

1 HB497
2 108571-1
3 By Representatives Ward and Hill
4 RFD: Government Appropriations
5 First Read: 04-FEB-10

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8 SYNOPSIS: This bill would create an additional
9 district judgeship, designated district judgeship
10 number 3, in the Eighteenth Judicial Circuit,
11 comprised of Shelby County. The bill would provide
12 that the initial district judgeship would be filled
13 by election at the next general election. The bill
14 would make a conditional appropriation from the
15 State General Fund to fund the judgeship.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To create an additional district judgeship in the
22 Eighteenth Judicial Circuit; to provide for the election of
23 the first judge to fill the position; and to provide for a
24 conditional appropriation from the State General Fund to fund
25 the additional judgeship.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. There is created an additional district
2 judgeship for the Eighteenth Judicial Circuit which shall be
3 designated judgeship number 3. This judgeship shall be filled
4 at the next general election following its preclearance under
5 Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c
6 and release of the conditional appropriation made by Section 4
7 of this act. The first judge elected pursuant to this section
8 shall serve for a six-year term, holding office from the first
9 Monday following the second Tuesday in January after the
10 general election at which that judge is elected.

11 Section 2. The judge provided in Section 1 shall
12 have and shall exercise all the jurisdiction, power, rights,
13 and authority and shall possess all of the qualifications,
14 perform all of the duties, and shall be subject to all of the
15 responsibilities and duties of the office to which other
16 district judges are subject.

17 Section 3. The annual compensation of the district
18 judge provided pursuant to this act shall be in accordance
19 with the provisions of Chapter 10A, Title 12, Code of Alabama
20 1975, including, but not limited to, the provisions that no
21 district judge first elected or appointed to office after
22 October 1, 2001, shall be provided a salary supplement or
23 expense allowance.

24 Section 4. There is hereby conditionally
25 appropriated from the State General Fund such additional funds
26 as may be required, as determined by the Director of Finance,
27 to fully fund the additional judgeship provided for by this

1 act for each fiscal year a judgeship is filled pursuant to
2 this act and for the following fiscal year if funding for the
3 following fiscal year is not provided for in the general
4 appropriations act or other appropriation act. These
5 appropriations are conditioned upon the availability of funds
6 in the State General Fund, the recommendation of the Director
7 of Finance, and the approval of the Governor. Initial filling
8 of this judgeship is contingent upon release of the applicable
9 conditional appropriations made by this bill.

10 Section 5. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.