

1 HB303
2 217116-1
3 By Representatives Bracy, Hassell, Howard, McClammy, Morris,
4 Coleman and Lawrence
5 RFD: State Government
6 First Read: 08-FEB-22

SYNOPSIS: Existing law provides for semi-annual meetings of the Board of Trustees of Alabama State University.

This bill would authorize the board to conduct meetings of the board, or of any committee of the board, by telephone or video conference or similar means under certain conditions.

A BILL
TO BE ENTITLED
AN ACT

Relating to university boards of trustees; to amend Section 16-50-26, Code of Alabama 1975, to authorize the Board of Trustees of Alabama State University to hold certain meetings by telephone or video conference, or by similar means under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 16-50-26, Code of Alabama 1975, is amended to read as follows:

1 "§16-50-26.

2 "The first meeting of the Board of Trustees of
3 Alabama State University after all members have been appointed
4 shall be upon the call of the president of the board. The
5 board shall hold regular meetings on the first Thursdays in
6 May and November at the university unless the board, in
7 regular session, shall determine to hold its meetings at some
8 other time and place. The regular May meeting shall be the
9 regular annual meeting at which the membership of the board
10 shall select a president and president pro tempore of the
11 board from among its members. Special meetings of the board
12 may be assembled by either one of the two methods outlined as
13 follows:

14 "(1) Commencing with the first regular May meeting
15 in 2020, special meetings of the board may be called by the
16 president of the board. In calling special meetings, the
17 president of the board shall mail a written notice to each
18 trustee, naming the time and place thereof, with terms as
19 provided in the bylaws of the board, at least 10 days in
20 advance of the date of the meetings.

21 "(2) Upon the application in writing of any four
22 members of the board, the president of the board shall call a
23 special meeting, naming the time and place thereof and causing
24 notices to be issued in writing to the several members of the
25 board. Meetings shall not be held on a date less than 10 days
26 subsequent to the notices from the president of the board.

1 "(3) An emergency meeting of the board may be called
2 when circumstances exist that are deemed by the president of
3 the board, by the president pro tempore of the board, or by
4 three members of the board to present a risk to personal
5 health, safety, or property or to the operation of the
6 university. The three board members shall communicate their
7 request for an emergency meeting to the president of the board
8 or to the president pro tempore of the board by the most
9 expedient means available to them. Notice of an emergency
10 meeting shall be given at least 72 hours before the time the
11 emergency meeting is to commence unless the circumstances of
12 the emergency require the meeting to convene sooner.

13 "(4) Members of the board may participate in a
14 meeting of the board or any committee of the board by means of
15 telephone conference, video conference, or similar
16 communications equipment by means of which all persons
17 participating in the meeting may hear each other at the same
18 time. Participation by ~~such~~ these means shall constitute
19 presence in person at a meeting for all purposes. ~~However, a~~ A
20 majority of a quorum of the members of the board, or, in the
21 event of a meeting of only the executive committee, a majority
22 of a quorum of the executive committee of the board, shall not
23 be required to be physically present at the location noticed
24 and called for the meeting in order to conduct any business or
25 deliberation. ~~Members of the board and any committees of the~~
26 ~~board may not utilize electronic communications except as in~~
27 ~~compliance with the Alabama Open Meetings Act.~~ Except for

1 emergency meetings, notice of board meetings shall be provided
2 in accordance with the Alabama Open Meetings Act and telephone
3 or video conference or similar communications equipment shall
4 also allow members of the public the opportunity to
5 simultaneously listen to or observe ~~such~~ the meetings."

6 Section 2. This act shall become effective on the
7 first day of the third month following its passage and
8 approval by the Governor, or its otherwise becoming law.