

**SB28 INTRODUCED**



1 SB28  
2 ULTKDGG-1  
3 By Senator Chesteen (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 06-Feb-24  
6 PFD: 05-Feb-24



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SYNOPSIS:

Under existing general law, a local health care authority determines procedures for appointing board members through its articles of incorporation. The Houston County Health Care Authority is a duly constituted local health care authority created pursuant to general law.

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Houston County, to authorize the Houston County Commission to appoint members to the board of the Houston County Health Care Authority.

A BILL  
TO BE ENTITLED  
AN ACT

To propose an amendment to the Constitution of Alabama of 2022, relating to Houston County, to authorize the Houston County Commission to appoint members to the Houston County Health Care Authority Board of Directors; and to further provide for the replacement of members who have completed their six-year term.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:



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29           Section 1. The following amendment to the Constitution  
30 of Alabama of 2022, is proposed:

31                           PROPOSED AMENDMENT

32           (a) On and after the ratification of this amendment,  
33 for any existing vacancy, as vacancies occur, and at the  
34 expiration of any term of office of any director, the  
35 directors of the board of the Houston County Health Care  
36 Authority, or any successor health care authority in Houston  
37 County established or reincorporated pursuant to Article 11 of  
38 Chapter 21 of Title 22, Code of Alabama 1975, or any other  
39 provision of law, who are appointed by the Houston County  
40 Commission shall be individuals appointed by the county  
41 commission at its discretion and without regard to any  
42 individuals nominated by the board. Any member appointed shall  
43 be of good moral character and shall never have been convicted  
44 of a felony or other offense involving moral turpitude.

45           (b) Any director of the board of the Houston County  
46 Health Care Authority who has completed a six-year term as of  
47 the ratification of this amendment, whether that director was  
48 appointed or elected by the county commission to serve an  
49 additional term or whose term has expired without a successor  
50 having been elected or appointed, shall have his or her  
51 position on the board immediately vacated and shall be  
52 replaced by the county commission no later than 30 days after  
53 the ratification of this amendment. Any director who has not  
54 completed a six-year term as of the ratification of this  
55 amendment may complete his or her term. Upon the expiration of  
56 the term, each replacement must reflect the requirements of



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57 this amendment.

58 (c) The board of the Houston County Health Care  
59 Authority shall amend the governing documents of the authority  
60 to reflect the requirements of this amendment.

61 Upon ratification of this constitutional amendment, the  
62 Code Commissioner shall number and place this amendment as  
63 appropriate in the constitution omitting this instructional  
64 paragraph and may make the following nonsubstantive revisions:  
65 change capitalization, hierarchy, spelling, and punctuation  
66 for purposes of style and uniformity; correct manifest  
67 grammatical, clerical, and typographical errors; revise  
68 internal or external citations and cross-references; and  
69 translate effective dates.

70 END PROPOSED AMENDMENT

71 Section 2. An election upon the proposed amendment  
72 shall be held in accordance with Sections 284, 284.01, and 285  
73 of the Constitution of Alabama of 2022, and the election laws  
74 of this state. The appropriate election official shall assign  
75 a ballot number for the proposed constitutional amendment on  
76 the election ballot and shall set forth the following  
77 description of the substance or subject matter of the proposed  
78 constitutional amendment:

79 "Relating to Houston County, proposing an amendment to  
80 the Constitution of Alabama of 2022, to authorize the elected  
81 members of the Houston County Commission to appoint members to  
82 the Board of Directors of the Houston County Health Care  
83 Authority to ensure the public interest of the residents of  
84 Houston County.



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85 Proposed by Act \_\_\_\_."

86 This description shall be followed by the following  
87 language:

88 "Yes( ) No( )."

89 Section 3. The proposed amendment shall become valid as  
90 part of the Constitution of Alabama of 2022, when approved by  
91 a majority of the qualified electors voting thereon.

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