

1 HB778  
2 115398-1  
3 By Representatives Moore (M), McAdory, Coleman, Hilliard,  
4 Scott and Todd (N & P)  
5 RFD: Jefferson County Legislation  
6 First Read: 25-MAR-10

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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; to amend Section  
14 5 of Act 2001-224 of the 2001 Regular Session (Acts 2001, p.  
15 261), the Lewis Spratt Act; to further provide for when the  
16 members shall assume office on the Birmingham City Board of  
17 Education.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 5 of Act 2001-224 of the 2001  
20 Regular Session (Acts 2001, p. 261) is amended to read as  
21 follows:

22 "Section 5. (a) The Birmingham City Council shall  
23 take necessary steps to ensure that this act complies with the  
24 Federal Voting Rights Act of 1965, as amended.

25 "(b) The election will be called to coincide with  
26 the next mayoral election after final approval of this act by  
27 the United States Department of Justice.

1           "(c) The initial election and the initial runoff  
2 election, if necessary, and all subsequent elections held  
3 pursuant to this act shall be conducted, the vote canvassed,  
4 and the results declared in the same manner as provided for  
5 the election of members of the city council, unless otherwise  
6 required in this act.

7           "(d) The initial elected members of the board of  
8 education shall assume office immediately upon the  
9 certification of the election results and shall serve initial  
10 terms of office which shall expire at the same prescribed time  
11 as the expiration of the corresponding terms of office of the  
12 then current city council members. Thereafter, all members of  
13 the board shall be elected at the same time, in the same  
14 manner, assume office ~~at the same time~~ on the fourth Tuesday  
15 in October, and serve the same term of office as the members  
16 of the Birmingham City Council."

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.