

1 HB209
2 115095-3
3 By Representative Todd (Constitutional Amendment)
4 RFD: Constitution and Elections
5 First Read: 12-JAN-10

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8 SYNOPSIS: Under existing law, there is no limit on
9 the number of terms a person may serve as a member
10 of the Alabama House of Representatives or the
11 Alabama Senate.

12 This bill would provide for an amendment to
13 Section 46 of the Constitution of Alabama of 1901,
14 now appearing as Section 46 of the Official
15 Recompilation of the Constitution of Alabama of
16 1901, as amended, to limit a legislator to a
17 maximum of three consecutive terms of office
18 commencing on or after November 2014. The
19 limitation would apply to service in either the
20 House or the Senate, but would not apply to the
21 period served to fill the unexpired term caused by
22 a vacancy for any reason.

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

1 Proposing an amendment to Section 46 of the
2 Constitution of Alabama of 1901, now appearing as Section 46
3 of the Official Recompilation of the Constitution of Alabama
4 of 1901, as amended, to limit a legislator to a maximum of
5 three consecutive terms of office commencing on or after
6 November 2014. The limitation would apply to service in either
7 the House or the Senate, but would not apply to the period
8 served to fill the unexpired term caused by a vacancy for any
9 reason.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The following amendment to the
12 Constitution of Alabama of 1901, as amended, is proposed and
13 shall become valid as a part thereof when approved by a
14 majority of the qualified electors voting thereon and in
15 accordance with Sections 284, 285, and 287 of the Constitution
16 of Alabama of 1901, as amended:

17 PROPOSED AMENDMENT

18 "Section 46.

19 "Senators and representatives shall be elected by
20 the qualified electors on the first Tuesday after the first
21 Monday in November unless the legislature shall change the
22 time of holding elections and in every fourth year thereafter.
23 The terms of office of the senators and representatives shall
24 commence on the day after the general election at which they
25 are elected, and expire on the day after the general election
26 held in the fourth year after their election, except as
27 otherwise provided in this Constitution. ~~At the general~~

1 ~~election in the year nineteen hundred and two all the~~
2 ~~representatives, together with the senators for the even~~
3 ~~numbered districts and for the thirty-fifth district, shall be~~
4 ~~elected. The terms of those senators who represent the odd~~
5 ~~numbered districts under the law in force prior to the~~
6 ~~ratification of this Constitution, are hereby extended until~~
7 ~~the day after the general election in the year nineteen~~
8 ~~hundred and six; and until the expiration of his term as~~
9 ~~hereinbefore extended, each such senator shall represent the~~
10 ~~district established by this Constitution, bearing the number~~
11 ~~corresponding with that for which he was elected. In the year~~
12 ~~nineteen hundred and six, and in every fourth year thereafter,~~
13 ~~all the senators and representatives shall be elected.~~

14 Whenever a vacancy shall occur in either house, the governor
15 shall issue a writ of election to fill such vacancy for the
16 remainder of the term. On and after the general election in
17 November 2014, no person may serve as a legislator for more
18 than three consecutive terms. This limitation shall apply to
19 any full consecutive terms whether in the Senate or the House
20 of Representatives. Legislative service which is to fill an
21 unexpired term caused by a vacancy for any reason shall not be
22 included in the limitation of legislative service."

23 Section 2. An election upon the proposed amendment
24 shall be held in accordance with Sections 284 and 285 of the
25 Constitution of Alabama of 1901, now appearing as Sections 284
26 and 285 of the Official ReCompilation of the Constitution of

1 Alabama of 1901, as amended, and the election laws of this
2 state.

3 Section 3. The appropriate election official shall
4 assign a ballot number for the proposed constitutional
5 amendment on the election ballot and shall set forth the
6 following description of the substance or subject matter of
7 the proposed constitutional amendment:

8 "Proposing an amendment to the Constitution of
9 Alabama of 1901, to amend Section 46 of the Constitution of
10 Alabama of 1901, now appearing as Section 46 of the Official
11 Recompilation of the Constitution of Alabama of 1901, as
12 amended, to limit a legislator to a maximum of three
13 consecutive terms of office commencing on or after November
14 2014. The limitation would apply to service in either the
15 House or the Senate, but would not apply to the period served
16 to fill the unexpired term caused by a vacancy for any reason.

17 "Proposed by Act _____."

18 This description shall be followed by the following
19 language:

20 "Yes () No ()."