

SB163 ENROLLED



1 SB163
2 699T3ZZ-2
3 By Senators Williams, Sessions (N & P)
4 RFD: Mobile County Legislation
5 First Read: 27-Feb-24



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1 Enrolled, An Act,

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3 Relating to Mobile County; to amend Section
4 45-49-140.08 of the Code of Alabama 1975, relating to
5 firefighting and emergency medical services districts and the
6 boards of trustees of the districts, to further provide for
7 the procedure to fill vacancies on the boards of trustees of
8 the districts.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. Section 45-49-140.08 of the Code of Alabama
11 1975, is amended to read as follows:

12 "§45-49-140.08

13 (a) The affairs and business of the district shall be
14 managed by a board of trustees consisting of five members who
15 shall be elected by the qualified electors of the district
16 unless a candidate is unopposed for office. A candidate who is
17 unopposed for office shall be declared elected by the judge of
18 probate immediately following the close of the qualification
19 period. Beginning with the year 1998, the election shall be
20 held on the last Tuesday in March of each year and any runoff
21 election, if needed, shall be held three weeks later. The
22 election shall be nonpartisan and shall be administered by the
23 judge of probate. No person shall be elected to the board
24 unless the person is a property owner of the district. The
25 election shall be for a term of four years; provided, however,
26 that two of the initial five members shall be for a term of
27 two years, two shall be for a term of three years, and one
28 shall be for a term of four years. The term of office shall



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29 begin immediately upon certification of the trustee election
30 or the declaration of election of an unopposed candidate by
31 the judge of probate. The term of any incumbent trustee in
32 office on May 5, 2009, shall be extended until a qualified
33 successor is chosen pursuant to the revised election schedule
34 provided in this section.

35 (b) The election of the board of trustees shall be
36 conducted using paper ballots or any other ballot method
37 authorized by the judge of probate. The judge of probate may
38 utilize one staff member of the probate court at the polls to
39 work on election day for every citizen poll worker appointed.
40 The staff members shall receive no additional compensation for
41 working at the polls on the election day.

42 (c) The board of trustees shall elect annually from its
43 own number a president and secretary. The members of the board
44 of trustees shall not be entitled to any compensation for
45 their services, but shall be entitled to reimbursement for all
46 reasonable expenses incurred by them in the performance of
47 their duties.

48 (d) Upon the death or resignation of a member of the
49 board of trustees, or in the event no person qualifies for
50 candidacy to fill an expiring term, the remaining trustees
51 shall name a ~~replacement~~ successor trustee to complete the
52 unexpired term of office. In the event a vacancy is not filled
53 within 60 days after it occurs, the Mobile County Commission
54 shall appoint a successor trustee to complete the unexpired
55 term of office. If the Mobile County Commission fails to make
56 an appointment within 90 days after the vacancy occurs, the



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57 judge of probate shall call a special election to fill the
58 vacancy."

59 Section 2. This act shall become effective on June 1,
60 2024.



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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB163
Senate 09-Apr-24
I hereby certify that the within Act originated in and passed
the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 30-Apr-24

By: Senator Williams