of a Class 1 municipality to \$10,000 per
9 month.

10 This bill would also repeal Act 84-618 of the
11 1984 Regular Session (Acts 1984, p. 1256) and Sections
12 11-43-86.1 and 45-37A-52.93, Code of Alabama 1975,
13 providing for the compensation of the Mayor of
14 Birmingham.

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17 A BILL
18 TO BE ENTITLED
19 AN ACT
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21 Relating to Class 1 municipalities; to authorize the
22 city council to set the salary of the mayor; to amend Sections
23 11-43-80 and 11-43-86, Code of Alabama 1975, to further
24 provide for the mayor's compensation; to make conforming
25 changes; and to repeal Act 84-618 of the 1984 Regular Session
26 (Acts 1984, p. 1256), providing for an expense allowance for
27 the mayor of a Class 1 municipality; Section 11-43-86.1, Code
28 of Alabama 1975, providing for an increase in the salary of



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the mayor in a Class 1 municipality; and Section 45-37A-52.93, Code of Alabama 1975, providing for the salary of the Mayor of Birmingham.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The annual salary of the mayor of a Class 1 municipality for the duration of his or her term shall be set by the city council in an amount that is no less than two hundred twenty thousand dollars (\$220,000) per year. The salary of the mayor shall not increase or decrease during his or her term.

(b) The mayor shall receive the annual salary payable in monthly installments at the end of each month, the installments to be paid at the same rate for any portion of the month during which the mayor holds the office at the rate provided in subsection (a).

(c) The salary provided in subsection (a) shall supersede any other salary provided by law.

Section 2. Sections 11-43-80 and 11-43-86, Code of Alabama 1975, are amended to read as follows:

"§11-43-80

(a) The mayor shall have the powers and perform the duties provided by this title and by other applicable provisions of law and shall keep an office in the city or town.

(b) ~~The~~ Except in any Class 1 municipality, the mayor shall receive such salary as the council may prescribe, which must be fixed by the council not less than six months prior to each general municipal election~~;~~ provided, ~~however,~~ the



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57 six-month requirement in this section may be waived when
58 necessary to comply with a mandate by the U.S. Justice
59 Department pursuant to the Voting Rights Act of 1965, as
60 amended, or with an order issued by a state or federal court.

61 (c) In municipalities ~~which~~ that own and operate light
62 and power systems, municipal water systems, municipal sewage
63 systems, and municipal gas systems, one or any of them, ~~may~~,
64 by resolution of the governing body duly entered in its
65 minutes, may require the mayor to act as superintendent of
66 such system or systems and to give so much of his or her time
67 thereof as the governing body may direct. In any municipality
68 in which a municipal board or municipal public corporation
69 owns and operates a municipal light and power system,
70 municipal water system, municipal sewage system, ~~and~~ or
71 municipal gas system, one or any of them, ~~such~~ the board or
72 municipal public corporation ~~may~~, by resolution duly entered
73 in its minutes, may employ the mayor to act as superintendent
74 of ~~such~~ the system or systems and ~~to~~ give so much of his or
75 her time thereto as ~~such~~ the board or corporation may direct.
76 The mayor, as ~~such~~ the superintendent of such system or
77 systems, shall serve as purchasing agent and make all
78 purchases authorized by the governing body, board, or
79 municipal public corporation ~~therefor~~, and shall keep a check
80 on meter readings and bids for service of the system and see
81 that ~~the~~ appropriate collections ~~thereof~~ are made. He or she
82 shall see that the system or systems are kept in proper repair
83 and operation, shall keep an inventory showing the supplies
84 and equipment on hand for such system or systems, shall keep a



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85 full and complete monthly financial statement of all operation
86 costs and receipts ~~and~~, shall keep a proper inventory of the
87 fiscal assets of such system or systems, and shall handle all
88 ~~such~~ data and information relative to such system or systems
89 available for the governing body, board, or municipal public
90 corporation at such times as it shall require, but not less
91 frequently than once every three months. For his or her
92 service as superintendent of such system or systems, the mayor
93 shall be paid, in addition to his or her salary as mayor, ~~such~~
94 the sum as the governing body, board, or municipal corporation
95 shall deem reasonable. The governing body, board, or municipal
96 corporation ~~may~~, at any time it deems best, may dispense with
97 the mayor's service as superintendent.

98 (d) The provisions of this section shall be curative
99 and retroactive, and any employment of any mayor as
100 superintendent of any ~~such~~ utility or utilities heretofore
101 made by any such governing body, board, or municipal public
102 corporation, and any ~~such~~ salary heretofore paid to any mayor
103 by any such governing body, board, or municipal corporation
104 for his or her services as superintendent of ~~such~~ the system
105 or systems, is hereby validated."

106 "§11-43-86

107 (a) The mayor or other chief executive officer of any
108 Class 1 city shall be paid, in addition to the compensation
109 provided by law for the office, the additional sum of
110 ~~\$1,833.33~~ ten thousand dollars (\$10,000) per month, payable in
111 advance on the first day of each month as an allowance for
112 expenses incident to the office of mayor, for which the mayor



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shall not be required to file an accounting.

(b) All other provisions of law notwithstanding, the mayor may elect in writing to have the expense allowances authorized by subsection (a) and by ~~subsection (a) of~~ Section 11-43-7.1 (a) treated as subject to withholding of any employee contribution required to be paid into the trust fund provided under any pension or retirement system in which the mayor is eligible to participate. ~~The mayor may also elect in writing within 90 days of October 9, 1992, to pay into the pension or retirement system trust fund the required contribution on any expense allowance previously received under this section prior to October 9, 1992, during all or any portion of the three-year period prior to the mayor's payment election, together with interest at the rate of eight percent per annum thereon computed from the date of receipt of the allowance to the date of payment.~~ If either or both of the elections election is made by the mayor, the expense ~~allowances on which employee contributions are paid into retirement plan trust fund~~ allowance shall be considered together with all salaries received by the mayor, from which the required employee contribution was likewise withheld and paid into the retirement trust fund, to determine the amount of any retirement benefits or allowances to which the mayor may be entitled to receive as provided under the pension system upon retirement under the terms of the system.

(c) The mayor or other chief executive officer of any city shall attend as the official representative of the city meetings and conferences in the city to which he or she is



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invited and which will, in the opinion of such mayor or chief executive officer, result in the advertisement of the city or any function or undertaking of the city. The mayor or chief executive officer shall be the sole judge of the conferences or meetings he or she should attend.

(d) This section shall not be construed so as to prevent any mayor or other chief executive officer from being reimbursed for actual expenses incurred on or in connection with a trip on city business beyond the corporate limits of the city. However, reimbursements under this subsection shall not accrue against the amounts authorized in subsection (b), nor shall reimbursements of actual expenses incurred beyond the corporate limits of the city be eligible for pension system withholding or be considered in determining pension or retirement benefits or allowances."

Section 3. The following are repealed:

(1) Act 84-618 of the 1984 Regular Session (Acts 1984, p. 1256), providing for an expense allowance for the mayor of a Class 1 municipality.

(2) Section 11-42-86.1, Code of Alabama 1975, providing for an increase in the salary of the mayor in a Class 1 municipality.

(3) Section 45-37A-52.93, Code of Alabama 1975, providing for the salary of the Mayor of Birmingham.

Section 4. This act shall become effective immediately.