

1 SB438
2 117614-1
3 By Senator Singleton (Constitutional Amendment)
4 RFD: Local Legislation No. 1
5 First Read: 17-FEB-10

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8 SYNOPSIS: This bill would propose a local
9 constitutional amendment to the Constitution of
10 Alabama of 1901, relating to Perry County, to
11 provide for a special election to fill a vacancy of
12 the office of the judge of probate, the revenue
13 commissioner, or the sheriff.

14
15 A BILL
16 TO BE ENTITLED
17 AN ACT
18

19 Proposing a local constitutional amendment to the
20 Constitution of Alabama of 1901, relating to Perry County, to
21 provide for a special election to fill a vacancy of the office
22 of the judge of probate, the revenue commissioner, or the
23 sheriff.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. The following amendment to the
26 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 Whenever a vacancy occurs in the office of the judge
5 of probate, the revenue commissioner, or the sheriff in Perry
6 County, with 12 months or more remaining on the term of the
7 vacant seat, provision shall be immediately made for a special
8 election to fill the vacancy, with the election to be held no
9 sooner than 60 days and no later than 90 days after the seat
10 has become vacant. The Governor shall call the special
11 election if the vacancy is in the office of the judge of
12 probate, and the judge of probate shall call the election if
13 the vacancy is in the office of the revenue commissioner or
14 the sheriff. The election, and, if necessary, any primary
15 election or elections, shall be held in the manner prescribed
16 by law, and the person elected to fill the vacancy shall serve
17 for the remainder of the unexpired term.

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

24 Section 3. The appropriate election official shall
25 assign a ballot number for the proposed constitutional
26 amendment on the election ballot and shall set forth the

1 following description of the substance or subject matter of
2 the proposed constitutional amendment:

3 "Relating to Perry County, proposing an amendment to
4 the Constitution of Alabama of 1901, to provide for a special
5 election to fill a vacancy of the office of the judge of
6 probate, the revenue commissioner, or the sheriff.

7 "Proposed by Act _____."

8 This description shall be followed by the following
9 language:

10 "Yes () No ()."