

SB10 ENGROSSED



1 SB10
2 QELP551-2
3 By Senator Elliott
4 RFD: County and Municipal Government
5 First Read: 06-Feb-24
6 PFD: 04-Jan-24



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A BILL
TO BE ENTITLED
AN ACT

Relating to libraries; to amend Sections 11-90-2 and 11-90-4, Code of Alabama 1975; to further provide for the appointment of county and municipal library boards; and to make nonsubstantive, technical revisions to update the existing code language to current style.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 11-90-2 and 11-90-4, Code of Alabama 1975, are amended to read as follows:

"§11-90-2

(a) The government and supervision of such All
libraries ~~shall be vested in~~ created pursuant to this section
shall be supervised by a library board consisting of five
members ~~who shall be appointed by the county commission or the~~
~~governing body of the municipality.~~

(b) Each library board member shall be appointed by the
governing body of the county or municipality that established
the library.

(c) Each library board member shall be appointed to a
four-year term and shall serve at the pleasure of their
respective appointing authority and may be removed at any time



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29 by a two-thirds vote of the appointing authority~~The terms of~~
30 ~~membership on the library board, as first appointed, for one~~
31 ~~member shall be for one year, for the second member shall be~~
32 ~~for two years, for the third member shall be for three years,~~
33 ~~and for the remaining two members the terms shall be for four~~
34 ~~years. After the first term, all appointments shall be for~~
35 ~~four years.~~

36 (d) ~~The county commission or~~ respective governing body
37 shall fill all vacancies including expired and unexpired
38 terms.

39 (e) Each library board created pursuant to this
40 section, no later than December 31, shall provide, annually,
41 to the Governor, the Speaker of the House of Representatives,
42 and the President Pro Tempore of the Senate a report detailing
43 the membership of the board and any actions the board has
44 taken regarding the review or removal of items in their
45 collection during the previous 12 months.

46 (f) Members of the library board shall serve without
47 compensation.

48 (g) The appointing authorities shall coordinate their
49 appointments to assure the library board membership is
50 inclusive and reflects the racial, gender, geographic, urban,
51 rural, and economic diversity of the state."

52 "§11-90-4

53 (a) In lieu of establishing or maintaining free public
54 libraries exclusively for a single county or municipality in
55 the manner provided in ~~this chapter~~ Section 11-90-2, the
56 library board of any county or municipality free public



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57 library may contract, ~~in behalf of the political unit~~
58 ~~represented by such local library board, to and with the~~
59 library board of another political unit ~~or governmental agency~~
60 ~~or instrumentality with respect to the establishment or~~
61 ~~maintenance of~~ establish and maintain a joint library service
62 ~~upon such on the~~ terms as may be agreed upon by the several
63 contracting parties.

64 (b) Where there is no existing public library, ~~the~~
65 ~~power thus to contract shall vest in the county commission of~~
66 ~~the county or the governing body of the~~ a municipality may
67 contract with the governing body of another political unit to
68 establish and maintain a joint library. ~~Included in the power~~
69 ~~conferred is the determination of the basis and personnel of~~
70 ~~representation of the local political units on the joint~~
71 ~~library board administering the joint library service~~
72 ~~established under this section.~~

73 (c) In establishing a joint library, the contracting
74 parties may determine the size and appointing authorities of
75 the joint library board.

76 (d) Such A joint library board, when appointed,
77 appointed pursuant to this section shall have the powers and
78 duties granted by this chapter to county or municipal library
79 boards. Each joint library board member shall serve at the
80 pleasure of their respective appointing authority and may be
81 removed at any time by a two-thirds vote of the appointing
82 authority. ~~County and municipal library boards or joint library~~
83 ~~boards shall have the power to cooperate with all state and~~
84 ~~federal agencies and institutions in furtherance of the~~



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85 ~~purpose of this chapter, and all municipal, county and joint~~
86 ~~library boards shall from time to time submit such records and~~
87 ~~reports as may be required by the public library service;~~
88 ~~provided, that nothing~~

89 (e) Nothing in this section shall be ~~so~~ construed ~~as~~ to
90 infringe upon any municipal charter provisions governing the
91 administration of existing free public libraries."

92 Section 2. This act shall become effective on October
93 1, 2024.



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96 Senate

97 Read for the first time and referred06-Feb-24
98 to the Senate committee on County
99 and Municipal Government
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101 Read for the second time and placed07-Feb-24
102 on the calendar:
103 1 amendment
104
105 Read for the third time and passed14-Feb-24
106 as amended
107 Yeas 26
108 Nays 7
109 Abstains 0
110

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112 Patrick Harris,
113 Secretary.
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