

**HB89 ENROLLED**



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



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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

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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~~



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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

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85 disbursements of all library funds."

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

87 2024.

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Speaker of the House of Representatives

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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

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Senate **16-Apr-24** Passed