

# SB5 INTRODUCED



1 SB5  
2 P9SSRE-1  
3 By Senators Elliott, Bell, Givhan, Gudger, Kelley  
4 RFD: State Governmental Affairs  
5 First Read: 06-Feb-24  
6 PFD: 07-Nov-23



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SYNOPSIS:

Under existing law, the Board of Trustees of the Department of Archives and History is composed of two members from each congressional district and two at-large members.

This bill would revise the composition of the board to the Governor and eight at-large members appointed by the Governor, Lieutenant Governor, Speaker of the House of Representatives, and Speaker Pro Tempore of the Senate.

Under existing law, vacancies on the board are filled by the board.

This bill would authorize the respective appointing authorities to fill vacancies on the board.

This bill would also make nonsubstantive, technical revisions to update the existing code language to current style.

A BILL  
TO BE ENTITLED  
AN ACT

Relating to the Department of Archives and History; to amend Sections 41-6-3 and 41-6-4, Code of Alabama 1975; to



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29 further provide for the composition of the Board of Trustees  
30 of the Department of Archives and History; to further provide  
31 for the filling of vacancies on the board; and to make  
32 nonsubstantive, technical revisions to update the existing  
33 code language to current style.

34 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

35 Section 1. Sections 41-6-3 and 41-6-4, Code of Alabama  
36 1975, are amended to read as follows:

37 "§41-6-3

38 (a) The department shall be under the control of the  
39 Board of Trustees of the Department of Archives and History,  
40 which shall consist of ~~one member from each congressional~~  
41 ~~district and the additional members selected pursuant to~~  
42 ~~subsection (b)~~ eight at-large members and the Governor or his  
43 or her designee.

44 (b) ~~Two additional at-large members shall be selected~~  
45 ~~and an additional member shall be selected from each U.S.~~  
46 ~~Congressional District. The additional members shall be~~  
47 ~~selected by the board of trustees and their names shall be~~  
48 ~~communicated to the Senate not later than the fifth~~  
49 ~~legislative day of the 2004 Regular Session of the~~  
50 ~~Legislature.~~ On June 1, 2024, all individuals then serving on  
51 the board shall be removed and replaced with new members. The  
52 Governor, Lieutenant Governor, Speaker of the House of  
53 Representatives, and Speaker Pro Tempore of the Senate shall  
54 each select one member to serve an initial term of two years  
55 and one member to serve an additional term of four years.

56 Newly selected members shall be confirmed by the Senate in the



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57 same manner as vacancies filled pursuant to Section 41-6-4.  
58 ~~The board of trustees shall select three of the new members to~~  
59 ~~serve initial terms of two years, three of the new members to~~  
60 ~~serve initial terms of four years, and three of the new~~  
61 ~~members to serve initial terms of six years. All successor~~  
62 ~~members shall serve terms of six years and shall be selected~~  
63 ~~as provided in Section 41-6-4.~~

64 (c) The membership of the board of trustees shall be  
65 inclusive and shall reflect the racial ~~and~~, gender,  
66 geographic, urban, rural, and economic diversity of the state.

67 (d) All new and successor members shall serve at the  
68 pleasure of their respective appointing authority."

69 "§41-6-4

70 (a) The ~~board of trustees~~ respective appointing  
71 authorities described in Section 41-6-3(b) shall fill all  
72 vacancies occurring on the board, whether by expiration of  
73 term of service or by death or resignation, but the names of  
74 all successor members shall be communicated to the current  
75 session or the next ensuing regular session of the state  
76 Senate for confirmation. If the Senate rejects any successor  
77 trustee, the ~~board~~ respective appointing authority shall  
78 proceed forthwith to fill the vacancy.

79 (b) A trustee appointed to succeed a member whose term  
80 has expired shall serve for a term of six years. ~~A person~~ An  
81 individual appointed to fill a vacancy occurring by death or  
82 resignation shall only serve out the unexpired term of his or  
83 her predecessor. ~~A person~~ An individual whose appointment to  
84 the board has been confirmed by the Senate shall serve beyond



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85 his or her expired term until a successor has been confirmed  
86 by the Senate.

87 (c) The board shall hold at the State Capital at least  
88 one regular meeting during every year and as many special  
89 meetings as may be necessary, and at any meeting a majority of  
90 the trustees shall constitute a quorum. The Governor ~~of the~~  
91 ~~state~~ shall be a voting member of the board as authorized by  
92 Section 41-6-3, and he or she ~~shall~~, as far as possible, shall  
93 lend every encouragement to the success and ~~upbuilding~~  
94 development of the department. ~~The director shall be the~~  
95 ~~secretary of the board.~~ The trustees shall receive no  
96 compensation for their services. Each member of the board of  
97 trustees shall be reimbursed at the same per diem and travel  
98 allowance amounts paid by law to state employees for each day  
99 of attendance of the business of the board.

100 (d) The board may do all of the following:

101 (1) Adopt rules for its own government and also for the  
102 government of the department.

103 (2) Elect a director and provide for the selection or  
104 appointment of other officials or employees as may be  
105 authorized.

106 (3) Provide for the publication of historical material  
107 pertaining to the state under the supervision of the director.

108 (4) Control and expend such appropriations as may be  
109 made for the maintenance of the department.

110 (5) Perform such other acts as may be necessary to  
111 carry out the intent and purposes of this article."

112 Section 2. This act shall become effective on June 1,



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113 2024.