

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

8 SYNOPSIS: Existing law authorizes the Board of
9 Trustees of Alabama State University to participate
10 in meetings by electronic means, but requires a
11 majority of a quorum of the board or of the
12 relevant committee or subcommittee to be physically
13 present at the physical location of the meeting.

14 This bill would remove the requirement that
15 a majority of a quorum of the board be physically
16 present during meetings conducted by electronic
17 means.

19 A BILL
20 TO BE ENTITLED
21 AN ACT

22
23 Relating to Alabama State University; to amend
24 Section 16-50-26, Code of Alabama 1975; to further provide for
25 participation in meetings by members of the Board of Trustees
26 of Alabama State University by electronic means.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

3 "§16-50-26.

4 "(a) The first meeting of the Board of Trustees of
5 Alabama State University after all members have been appointed
6 shall be upon the call of the president of the board. The
7 board shall hold regular meetings on the first Thursdays in
8 May and November at the university unless the board, in
9 regular session, shall determine to hold its meetings at some
10 other time and place. The regular May meeting shall be the
11 regular annual meeting at which the membership of the board
12 shall select a president and president pro tempore of the
13 board from among its members. Special meetings of the board
14 may be assembled by either one of the two methods outlined as
15 follows:

16 "(1) Commencing with the first regular May meeting
17 in 2020, special meetings of the board may be called by the
18 president of the board. In calling special meetings, the
19 president of the board shall mail a written notice to each
20 trustee, naming the time and place thereof, with terms as
21 provided in the bylaws of the board, at least 10 days in
22 advance of the date of the meetings.

23 "(2) Upon the application in writing of any four
24 members of the board, the president of the board shall call a
25 special meeting, naming the time and place thereof and causing
26 notices to be issued in writing to the several members of the

1 board. Meetings shall not be held on a date less than 10 days
2 subsequent to the notices from the president of the board.

3 ~~"(3)~~ (b) An emergency meeting of the board may be
4 called when circumstances exist that are deemed by the
5 president of the board, by the president pro tempore of the
6 board, or by three members of the board to present a risk to
7 personal health, safety, or property or to the operation of
8 the university. The three board members shall communicate
9 their request for an emergency meeting to the president of the
10 board or to the president pro tempore of the board by the most
11 expedient means available to them. Notice of an emergency
12 meeting shall be given at least 72 hours before the time the
13 emergency meeting is to commence unless the circumstances of
14 the emergency require the meeting to convene sooner.

15 ~~"(4)~~ (c) Members of the board may participate in a
16 meeting of the board or any committee of the board by means of
17 telephone conference, video conference, or similar
18 communications equipment by means of which all persons
19 participating in the meeting may hear each other at the same
20 time. Participation by ~~such~~ these electronic means shall
21 constitute presence in person at a meeting for all purposes.
22 ~~However, a majority of a quorum of the members of the board,~~
23 ~~or, in the event of a meeting of only the executive committee,~~
24 ~~a majority of a quorum of the executive committee of the~~
25 ~~board, shall be physically present at the location noticed and~~
26 ~~called for the meeting in order to conduct any business or~~
27 ~~deliberation. Members,~~ including the establishment of a

1 quorum. Except as specifically provided otherwise by this
2 section, participation in meetings by members of the board and
3 any committees of the board ~~may not utilize electronic~~
4 ~~communications except as~~ shall be conducted in compliance with
5 the Alabama Open Meetings Act. Except for emergency meetings,
6 notice of board meetings shall be provided in accordance with
7 the Alabama Open Meetings Act, and any telephone or video
8 conference or similar communications equipment used by the
9 members of the board shall also allow members of the public
10 the opportunity to simultaneously listen to or observe ~~such~~
11 meetings held pursuant to this subsection."

12 Section 2. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.