

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

1 SB159

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4 ENROLLED, An Act,

5 Relating to Alabama State University; to amend  
6 Section 16-50-26, Code of Alabama 1975; to further provide for  
7 participation in meetings by members of the Board of Trustees  
8 of Alabama State University by electronic means.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

12 "§16-50-26.

13 "(a) The first meeting of the Board of Trustees of  
14 Alabama State University after all members have been appointed  
15 shall be upon the call of the president of the board. The  
16 board shall hold regular meetings on the first Thursdays in  
17 May and November at the university unless the board, in  
18 regular session, shall determine to hold its meetings at some  
19 other time and place. The regular May meeting shall be the  
20 regular annual meeting at which the membership of the board  
21 shall select a president and president pro tempore of the  
22 board from among its members. Special meetings of the board  
23 may be assembled by either one of the two methods outlined as  
24 follows:

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

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

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

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

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Speaker of the House of Representatives

SB159

Senate 09-FEB-22

I hereby certify that the within Act originated in and passed the Senate, as amended.

Patrick Harris,  
Secretary.

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House of Representatives  
Passed: 17-MAR-22

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By: Senator Singleton