

1 HB212
2 155640-2
3 By Representative Clouse
4 RFD: Constitution, Campaigns and Elections
5 First Read: 14-JAN-14

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8 SYNOPSIS: Existing law provides that, unless otherwise
9 provided by law, whenever a vacancy occurs in an
10 elected state, county, or municipal law, the
11 vacancy is filled by appointment of the Governor.
12 Existing law also provides for filling a vacancy in
13 the office of senator or representative in the
14 Legislature by special election.

15 This bill would repeal the provision of law
16 that provides for a special election to fill a
17 vacancy in the office of senator or representative
18 in the Legislature, thereby allowing the Governor
19 to fill such a vacancy by appointment.
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21 A BILL
22 TO BE ENTITLED
23 AN ACT
24

25 To amend Section 17-15-1, Code of Alabama 1975,
26 relating to special elections, to repeal the provision of law

1 that provides for the a special election to fill a vacancy in
2 the office of senator or representative in the Legislature.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 17-15-1, Code of Alabama 1975, is
5 amended to read as follows:

6 "§17-15-1.

7 "Special elections are to be held in the following
8 cases:

9 "~~(1) When a vacancy occurs in the office of senator
10 or representative in the Legislature, when the Legislature
11 will be in session prior to the next general election for that
12 office.~~

13 "~~(2)~~ (1) When a vacancy occurs in the office of
14 representative in the Congress of the United States, by which
15 the state may be deprived of its full representation at any
16 time Congress will be in session prior to the next general
17 election for that office.

18 "~~(3)~~ (2) Whenever any general or special election ~~for~~
19 ~~members of the Legislature or~~ for representatives in Congress
20 is not held.

21 "~~(4)~~ (3) When any vacancy occurs in any state or
22 county office filled by election of the people not otherwise
23 provided for by the Constitution of Alabama of 1901, or laws
24 of this state.

25 "~~(5)~~ (4) In such other cases as are or may be
26 provided for by law."

1 Section 2. This act shall become effective on the
2 first day of the third month following its passage and
3 approval by the Governor, or its otherwise becoming law.