

HB468 INTRODUCED



1 U4B0GG-1
2 By Representative Harbison (N & P)
3 RFD: Local Legislation
4 First Read: 11-May-23
5
6 2023 Regular Session



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A BILL
TO BE ENTITLED
AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§45-22-100.07

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

(b) (1) The governing body of the Town of Garden City
may accept title to the former Garden City school property
owned by the Cullman County Board of Education and may hold



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29 the property for the benefit and use of the public,
30 particularly the Town of Garden City. The governing body of
31 the Town of Garden City may receive state, local, and other
32 governmental funding and may accept charitable donations for
33 the operation, management, and preservation of the former
34 Garden City school property.

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

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

49 Section 2. This act shall become effective immediately
50 following its passage and approval by the Governor, or its
51 otherwise becoming law.