

**SB163 INTRODUCED**



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



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A BILL  
TO BE ENTITLED  
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§45-49-140.08

(a) The affairs and business of the district shall be managed by a board of trustees consisting of five members who shall be elected by the qualified electors of the district unless a candidate is unopposed for office. A candidate who is unopposed for office shall be declared elected by the judge of probate immediately following the close of the qualification period. Beginning with the year 1998, the election shall be held on the last Tuesday in March of each year and any runoff election, if needed, shall be held three weeks later. The election shall be nonpartisan and shall be administered by the



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29 judge of probate. No person shall be elected to the board  
30 unless the person is a property owner of the district. The  
31 election shall be for a term of four years; provided, however,  
32 that two of the initial five members shall be for a term of  
33 two years, two shall be for a term of three years, and one  
34 shall be for a term of four years. The term of office shall  
35 begin immediately upon certification of the trustee election  
36 or the declaration of election of an unopposed candidate by  
37 the judge of probate. The term of any incumbent trustee in  
38 office on May 5, 2009, shall be extended until a qualified  
39 successor is chosen pursuant to the revised election schedule  
40 provided in this section.

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

48 (c) The board of trustees shall elect annually from its  
49 own number a president and secretary. The members of the board  
50 of trustees shall not be entitled to any compensation for  
51 their services, but shall be entitled to reimbursement for all  
52 reasonable expenses incurred by them in the performance of  
53 their duties.

54 (d) Upon the death or resignation of a member of the  
55 board of trustees, or in the event no person qualifies for  
56 candidacy to fill an expiring term, the remaining trustees



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57 shall name a ~~replacement~~ successor trustee to complete the  
58 unexpired term of office. In the event a vacancy is not filled  
59 within 60 days after it occurs, the Mobile County Commission  
60 shall appoint a successor trustee to complete the unexpired  
61 term of office. If the Mobile County Commission fails to make  
62 an appointment within 90 days after the vacancy occurs, the  
63 judge of probate shall call a special election to fill the  
64 vacancy."

65 Section 2. This act shall become effective on June 1,  
66 2024.