

HB468 ENROLLED



1 U4B0GG-2
2 By Representative Harbison (N & P)
3 RFD: Local Legislation
4 First Read: 11-May-23
5 2023 Regular Session



HB468 Enrolled

1 Enrolled, An Act,

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3 Relating to the Town of Garden City in Cullman County;
4 to amend Section 45-22-100.07 of the Code of Alabama 1975, to
5 authorize the town council to sell a portion of the former
6 Garden City school property without a referendum.

7 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

8 Section 1. Section 45-22-100.07 of the Code of Alabama
9 1975, is amended to read as follows:

10 "§45-22-100.07

11 (a) In Cullman County, the governing body of the Town
12 of Garden City may own, operate, manage, and preserve the
13 former Garden City school property in the Town of Garden City,
14 including any ball fields and other historical structures,
15 owned by the Cullman County Board of Education. To the extent
16 allowed under Section 36-1-12, members of the governing body
17 are immune from civil liability for actions taken in the
18 conduct of their duties relating to the Garden City school
19 property.

20 (b) (1) The governing body of the Town of Garden City
21 may accept title to the former Garden City school property
22 owned by the Cullman County Board of Education and may hold
23 the property for the benefit and use of the public,
24 particularly the Town of Garden City. The governing body of
25 the Town of Garden City may receive state, local, and other
26 governmental funding and may accept charitable donations for
27 the operation, management, and preservation of the former
28 Garden City school property.



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29 (2) a. ~~The~~ Except as otherwise provided in paragraph
30 b., the governing body of the Town of Garden City may not sell
31 or transfer ownership of the property unless approved by
32 majority vote of the governing body and then by a majority
33 vote of the qualified electors in the Town of Garden City at a
34 referendum called by the Judge of Probate of Cullman County
35 and held during the following general election.

36 b. Notwithstanding paragraph a., the governing body of
37 the Town of Garden City by a majority vote may sell without a
38 referendum a part of the former Garden City school property,
39 not including the school, more particularly described as 7.2
40 acres - Lots 2 and 4, BLKS 23, 24, and 25 and Lots 1 and 2,
41 BLK 26 of Garden City subdivision, less and except certain
42 property, (PIN 30626, Parcel No. 25-02-09-0-051-005.000)."

43 Section 2. This act shall become effective immediately
44 following its passage and approval by the Governor, or its
45 otherwise becoming law.



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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 18-May-23.

John Treadwell
Clerk

Senate 24-May-23

Passed