

SB375 ENGROSSED



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



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A BILL
TO BE ENTITLED
AN ACT

Relating to Class 1 municipalities; to authorize the city council to set the salary of the mayor; to amend Sections 11-43-80 and 11-43-86, Code of Alabama 1975, to further provide for the mayor's compensation; to make conforming changes; and to repeal 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; Section 11-43-86.1, Code of Alabama 1975, providing for an increase in the salary of 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



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29 installments to be paid at the same rate for any portion of
30 the month during which the mayor holds the office at the rate
31 provided in subsection (a).

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

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

36 "§11-43-80

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

41 (b) ~~The~~ Except in any Class 1 municipality, the mayor
42 shall receive such salary as the council may prescribe, which
43 must be fixed by the council not less than six months prior to
44 each general municipal election~~+,~~ provided~~, however,~~ the
45 six-month requirement in this section may be waived when
46 necessary to comply with a mandate by the U.S. Justice
47 Department pursuant to the Voting Rights Act of 1965, as
48 amended, or with an order issued by a state or federal court.

49 (c) In municipalities ~~which~~ that own and operate light
50 and power systems, municipal water systems, municipal sewage
51 systems, and municipal gas systems, one or any of them~~, may,~~
52 by resolution of the governing body duly entered in its
53 minutes, may require the mayor to act as superintendent of
54 such system or systems and to give so much of his or her time
55 thereof as the governing body may direct. In any municipality
56 in which a municipal board or municipal public corporation



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57 owns and operates a municipal light and power system,
58 municipal water system, municipal sewage system, ~~and or~~
59 municipal gas system, one or any of them, ~~such the~~ board or
60 municipal public corporation ~~may~~, by resolution duly entered
61 in its minutes, may employ the mayor to act as superintendent
62 of ~~such the~~ system or systems and ~~to~~ give so much of his or
63 her time thereto as ~~such the~~ board or corporation may direct.
64 The mayor, as ~~such the~~ superintendent of such system or
65 systems, shall serve as purchasing agent and make all
66 purchases authorized by the governing body, board, or
67 municipal public corporation ~~therefor~~, and shall keep a check
68 on meter readings and bids for service of the system and see
69 that ~~the appropriate~~ collections ~~thereof~~ are made. He or she
70 shall see that the system or systems are kept in proper repair
71 and operation, shall keep an inventory showing the supplies
72 and equipment on hand for such system or systems, shall keep a
73 full and complete monthly financial statement of all operation
74 costs and receipts ~~and~~, shall keep a proper inventory of the
75 fiscal assets of such system or systems, and shall handle all
76 ~~such~~ data and information relative to such system or systems
77 available for the governing body, board, or municipal public
78 corporation at such times as it shall require, but not less
79 frequently than once every three months. For his or her
80 service as superintendent of such system or systems, the mayor
81 shall be paid, in addition to his or her salary as mayor, ~~such~~
82 the sum as the governing body, board, or municipal corporation
83 shall deem reasonable. The governing body, board, or municipal
84 corporation ~~may~~, at any time it deems best, may dispense with



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85 the mayor's service as superintendent.

86 (d) The provisions of this section shall be curative
87 and retroactive, and any employment of any mayor as
88 superintendent of any ~~such~~ utility or utilities heretofore
89 made by any such governing body, board, or municipal public
90 corporation, and any ~~such~~ salary heretofore paid to any mayor
91 by any such governing body, board, or municipal corporation
92 for his or her services as superintendent of ~~such~~ the system
93 or systems, is hereby validated."

94 "§11-43-86

95 (a) The mayor or other chief executive officer of any
96 Class 1 city shall be paid, in addition to the compensation
97 provided by law for the office, the additional sum of
98 ~~\$1,833.33~~ eight thousand dollars (\$8,000) per month, payable
99 in advance on the first day of each month as an allowance for
100 expenses incident to the office of mayor, for which the mayor
101 shall not be required to file an accounting.

102 (b) All other provisions of law notwithstanding, the
103 mayor may elect in writing to have the expense allowances
104 authorized by subsection (a) and by ~~subsection (a) of~~ Section
105 11-43-7.1(a) treated as subject to withholding of any employee
106 contribution required to be paid into the trust fund provided
107 under any pension or retirement system in which the mayor is
108 eligible to participate. ~~The mayor may also elect in writing~~
109 ~~within 90 days of October 9, 1992, to pay into the pension or~~
110 ~~retirement system trust fund the required contribution on any~~
111 ~~expense allowance previously received under this section prior~~
112 ~~to October 9, 1992, during all or any portion of the~~



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113 ~~three-year period prior to the mayor's payment election,~~
114 ~~together with interest at the rate of eight percent per annum~~
115 ~~thereon computed from the date of receipt of the allowance to~~
116 ~~the date of payment. If either or both of the elections~~
117 election is made by the mayor, the expense allowances on which
118 ~~employee contributions are paid into retirement plan trust~~
119 ~~fund~~ allowance shall be considered together with all salaries
120 received by the mayor, from which the required employee
121 contribution was likewise withheld and paid into the
122 retirement trust fund, to determine the amount of any
123 retirement benefits or allowances to which the mayor may be
124 entitled to receive as provided under the pension system upon
125 retirement under the terms of the system.

126 (c) The mayor or other chief executive officer of any
127 city shall attend as the official representative of the city
128 meetings and conferences in the city to which he or she is
129 invited and which will, in the opinion of such mayor or chief
130 executive officer, result in the advertisement of the city or
131 any function or undertaking of the city. The mayor or chief
132 executive officer shall be the sole judge of the conferences
133 or meetings he or she should attend.

134 (d) This section shall not be construed so as to
135 prevent any mayor or other chief executive officer from being
136 reimbursed for actual expenses incurred on or in connection
137 with a trip on city business beyond the corporate limits of
138 the city. However, reimbursements under this subsection shall
139 not accrue against the amounts authorized in subsection (b),
140 nor shall reimbursements of actual expenses incurred beyond



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141 the corporate limits of the city be eligible for pension
142 system withholding or be considered in determining pension or
143 retirement benefits or allowances."

144 Section 3. The following are repealed:

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

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

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

153 Section 4. This act shall become effective immediately.

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156 Senate

157 Read for the first time and referred19-Mar-26
158 to the Senate committee on Jefferson
159 County Legislation
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161 Read for the second time and placed31-Mar-26
162 on the calendar:
163 1 amendment
164
165 Read for the third time and passed01-Apr-26
166 as amended
167 Yeas 30
168 Nays 0
169 Abstains 0
170

171
172 Patrick Harris,
173 Secretary.
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