

# **NEW TERM OF OFFICE ORGANIZATIONAL MEETING**

## **New Term of Office**

The new term of office for county commissioners “shall commence at 12:00 a.m. on the second Wednesday following the general election at which he or she is elected”. Ala. Code § 11-3-1.

- *This means that county commissioners elected on Tuesday, November 4, 2014 will take office on Wednesday, November 12, 2014 at 12:00 a.m.*
- *This will apply even though duties of registrar and canvassing board (like counting provisional ballots) will not begin until noon on November 12 due to Veterans Day  
-- See, AG’s Opinion # 2005-015 and AG’s Opinion # 2009-010*

## **Organizational Meeting**

Ala. Code § 11-3-1 also provides the following restrictions and requirements for the organizational county commission meeting following the election:

- *The county commission **cannot** meet between Election Day and the date new commissioners take office except in an emergency declared by unanimous vote of the entire county commission membership.*
- *The county commission must meet on Wednesday, November 12.*
- *This organizational meeting will serve as a regular county commission meeting and is held in lieu of any county commission meeting required by law to be held in that calendar week.*
- *The county commission cannot hold any other county commission meeting normally scheduled between November 10 and November 14.*

Ala. Code § 11-3-1 only applies in counties holding an election for any county commission seats. Counties which do not have county commission races on the ballot this November are not affected.

## **Schedule Regular Meetings**

Ala. Code § 11-3-8 and Alabama’s Open Meetings Law (Ala. Code § 36-25A-1 et seq.) require the county commission to establish its regular meeting schedule at the first meeting following the election of county commissioners (the November 12 meeting).

- *Notice of the adopted meeting schedule must be posted at the courthouse and forwarded to all local news media which have on file a written request for such notice.*
- *Counties may change the regular meeting schedule at a later date by following the above procedures, and special meetings may be called with proper notice as set out in the law.*
- *This is also be a good time for county commission to review existing Rules of Procedure.*