

1 HB147
2 115227-1
3 By Representative Hinshaw (Constitutional Amendment)
4 RFD: Madison County Legislation
5 First Read: 12-JAN-10
6 PFD: 01/11/2010

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8 SYNOPSIS: This bill would propose a local
9 constitutional amendment to the Constitution of
10 Alabama of 1901, applicable to those areas of
11 Madison County outside the corporate limits of any
12 municipality, to authorize the Madison County
13 Commission, by resolution, to establish a procedure
14 by which a dog can be declared dangerous, to impose
15 civil penalties on the owner of a dog that inflicts
16 severe personal harm on another person, and to
17 require that a dangerous dog be kept in a fenced
18 enclosure as defined by the commission with input
19 from the local humane society.

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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To propose an amendment to the Constitution of
26 Alabama of 1901, relating to Madison County, to authorize the
27 Madison County Commission, by resolution, to establish a

1 procedure by which a dog can be declared dangerous, to impose
2 civil penalties on the owner of a dog that inflicts severe
3 personal harm on another person, and to require that a
4 dangerous dog be kept in a fenced enclosure.

5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. The following amendment to the
7 Constitution of Alabama of 1901, is proposed and shall become
8 valid as a part of the Constitution when all requirements of
9 this act are fulfilled:

10 PROPOSED AMENDMENT

11 The Madison County Commission, by resolution
12 applicable to those areas of Madison County outside the
13 corporate limits of any municipality, may establish a
14 procedure by which a dog can be declared dangerous, may impose
15 civil penalties on the owner of a dog that inflicts severe
16 personal harm on another person, and may require that
17 dangerous dogs, as defined by the commission, be kept in a
18 fenced enclosure, as defined by the commission, with input
19 from the local humane society.

20 Section 2. An election upon the proposed amendment
21 shall be held in accordance with Amendment 555 to the
22 Constitution of Alabama of 1901, now appearing as Section
23 284.01 of the Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, and the election laws of this
25 state.

26 Section 3. The appropriate election official shall
27 assign a ballot number for the proposed constitutional

1 amendment on the election ballot and shall set forth the
2 following description of the substance or subject matter of
3 the proposed constitutional amendment:

4 "Proposing an amendment to the Constitution of
5 Alabama of 1901, for those areas of Madison County outside the
6 corporate limits of any municipality, to authorize the Madison
7 County Commission, by resolution, to establish a procedure by
8 which a dog can be declared dangerous, to impose civil
9 penalties on the owner of a dog that inflicts severe personal
10 harm on another person, and to require that dangerous dogs be
11 kept in a fenced enclosure with input from the local humane
12 society.

13 "Proposed by Act _____."

14 This description shall be followed by the following
15 language:

16 "Yes () No ()."