

1 SB159
2 216615-2
3 By Senator Singleton
4 RFD: Governmental Affairs
5 First Read: 01-FEB-22

1 SB159

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 Relating to Alabama State University; to amend
12 Section 16-50-26, Code of Alabama 1975; to further provide for
13 participation in meetings by members of the Board of Trustees
14 of Alabama State University by electronic means.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

16 Section 1. Section 16-50-26, Code of Alabama 1975,
17 is amended to read as follows:

18 "§16-50-26.

19 "(a) The first meeting of the Board of Trustees of
20 Alabama State University after all members have been appointed
21 shall be upon the call of the president of the board. The
22 board shall hold regular meetings on the first Thursdays in
23 May and November at the university unless the board, in
24 regular session, shall determine to hold its meetings at some
25 other time and place. The regular May meeting shall be the
26 regular annual meeting at which the membership of the board
27 shall select a president and president pro tempore of the

1 board from among its members. Special meetings of the board
2 may be assembled by either one of the two methods outlined as
3 follows:

4 "(1) Commencing with the first regular May meeting
5 in 2020, special meetings of the board may be called by the
6 president of the board. In calling special meetings, the
7 president of the board shall mail a written notice to each
8 trustee, naming the time and place thereof, with terms as
9 provided in the bylaws of the board, at least 10 days in
10 advance of the date of the meetings.

11 "(2) Upon the application in writing of any four
12 members of the board, the president of the board shall call a
13 special meeting, naming the time and place thereof and causing
14 notices to be issued in writing to the several members of the
15 board. Meetings shall not be held on a date less than 10 days
16 subsequent to the notices from the president of the board.

17 "~~(3)~~ (b) An emergency meeting of the board may be
18 called when circumstances exist that are deemed by the
19 president of the board, by the president pro tempore of the
20 board, or by three members of the board to present a risk to
21 personal health, safety, or property or to the operation of
22 the university. The three board members shall communicate
23 their request for an emergency meeting to the president of the
24 board or to the president pro tempore of the board by the most
25 expedient means available to them. Notice of an emergency
26 meeting shall be given at least 72 hours before the time the

1 emergency meeting is to commence unless the circumstances of
2 the emergency require the meeting to convene sooner.

3 ~~"(4) (c)~~ Members of the board may participate in a
4 meeting of the board or any committee of the board by means of
5 telephone conference, video conference, or similar
6 communications equipment by means of which all persons
7 participating in the meeting may hear each other at the same
8 time. Participation by ~~such~~ these electronic means shall
9 constitute presence in person at a meeting for all purposes.
10 ~~However, a majority of a quorum of the members of the board,~~
11 ~~or, in the event of a meeting of only the executive committee,~~
12 ~~a majority of a quorum of the executive committee of the~~
13 ~~board, shall be physically present at the location noticed and~~
14 ~~called for the meeting in order to conduct any business or~~
15 ~~deliberation. Members,~~ including the establishment of a
16 quorum. Except as specifically provided otherwise by this
17 section, participation in meetings by members of the board and
18 any committees of the board ~~may not utilize electronic~~
19 ~~communications except as~~ shall be conducted in compliance with
20 the Alabama Open Meetings Act. Except for emergency meetings,
21 notice of board meetings shall be provided in accordance with
22 the Alabama Open Meetings Act, and any telephone or video
23 conference or similar communications equipment used by the
24 members of the board shall also allow members of the public
25 the opportunity to simultaneously listen to or observe ~~such~~
26 meetings held pursuant to this subsection."

1 Section 2. The Boards of Trustees of Alabama State
2 University and Alabama Agricultural and Mechanical University
3 may participate in meetings by electronic means in the same
4 manner as provided for the Board of Trustees of Alabama State
5 University in Section 1.

6 Section 3. This act shall become effective
7 immediately following its passage and approval by the
8 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Governmental Affairs..... 01-FEB-22

Read for the second time and placed on the calen-
dar..... 08-FEB-22

Read for the third time and passed as amended 09-FEB-22

Yeas 29
Nays 0

Patrick Harris,
Secretary.