

1 HB482
2 198772-3
3 By Representative Alexander (N & P)
4 RFD: Local Legislation
5 First Read: 02-MAR-21

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8 SYNOPSIS: This bill would require a candidate for
9 mayor a place on the city council of a Class 5
10 municipality organized under Chapter 43D of Title
11 11 of the Code of Alabama 1975, to be a resident of
12 the district which he or she seeks to represent on
13 the council for at least 365 consecutive days
14 immediately preceding the deadline date for
15 qualifying as a candidate and shall be a qualified
16 elector.

17 This bill would require each council member
18 and mayor of a Class 5 municipality organized under
19 Chapter 43D of Title 11 of the Code of Alabama
20 1975, to reside in the district which the member
21 represents during the entire term of office.

22
23 A BILL
24 TO BE ENTITLED
25 AN ACT
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1 Relating to any Class 5 municipality organized under
2 Chapter 43D of Title 11 of the Code of Alabama 1975; to amend
3 Section 11-43D-2 of the Code of Alabama 1975, to require a
4 candidate for a place on the city council or mayor of a Class
5 5 municipality organized under Chapter 43D of Title 11 of the
6 Code of Alabama 1975, to be a resident of the district which
7 he or she seeks to represent on the council for at least 365
8 consecutive days immediately preceding the deadline date for
9 qualifying as a candidate and shall be a qualified elector;
10 and would require each council member and mayor of a Class 5
11 municipality organized under Chapter 43D of Title 11 of the
12 Code of Alabama 1975, to reside in the district which the
13 member represents during the entire term of office.

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

15 Section 1. Section 11-43D-2, Code of Alabama 1975,
16 is amended to read as follows:

17 "§11-43D-2.

18 "If ordinance as hereinabove set out be adopted by
19 the governing body of any municipality to which this chapter
20 applies, then:

21 "(1) Within 90 days thereafter the governing body
22 shall adopt an ordinance establishing the boundaries of the
23 ~~six~~ seven council districts herein provided for and shall take
24 such steps as are necessary to comply with the federal Voting
25 Rights Act of 1965, as amended.

26 "(2) a. The election of the mayor and all the members
27 of the city council shall be held as set by ordinance by the

1 council and quadrennially thereafter and in accordance with
2 the provisions and terms of the general election laws
3 governing mayor-council elections under the general laws of
4 the State of Alabama.

5 "b. A candidate for each place on the city council
6 or mayor shall be a resident of the district which he or she
7 seeks to represent on the council for at least 365 consecutive
8 days immediately preceding the deadline date for qualifying as
9 a candidate and shall be a qualified elector.

10 "(3)a. On the first Monday in October, after the
11 election of the mayor and council, the newly elected mayor and
12 council members shall assume office and the terms, powers,
13 duties, responsibilities, and emoluments of office of the
14 present mayor and governing body shall end.

15 "b. Each council member and mayor shall reside in
16 the district which the member represents during the entire
17 term of office.

18 "(4) The municipality shall thereafter and as
19 provided in this chapter be governed by a mayor and one
20 council member elected at large and six council members
21 elected from single member districts, which shall have the
22 same powers and duties as other mayor-council municipalities
23 organized under Title 11, not inconsistent with this chapter,
24 and any other powers and duties not inconsistent with this
25 chapter which may have been theretofore granted to such
26 municipality."

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