

1 SB238
2 154065-1
3 By Senator Allen (Constitutional Amendment)
4 RFD: Constitution, Campaign Finance, Ethics, and Elections
5 First Read: 21-JAN-14

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8 SYNOPSIS: Amendment 509 to the Constitution of Alabama
9 of 1901, now appearing as Section 36.01 of the
10 Official Recompilation of the Constitution of
11 Alabama of 1901, as amended, makes English the
12 official language of the State of Alabama.

13 This bill would amend this provision to
14 provide that English shall be the language of all
15 official proceedings in this state.

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

21 Proposing an amendment to Amendment 509 to the
22 Constitution of Alabama of 1901, now appearing as Section
23 36.01 of the Official Recompilation of the Constitution of
24 Alabama of 1901, as amended, to provide that English shall be
25 the language of all official proceedings in this state.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. The following amendment to the
2 Constitution of Alabama of 1901, as amended by Amendment 509,
3 is proposed and shall become valid as a part thereof when
4 approved by a majority of the qualified electors voting
5 thereon and in accordance with Sections 284, 285 and 287 of
6 the Constitution of Alabama of 1901, as amended.

7 PROPOSED AMENDMENT

8 Amendment 509 to the Constitution of Alabama of
9 1901, now appearing as Section 36.01 of the Official
10 Recompilation of the Constitution of Alabama of 1901, as
11 amended, is amended to read as follows:

12 "(a) English is the official language of the State
13 of Alabama. The Legislature shall enforce this amendment by
14 appropriate legislation. The Legislature and officials of the
15 State of Alabama shall take all steps necessary to insure that
16 the role of English as the common language of the State of
17 Alabama is preserved and enhanced. The Legislature shall not
18 enact any law which diminishes or ignores the role of English
19 as the common language of the State of Alabama.

20 "(b) English shall be the language of any official
21 proceeding in this state.

22 "(c) As used in this amendment, "official
23 proceeding" means any meeting of a public governmental body at
24 which any public business is discussed, decided, or public
25 policy formulated, whether the meeting is conducted in person
26 or by means of communication equipment, including, but not
27 limited to, conference call, video conference, Internet chat,

1 or Internet message board. The term includes a public vote of
2 all or a majority of the members of a public governmental
3 body, by electronic communication or any other means,
4 conducted in lieu of holding an official proceeding with the
5 members of the public governmental body gathered at one
6 location in order to conduct public business. The term does
7 not include an informal gathering of members of a public
8 governmental body for ministerial or social purposes.

9 "(d) Any person who is a resident of or doing
10 business in the State of Alabama shall have standing to sue
11 the State of Alabama to enforce this amendment, and the courts
12 of record of the State of Alabama shall have jurisdiction to
13 hear cases brought to enforce this provision. The Legislature
14 may provide reasonable and appropriate limitations on the time
15 and manner of suits brought under this amendment."

16 Section 2. An election upon the proposed amendment
17 shall be in accordance with Sections 284 and 285 of the
18 Constitution of Alabama of 1901, now appearing as Sections 284
19 and 285 of the Official Recompilation of the Constitution of
20 Alabama of 1901, as amended, and the election laws of this
21 state.

22 Section 3. The appropriate election official shall
23 assign a ballot number for the proposed constitutional
24 amendment on the election ballot and shall set forth the
25 following description of the substance or subject matter of
26 the proposed constitutional amendment:

1 "Proposing an amendment to Amendment 509 to the
2 Constitution of Alabama of 1901, now appearing as Section
3 36.01 of the Official Recompilation of the Constitution of
4 Alabama of 1901, as amended, to authorize the Legislature to
5 provide that English shall be the language of all official
6 proceedings in this state.

7 "Proposed by Act _____."

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

10 "Yes () No ()."