

1 SB175
2 126710-1
3 By Senator Taylor (Constitutional Amendment)
4 RFD: Rules
5 First Read: 08-MAR-11

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8 SYNOPSIS: Under existing law, the Legislature or a
9 county of the state may not increase or decrease
10 the salary, fees, or other compensation of any
11 officer of the state or of any county of the state
12 who is elected or appointed for a fixed term during
13 the term for which he or she is elected or
14 appointed.

15 This bill would amend Amendment 92 to the
16 Constitution of Alabama of 1901, now appearing as
17 Section 68.01 of the Official Recompilation of the
18 Constitution of Alabama of 1901, as amended, to
19 provide that, except for reimbursements made for
20 actual expenses incurred in the performance of
21 official duties and substantiated in the manner
22 provided by law, any expense allowance authorized
23 to members of the Legislature shall be deemed part
24 of their personal compensation subject to the
25 limitation of the amendment.

26
27 A BILL

1 TO BE ENTITLED

2 AN ACT

3
4 To amend Amendment 92 to the Constitution of Alabama
5 of 1901, now appearing as Section 68.01 of the Official
6 Recompilation of the Constitution of Alabama of 1901, as
7 amended, to provide that, except for reimbursements made for
8 actual expenses incurred in the performance of official duties
9 and substantiated in the manner provided by law, any expense
10 allowance authorized to members of the Legislature shall be
11 deemed part of their personal compensation subject to the
12 limitation of the amendment.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

20 PROPOSED AMENDMENT

21 "Amendment 92.

22 "(a) Any provisions of this Constitution or
23 amendments thereto to the contrary notwithstanding, neither
24 the ~~legislature~~ Legislature, nor any county of the state
25 ~~shall~~, by the imposition of new, different, and additional
26 duties or otherwise, shall increase, or authorize the increase
27 of, the salary, fees, or other compensation of any officer of

1 the state or of any county of the state, who is elected or
2 appointed for a fixed term, during the term for which ~~he~~ the
3 officer is elected or appointed, regardless of whether ~~such~~
4 the officer may be removed at the pleasure of the authority
5 electing or appointing ~~him~~ the officer or only upon
6 impeachment; nor shall the ~~legislature~~ Legislature or any
7 county of the state in any manner or by any means decrease, or
8 authorize the decrease of, the salary, fees or other
9 compensation of any such officer, during the term for which he
10 or she is elected or appointed; nor shall the ~~legislature~~
11 Legislature or any county of the state increase or decrease,
12 or authorize the increase or decrease of, the salary, fees or
13 other compensation of any person filling an unexpired term in
14 any such office during the remainder of such term, either
15 before or after the appointment or election of such person to
16 fill the unexpired term. As to officers who are members of any
17 court, board, commission, or similar body whose terms do not
18 run concurrently, any increase or decrease in the salary,
19 fees, or other compensation of the members of any such court,
20 board, commission, or similar body shall become effective as
21 to all such members thereof immediately after the expiration
22 of the term or terms of office of the member or members whose
23 term or terms first expire.

24 "(b) Except for reimbursement made for actual
25 expenses incurred in the performance of official duties and
26 substantiated in the manner provided by law, any expense
27 allowance authorized for members of the Legislature shall be

1 deemed part of their compensation subject to the limitation of
2 this amendment."

3 Section 2. An election upon the proposed amendment
4 shall be held in accordance with Sections 284 and 285 of the
5 Constitution of Alabama of 1901, now appearing as Sections 284
6 and 285 of the Official Recompilation of the Constitution of
7 Alabama of 1901, as amended, and the election laws of this
8 state.

9 Section 3. The appropriate election official shall
10 assign a ballot number for the proposed constitutional
11 amendment on the election ballot and shall set forth the
12 following description of the substance or subject matter of
13 the proposed constitutional amendment:

14 "Proposing an amendment to the Constitution of
15 Alabama of 1901, to amend Amendment 92 to the Constitution of
16 Alabama of 1901, now appearing as Section 68.01 of the
17 Official Recompilation of the Constitution of Alabama of 1901,
18 as amended, to provide that, except for reimbursements made
19 for actual expenses incurred in the performance of official
20 duties and substantiated in the manner provided by law, any
21 expense allowance authorized to members of the Legislature
22 shall be deemed part of their compensation subject to the
23 limitation of the amendment.

24 "Proposed by Act _____."

25 This description shall be followed by the following
26 language:

27 "Yes () No ()."

