

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 630
Department or Agency: Alabama Board of Optometry
Rule No.: 630-X-2-.02
Rule Title: Officers
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Fred Wallace, O.D.
Fred Wallace, O.D.

Date

Thursday, June 19, 2025

REC'D & FILED

JUN 20, 2025

LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF OPTOMETRY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Optometry

RULE NO. & TITLE: 630-X-2-.02 Officers

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

To allow officers of the Board to authorize payments from Board accounts through STAARS system and transfer to the Executive Director the responsibility of custody of board records, accounts, accounting, deposits of funds, examination of applicants, and notifications of board meetings.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Email comments or views to fred.wallace@optometry.alabama.gov or attend the Board's meeting on August 29, 2025, 3:00 pm at 621 South Hull St., Montgomery, AL 36104.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, August 29, 2025

CONTACT PERSON AT AGENCY:

Fred Wallace

Fred Wallace, O.D.

Fred Wallace, O.D.

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

The officers of the Board shall consist of a president, a vice president, and a secretary-treasurer.

The officers shall be elected at the ~~annual meeting of the Board and shall hold office until the next~~ annual meeting of the Board and until their successors are elected and installed. Each said officer of the Board shall have the authority to authorize payments from Board accounts.

—

(a) President: The president shall preside at all meetings of the Board and shall be entitled to vote as any other Board member. He or she shall call meetings of the Board deemed by him or her to be necessary to the expeditious handling of Board affairs and upon petition from a majority of the Board as specified in Rule 630-X-2-.01. The president shall have the authority to countersign all checks drawn ~~by the secretary-treasurer~~ on Board bank accounts. He or she shall give bond made by a duly authorized company, in such sum as may be fixed by the Board, conditioned for the proper accounting for of all monies and property coming into his hands or over which he has control by virtue of his office, the premiums of which shall be paid by the Board. _

—

(b) Vice President: In the absence, sickness or disability of the president, the vice president shall perform all duties and exercise all ~~the~~ authority of the president, and shall perform such ~~other~~ duties as the president may assign him. The vice president shall have the authority to countersign all checks drawn on Board bank accounts.

—

(c) Secretary-Treasurer: The secretary-treasurer shall ~~record~~ cause to be recorded the proceedings of all the meetings of the Board, which record shall be open for public inspection at all reasonable times. He or she may review and/or audit all financial and bank records of the Board from time to time as may be needed to ensure accuracy and compliance with applicable laws, rules, and regulatory requirements. He or she shall have the authority to countersign all checks drawn on the Board bank accounts and shall perform all duties required of him by other law, rules, and regulations promulgated by the Board from time to time. ~~The secretary-treasurer shall be custodian of all records and the official seal of the Board. He shall have charge of all~~

~~funds of the Board; shall keep books of account; shall be responsible for the accuracy of the same, as well as for all monies and other property coming into his hands or over which he has control by virtue of his office; shall at each meeting of the Board or upon the Board's request report a full and correct statement of the accounts, and disclose the true financial condition of the Board; and shall give bond made by a duly authorized surety company, in such sum as may be fixed by the Board, conditioned for the proper accounting for all monies and property coming into his hands or over which he has control by virtue of his office, the premiums of which shall be paid by the Board. He shall deposit all monies coming into his hands by virtue of his office to the credit of the Board in a bank selected by the Board for the use of the Board as provided by law. All such monies shall be deposited in a timely fashion and in no case shall they be deposited more than three business days after receipt by the secretary-treasurer. All correspondence received by the secretary-treasurer shall be dated by him to reflect the date on which he received it. All applications for licenses shall be filed with the secretary-treasurer. He shall keep a record of and examine and investigate all applicants and all applications for the purpose of determining whether the applicants are qualified to take examination for license and to be issued a license and shall report same to the Board. He shall notify members of the Board of all meetings; and issue other notices to applicants for license and others required by law or by rules and regulations of the Board. He shall keep a record of all complaints against licensees and violations of optometry laws and regulations and a record of all proceedings taken by the Board in connection there with. He shall keep a registry in which shall be entered the names of all persons to whom license certificates, annual registration certificates, and teaching permits have been granted, the serial numbers of such license certificates and annual registration certificates, and the dates of granting the same. He shall keep such records relating to continuing education as may be required by regulations relating thereto.~~

Author: ~~Dr. Larry Carter~~[Wallace D. Mills](#)

Statutory Authority: [Code of Ala. 1975](#), §§ 34-22-41, 34-22-42, 34-22-43.

History: Filed July 9, 1990. [Amended: Published _____ ; effective _____ .](#)