

1 HB5
2 209919-1
3 By Representative Stadthagen (N & P)
4 RFD: State Government
5 First Read: 29-OCT-21

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to Cullman County; amending Section 1 of
14 Act 2020-160 of the 2020 Regular Session, now appearing as
15 Section 45-22-224, Code of Alabama 1975, to provide that the
16 Battleground School Historical Board may transfer ownership of
17 the Battleground School property by a vote of the board; and
18 deleting the additional requirement of a referendum.

19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Section 1 of Act 2020-160, of the 2020
21 Regular Session, now appearing as Section 45-22-224, Code of
22 Alabama 1975, is hereby amended to read as follows:

23 "§45-22-224.

24 "(a) In Cullman County, the Battleground School
25 Historical Board is established to own, operate, manage, and
26 preserve the former Battleground School property in the
27 unincorporated community of Battleground, including any ball

1 fields and other historical structures, owned by the Cullman
2 County Board of Education. The Battleground School Historical
3 Board shall be composed of five members appointed by the
4 Cullman County Legislative Delegation for terms of four years.
5 Members of the board shall continue to serve until a successor
6 is appointed. Members of the board are immune from civil
7 liability for actions taken in the conduct of their duties to
8 the extent allowed under Section 36-1-12.

9 "(b) (1) The Battleground School Historical Board may
10 accept title to the former Battleground School property owned
11 by the Cullman County Board of Education and may hold the
12 property for the benefit and use of the public, particularly
13 the unincorporated community of Battleground. The Battleground
14 School Historical Board may receive state, local, and other
15 governmental funding and may accept charitable donations.

16 "(2) The board may ~~not~~ sell or transfer ownership of
17 the property ~~unless approved by~~ upon approval of a majority
18 ~~vote of the board and then by a majority vote of the qualified~~
19 ~~electors in the unincorporated community of Battleground at a~~
20 ~~referendum called by the judge of probate and held during the~~
21 ~~following general election.~~

22 "(c) The Battleground School Historical Board may be
23 reorganized as an unincorporated nonprofit association or
24 other entity authorized by law by unanimous consent of the
25 board."

1 Section 2. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.