

1 HB462
2 188436-1
3 By Representatives Givan, Coleman, Scott, Rogers and Moore (M)
4 (N & P)
5 RFD: Jefferson County Legislation
6 First Read: 27-FEB-18

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the City of Birmingham in Jefferson
14 County; to amend Sections 45-37A-52.50 and 45-37A-52.90 of the
15 Code of Alabama 1975; relating to the term of office for the
16 members of the city council; to further provide that the
17 members elected during a regular election shall take office on
18 the fourth Tuesday of November of the year of the election.
19 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

20 Section 1. Sections 45-37A-52.50 and 45-37A-52.90 of
21 the Code of Alabama 1975, are amended to read as follows:

22 "§45-37A-52.50.

23 "The council shall have nine members elected from
24 single member districts pursuant to Section 2 of Ordinance
25 89-46, adopted pursuant to Section 11-43-63. The district
26 council members elected pursuant to Section 2 of Ordinance
27 89-46, adopted pursuant to Section 11-43-63, shall take office

1 on the fourth Tuesday in ~~October~~ November of the year of
2 election.

3 "§45-37A-52.90.

4 "The first mayor shall be elected at the same
5 election at which the council members are elected under
6 Section 45-37A-52.06 and shall hold office until the second
7 Tuesday in November of that year ending in an odd number which
8 would give him or her a term of office most closely
9 approximating four years and until his or her successor is
10 elected and qualified. The first mayor shall qualify and take
11 office in the manner hereinafter prescribed on the second
12 Monday following the date the election of all nine council
13 members is completed or on the second Monday following the
14 election of such mayor, whichever last occurs. The regular
15 election for mayor shall be held on the second Tuesday in
16 October of the year during which the term of the first mayor
17 elected hereunder terminates and every four years thereafter.
18 The mayor elected at any such regular election, shall take
19 office on ~~or before~~ the fourth Tuesday of November of the year
20 of such election, shall qualify by making oath that he or she
21 is eligible for the office, and shall execute the duties of
22 ~~same~~ the office according to the best of his or her knowledge
23 and ability. The oath may be administered by any person
24 authorized to administer an oath under the laws of Alabama. At
25 any election for mayor, the candidate receiving the highest
26 number of votes for the office shall be elected thereto,
27 provided such candidate receives a majority of all votes cast

1 for such office. If at the first election a majority is not
2 received by any candidate for the office of mayor, then a
3 second election shall be held on the third Tuesday thereafter
4 in the same mode and manner and under the same rules and
5 regulations provided in Section 45-37A-52.06 with respect to
6 the election of the first mayor."

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