

1 SB214
2 216035-2
3 By Senator McClendon
4 RFD: Governmental Affairs
5 First Read: 15-FEB-22

1 SB214

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4 ENROLLED, An Act,

5 Relating to the Alabama State Council on the Arts;
6 to amend Sections 41-9-41 and 41-9-44, Code of Alabama 1975,
7 to further provide for the purpose and authority of the
8 council; and to make nonsubstantive, technical revisions to
9 update the existing code language to current style.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. Sections 41-9-41 and 41-9-44, Code of
12 Alabama 1975, is amended to read as follows:

13 "§41-9-41.

14 "There is hereby established a state commission to
15 be known as the Alabama State Council on the Arts, to honor
16 the arts by providing grants, programs, and services that
17 enhance the quality of life and economic vitality for all
18 Alabamians by providing support for the state's diverse and
19 rich artistic resources. The council shall consist of 15
20 members, broadly representative of all fields of the
21 performing and fine arts, to be appointed by the Governor from
22 among ~~citizens~~ residents of Alabama who are widely known for
23 their competence and experience in connection with the
24 performing and fine arts. When appointing members to the
25 council, the Governor shall ensure that membership is

1 reflective of the gender, race, and geographical makeup of the
 2 state. In making ~~such~~ appointments, due consideration shall be
 3 given to the recommendations made by representative civic,
 4 educational, and professional associations and groups
 5 concerned with or engaged in the production or presentation of
 6 the performing and fine arts generally.

7 "§41-9-44.

8 "(a) The council ~~is hereby authorized and empowered~~
 9 may do all of the following:

10 "(1) Issue or award honorariums whether as
 11 compensation for services or as gifts or donations, without
 12 entering into contracts and without regard to the competitive
 13 state bidding requirements in Chapters 4 and 16.

14 "~~(1)~~ (2) ~~To hold~~ Hold public and private hearings~~.~~

15 "~~(2)~~ (3) ~~To enter~~ Enter into contracts, within the
 16 limits of funds available therefor, with individuals,
 17 organizations, and institutions, for services furthering the
 18 educational objectives of the council's program~~.~~

19 "~~(3)~~ (4) ~~To enter~~ Enter into contracts, within the
 20 limit of funds available therefor, with local and regional
 21 associations, for cooperative endeavors furthering the
 22 educational objectives of the council's programs~~.~~

23 "~~(4)~~ (5) ~~To accept~~ Accept public or private gifts,
 24 grants, donations, or bequests of unrestricted funds~~.~~

1 "~~(5)~~(6) ~~To acquire~~ Acquire real property by lease or
2 gift but not by purchase~~7~~.

3 "~~(6)~~(7) ~~To renovate~~ Renovate, furnish~~7~~, and maintain
4 such real property and ~~to~~ lease or sublease the same~~7~~.

5 "~~(7)~~(8) ~~To allocate~~ Allocate and expend funds from
6 all donations, income~~7~~, and revenue from any source whatsoever
7 coming into the State Treasury, for the fulfillment and
8 accomplishment of the objectives for which the council was
9 created~~7~~.

10 "~~(8)~~(9) ~~To make~~ Make and sign any agreements and ~~to~~
11 ~~do~~ and perform any acts that may be necessary to carry out the
12 purposes of this article.

13 "(b) All debts or obligations incurred by the
14 council shall be solely and exclusively obligations of the
15 council and shall not create an obligation of the State of
16 Alabama or of any county or municipality."

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB214

Senate 09-MAR-22

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris,
Secretary.

House of Representatives
Passed: 05-APR-22

By: Senator McClendon