

1 HB520
2 137921-1
3 By Representative Mitchell (Constitutional Amendment)
4 RFD: Ethics and Campaign Finance
5 First Read: 14-MAR-12

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8 SYNOPSIS: This bill would propose a constitutional
9 amendment specifying that a person engaged in any
10 occupation or vocation that involves serving as an
11 officer of the court, including, but not limited to
12 attorneys, may not serve in the Legislature.

13 This bill would state that the purpose of
14 this restriction is to prevent potential undue
15 influence, conflict of interest, or multiple
16 payments by the state to the person.

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18 A BILL
19 TO BE ENTITLED
20 AN ACT
21

22 Proposing an amendment to Section 47 of the
23 Constitution of Alabama of 1901, now appearing as Section 47
24 of the Official Recompilation of the Constitution of Alabama
25 of 1901, as amended, to further provide for the qualifications
26 of legislators.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

5 PROPOSED AMENDMENT

6 Section 47 of the Constitution of Alabama of 1901,
7 is amended to read as follows:

8 Section 47.

9 (a) Senators shall be at least twenty-five years of
10 age, and representatives twenty-one years of age at the time
11 of their election. They shall have been citizens and residents
12 of this state for three years and residents of their
13 respective counties or districts for one year next before
14 their election, if such county or district shall have been so
15 long established; but if not, then of the county or district
16 from which the same shall have been taken; and they shall
17 reside in their respective counties or districts during their
18 terms of office.

19 (b) A person engaged in any occupation or vocation
20 that involves serving as an officer of the court, including,
21 but not limited to attorneys, may not serve in the
22 Legislature. The purpose of this restriction is to prevent
23 potential undue influence, conflict of interest, or multiple
24 payments by the state to the person.

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

1 and 285 of the Official Recompilation of the Constitution of
2 Alabama of 1901, as amended, and the election laws of this
3 state.

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

9 "Proposing an amendment to the Constitution of
10 Alabama of 1901, to specify that a person engaged in any
11 occupation or vocation that involves serving as an officer of
12 the court, including, but not limited to attorneys, may not
13 serve in the Legislature."

14 "Proposed by Act _____"

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

17 "Yes () No ()."