

1 HB422
2 167071-1
3 By Representative Rich
4 RFD: County and Municipal Government
5 First Read: 07-APR-15

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8 SYNOPSIS: Under existing law, the county commission of
9 a county has general superintendence of the roads
10 within the county. A municipality may take over a
11 county road within the municipality by a resolution
12 of the municipal governing body. The resolution
13 does not take effect unless it designates the sums
14 to be paid by the county for being relieved of the
15 burden of the road, and the county takes
16 appropriate action to pay or contract to pay those
17 sums.

18 This bill would provide that a
19 municipality's resolution to take over a county
20 road would not be effective unless the county
21 commission approves the transfer of the road to the
22 municipality by a majority vote.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 Relating to county roads; to amend Section 11-49-81,
2 Code of Alabama 1975, relating to the authority of a
3 municipality to assume control over a county road in the
4 municipality; to require approval of the transfer by the
5 county commission.

6 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

7 Section 1. Section 11-49-81, Code of Alabama 1975,
8 is amended to read as follows:

9 "§11-49-81.

10 "~~Such~~ The resolution shall designate the sum or sums
11 ascertained to be the reasonable charge to be paid by ~~such~~ the
12 county for being relieved of the burden of the control,
13 management, supervision, repair, maintenance, and improvement
14 of ~~such~~ the street or streets or part thereof designated in
15 ~~said~~ the resolution, ~~and no such.~~ The resolution shall not
16 become effective ~~until~~ and unless the county, ~~shall~~ by
17 appropriate action of its county commission, does both of the
18 following:

19 "(1) Approve the transfer of its authority over the
20 street or streets to the municipality by a majority vote.

21 "(2) pay Pay or contract to pay ~~such~~ the sum or sums
22 as may be designated in ~~such~~ the resolution."

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.