



ACT #2024 - 122

1 HB89

2 BXD744J-2

3 By Representatives Mooney, Carns, DuBose (N & P)

4 RFD: Shelby County Legislation

5 First Read: 06-Feb-24

6 PFD: 05-Feb-24





HB89 Enrolled

1 Enrolled, An Act,

2 Relating to Shelby County; to amend Section 9 of Act
3 88-258 of the 1988 Regular Session (Acts 1988, p. 393), as
4 last amended by Act 2000-358 of the 2000 Regular Session (Acts
5 2000, p. 557), authorizing public library districts, to
6 further provide for the election of the library board.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Relating to Shelby County; to amend Section
9 9 of Act 88-258 of the 1988 Regular Session (Acts 1988, p.
10 393), as last amended by Act 2000-358 of the 2000 Regular
11 Session (Acts 2000, p. 557), authorizing public library
12 districts, to further provide for the election of the library
13 board.

14 "Section 9. (a) The affairs and business of the
15 district shall be managed by a library board consisting of
16 five members ~~who shall be elected by the qualified electors~~
17 ~~residing in the district.~~ The current board members on the
18 effective date of this amendatory act ~~elected at the general~~
19 ~~election in November 1996, shall serve until October 1, 2000,~~
20 ~~and the current board members elected at the general election~~
21 ~~in November 1998, shall serve until October 1, 2002, at which~~
22 ~~time the new board members elected pursuant to this act~~
23 section shall take office. The members of the library board
24 shall be elected by the members of the Shelby County
25 legislative delegation representing the geographic area of the
26 library district or any portion thereof. The election of the
27 members of the library board shall be certified in writing by
28 the Shelby County Legislative Delegation in a document filed



HB89 Enrolled

29 with the Judge of Probate of Shelby County. ~~conduct the~~
30 ~~elections for board membership on the second Tuesday of~~
31 ~~September of every even year, to take office on October 1, of~~
32 ~~that year and every four years thereafter.~~ The new board
33 members shall take office immediately upon election and
34 qualification as provided in this section.

35 (b) ~~No person shall be elected to~~ Each member of the
36 ~~board unless he or she is a person who is~~ shall be a
37 ~~registered voter residing~~ and shall reside within the
38 boundaries of the district. ~~A person who desires to run for~~
39 ~~the board shall file a notice of candidacy for a place on the~~
40 ~~board with the judge of probate on or before July 15 preceding~~
41 ~~the election. The person receiving the highest number of votes~~
42 ~~for each place shall be the successful candidate. In the event~~
43 ~~of a tie vote, the top two candidates will draw lots in the~~
44 ~~presence of the judge of probate to determine the winning~~
45 ~~candidate. In event that there is only one candidate who~~
46 ~~qualifies to run for a place, the judge of probate shall~~
47 ~~certify the election of that candidate to that place and no~~
48 ~~election for that place shall be held.~~ One member of the board
49 shall be an owner of commercial property in the district.

50 (c) ~~Each~~ The initial board members elected by the
51 Shelby County Legislative Delegation shall serve until
52 December 31, 2026, or until their successors are elected.
53 Thereafter, the term of each board member shall be for a term
54 of four years. Provided, however, that to stagger the terms,
55 Place No. 1 and Place No. 2 initially shall be elected for a
56 term of two years, and Places 3, 4, and 5 shall be elected for



57 ~~a term of four years, in the first election held after an~~
58 ~~election providing for the formation of a district created~~
59 ~~pursuant to this act. The initial election shall be conducted~~
60 ~~on the second Tuesday of September of the first even year~~
61 ~~after organization.~~

62 (d) In the event of a vacancy on a library board, the
63 ~~place vacant~~ vacancy shall be filled ~~by the majority vote of~~
64 ~~the remaining membership of the board for the unexpired term~~
65 ~~of the vacant position. A vacancy shall also be deemed to~~
66 ~~occur in the event there is a place for which no candidate has~~
67 ~~been nominated, and the vacancy for the new term shall be~~
68 ~~filled as provided for herein, except that the office holder~~
69 ~~whose term has expired shall continue to hold office until the~~
70 ~~vacancy is filled.~~ in the same manner as the original
71 appointment for the unexpired term of the vacant position.

72 (e) The library board shall elect annually from its own
73 number a president, a vice president, and a
74 secretary/treasurer. The members of the board shall not be
75 entitled to any compensation for their services, but they
76 shall be entitled to reimbursement for all reasonable expenses
77 incurred by them in the performance of their duties. A quorum
78 of the board shall consist of three members and a quorum shall
79 be present in order for the board to transact business. The
80 board may adopt rules, ~~regulations,~~ and by-laws to further
81 provide for the operation of the district.

82 (f) The board shall maintain a ~~complete~~ record of the
83 proceedings of its meetings and shall require the director of
84 the library to maintain a detailed record of the receipts and



HB89 Enrolled

85 disbursements of all library funds."

86 Section 2. This act shall become effective June 1,

87 2024.



HB89 Enrolled

88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121

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 02-Apr-24.

John Treadwell
Clerk

Senate

16-Apr-24

Passed

APPROVED

4/25/2024

TIME

2:20 pm

GOVERNOR

Alabama Secretary Of State

Act Num....: 2024-122
Bill Num....: H-89

ORIGINAL
House Bill No. 829
Project No. BXD7445-1
Profile Date 2-3-24

DIST. NO. 43

SPONSOR	DIST. NO.
1 <u>Mann</u>	<u>43</u>
CO-SPONSORS	
2 <u>Luens 48</u>	28
3 <u>DuBase 45</u>	29
4	30
5	31
6	32
7	33
8	34
9	35
10	36
11	37
12	38
13	39
14	40
15	41
16	42
17	43
18	44
19	45
20	46
21	47
22	48
23	49
24	50
25	51
26	52
27	53

HOUSE ACTION

DATE: 8-10-2024
RD 1 RFD 50

REPORT OF STANDING COMMITTEE

This bill having been referred by the House to its standing committee on Shelby County Legislature acted upon by such committee in session, and returned therefrom to the House with the recommendation that it be Passed w/amend(s) w/sub 20 24 this 28th day of March, 20 24.
David Harris Chair

DATE: 3-21-2024
RD 2 CAL

DATE: 20
RE-REFERRED RE-COMMITTED

RE-REFERRED RE-COMMITTED
Committee _____

DATE: 20
RE-REFERRED RE-COMMITTED

RE-REFERRED RE-COMMITTED
Committee _____

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 829
YEAS 50 NAYS 0

JOHN TREADWELL,
Clerk

FURTHER HOUSE ACTION (OVER)

SENATE ACTION

DATE: 4-4-2024
RD 1 RFD LS

This Bill was referred to the Standing Committee of the Senate on

and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) 0 w/sub 0 w/eng sub 0 by a vote of 5 yeas 0 nays 0 abstain 0 this 9th day of APRIL, 20 24.
Patrick Harris Chair

DATE: 4-4-2024
RD2 CAL

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 829
YEAS 24 NAYS 0

PATRICK HARRIS,
Secretary

DATE: 4-16-24 RD 3 at length
PASSED PASSED AS AMENDED

YEAS 24 NAYS 0
And was ordered returned forthwith to the House
PATRICK HARRIS,
Secretary

DATE: 20
INDEFINITELY POSTPONED YEARS NAYS

DATE: 20
RECONSIDERED YEARS NAYS

FURTHER SENATE ACTION (OVER)