

1 SB325
2 172725-1
3 By Senators Dial, Holley, Ward and Sanford
4 RFD: Governmental Affairs
5 First Read: 03-MAR-16

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8 SYNOPSIS: Under existing law, various services are
9 provided to the Legislature by the Legislative
10 Reference Service, Legislative Fiscal Office, and
11 Alabama Law Institute.

12 This bill would create the Legislative
13 Services Agency and reconstitute the Legislative
14 Reference Service, Legislative Fiscal Office, and
15 Alabama Law Institute as divisions of the
16 Legislative Services Agency and repeal conflicting
17 and obsolete provisions.

18
19 A BILL
20 TO BE ENTITLED
21 AN ACT
22

23 Relating to the Legislature; to create the
24 Legislative Services Agency to provide certain staff services
25 to the Legislature; to reconstitute the Legislative Reference
26 Service, Legislative Fiscal Office, and the Alabama Law
27 Institute as divisions of the agency; to add Chapter 5A

1 (commencing with Section 29-5A-1) to, and to repeal Chapter 5
2 (commencing with Section 29-5-1), Section 29-6-2.1, Chapter 7
3 (commencing with Section 29-7-1), and Chapter 8 (commencing
4 with Section 29-8-1) of Title 29 of, the Code of Alabama 1975.
5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Chapter 5A (commencing with Section
7 29-5A-1) is added to Title 29 of the Code of Alabama 1975, to
8 read as follows:

9 Chapter 5A. Legislative Services Agency.

10 Article 1. Legislative Services Agency.

11 §29-5A-1.

12 (a) There is hereby created the Legislative Services
13 Agency which shall be under the supervision, direction, and
14 control of the Director of Legislative Services. The director
15 shall be appointed by the Legislative Council and shall
16 receive the compensation and benefits established by the
17 council, payable as the compensation of other state employees.

18 (b) The agency succeeds to and is vested with all of
19 the functions of the Legislative Reference Service, the
20 Legislative Fiscal Office, and the Alabama Law Institute. A
21 reference in any law to the Legislative Reference Service,
22 Legislative Fiscal Office, or the Alabama Law Institute shall
23 be deemed a reference to the agency.

24 (c) On October 1, 2016, all papers, books,
25 materials, furnishings, funds, personnel, and property of the
26 Legislative Reference Service, Legislative Fiscal Office, and
27 the Alabama Law Institute shall be transferred to the agency.

1 §29-5A-2.

2 The agency shall consist of three divisions as
3 follows:

4 (1) The Legal Division, which shall be headed by the
5 Deputy Director of Legislative Services, Legal. The deputy
6 director, legal, shall be appointed by and serve at the
7 pleasure of the director and shall receive the compensation
8 determined by the Legislative Council. The Legal Division
9 succeeds to and is vested with all the powers of, and the
10 duties previously performed by, the Legislative Reference
11 Service.

12 (2) The Fiscal Division, which shall be headed by a
13 Deputy Director of Legislative Services, Fiscal. The deputy
14 director, fiscal, shall be appointed by and serve at the
15 pleasure of the director and shall receive the compensation
16 determined by the Legislative Council. The Fiscal Division
17 succeeds to and is vested with all the powers of, and the
18 duties previously performed by, the Legislative Fiscal Office.

19 (3) The Law Revision Division, which shall be headed
20 by the Deputy Director of Legislative Services, Law Revision.
21 The deputy director, law revision, after consultation with the
22 Alabama Law Institute Council, shall be appointed by and shall
23 serve at the pleasure of the director and shall receive the
24 compensation determined by the Legislative Council. The Law
25 Revision Division succeeds to and is vested with all the
26 powers of, and the duties previously performed by, the Alabama
27 Law Institute.

1 §29-5A-3.

2 The director shall hire professional staff necessary
3 to effectuate the purposes of this chapter. The employees
4 shall be exempt from the merit system. The director shall
5 determine their compensation and benefits, and supervise the
6 performance of their duties.

7 §29-5A-4.

8 (a) Communications concerning a request for
9 assistance between the Director of Legislative Services, and
10 each officer and employee of the Legislative Services Agency
11 and an individual authorized by this chapter to make a request
12 for assistance shall be privileged and confidential. When
13 responding to a request for assistance, the Director of
14 Legislative Services, and each officer and employee of the
15 Legislative Services Agency shall maintain this privilege. All
16 requests for assistance and the contents thereof, including,
17 but not limited to, the fact a request was made, any materials
18 related to the request, and any work product related to or
19 arising from the request, shall be confidential and privileged
20 until this privilege is waived. The privilege is waived when
21 the agency receives instructions to release the material from
22 the member of the Legislature in whose name the request for
23 assistance was made, or the Lieutenant Governor for a request
24 for assistance made in the name of the Lieutenant Governor, or
25 the Governor for a request for assistance made in the name of
26 the Governor.

1 (b) The introduction of a bill prepared by the
2 agency is a waiver of the privilege imposed by this subsection
3 only with respect to the contents of the bill.

4 (c) The advertising of a local bill by synopsis or
5 in a form less than in its entirety is not, in and of itself,
6 a waiver of the privilege for the purposes of this subsection.

7 (d) In order that the purposes of this article shall
8 be best served, each department and agency of State of Alabama
9 government shall furnish to the Legal Division copies of all
10 monthly, quarterly, annual, biennial, quadrennial, and other
11 regular reports which it is required by law to prepare for
12 other agents or officials of the state government and copies
13 of all printed publications that it issues. Each department or
14 agency of State of Alabama government shall comply with
15 requests for supplementary reports made by the Legal Division
16 and approved by the Legislative Council. Each department and
17 agency of State of Alabama government shall make its internal
18 records available to the Legal Division upon request.

19 Article 2. Legal Division.

20 §29-5A-20.

21 The Legislative Reference Service is reconstituted
22 as the Legal Division. The division shall be under the
23 supervision, direction, and control of the Deputy Director of
24 Legislative Services, Legal, who shall be appointed as
25 provided in Article 1.

26 §29-5A-21.

1 (a) The Deputy Director of Legislative Services,
2 Legal, shall have all of the following powers and duties:

3 (1) To respond to questions concerning the
4 organization and administration of state government or the
5 operation of constitutional or statutory law.

6 (2) To render assistance in the drafting of bills
7 and amendments to bills.

8 (3) To make studies and reports on problems of state
9 and local government in Alabama, either upon request or on his
10 or her own initiative.

11 (4) To conduct a continuous analysis of the scope,
12 effect, and methods of federal, state, and local government
13 operations in Alabama and make those recommendations to the
14 Legislative Council as he or she determines to be appropriate.

15 (5) To prepare, when directed by the Legislature, a
16 compilation or code of the statutes of Alabama.

17 (6) To act as Code Commissioner in determining the
18 content of the code and any supplements thereto and to prepare
19 an annual codification bill to adopt changes to the code
20 enacted at prior sessions of the Legislature.

21 (7) To enter into a printing contract on behalf of
22 the State of Alabama, when approved and directed by the
23 Legislative Council, to publish the official code of the
24 statutes of Alabama.

25 (b) Requests for assistance under subdivisions (1)
26 and (3) of subsection (a) shall be prepared only for a member
27 of the Legislature or the Lieutenant Governor, or a person

1 authorized by a member of the Legislature or by the Lieutenant
2 Governor. Requests for assistance under subdivision (2) of
3 subsection (a) shall be prepared only for a member of the
4 Legislature, the Lieutenant Governor, or the Governor, or a
5 person authorized by a member of the Legislature, by the
6 Lieutenant Governor, or by the Governor. A request for
7 assistance made by a member of the Legislative Council or a
8 person authorized by a member of the Legislative Council shall
9 be given priority over any other request. A request for
10 assistance made by a member of the Legislature or a person
11 authorized by a member of the Legislature shall be given
12 priority over any other requests other than by members of the
13 Legislative Council. The Deputy Director of Legislative
14 Services, Legal, may respond to other requests for assistance,
15 including, but not limited to, requests from other state
16 governments, as he or she determines to be in the best
17 interests of the state.

18 §29-5A-22.

19 (a) The Code Commissioner for the Code of Alabama
20 1975, in compiling the contents of the code and any cumulative
21 supplement and replacement volume to the code, may not alter
22 the sense, meaning, or effect of any act. The Code
23 Commissioner, in compiling the contents of the code and any
24 supplement and replacement volume to the code, may perform all
25 of the following editorial functions:

26 (1) Change the wording of descriptive headings and
27 catchlines.

1 (2) Change hierarchy units as specified in an act to
2 appropriate code hierarchy.

3 (3) Change reference numbers to conform with
4 renumbered hierarchy units, or make corrections in reference
5 numbers if the correction can be made without substantive
6 change in the law.

7 (4) Substitute the proper hierarchy unit for the
8 terms "this act," "the preceding section," and the like.

9 (5) Remove language that is surplusage, including
10 "of the Code of Alabama 1975," "of this section," and the like
11 when such language follows a designated hierarchy unit.

12 (6) Substitute "this title," "this chapter," or
13 other hierarchy designation in place of reference to the
14 specific unit, if the reference is within that unit.

15 (7) Translate dates to the appropriate month, day,
16 and year.

17 (8) Change words when directed by law.

18 (9) Substitute the name of any agency, officer, or
19 instrumentality of the state or of a political subdivision
20 whose name is changed by law or to which powers, duties, and
21 responsibilities have been transferred by law, for the name
22 which the agency, officer, or instrumentality previously used
23 or of the agency which was previously vested with the same
24 powers and charged with the same duties and responsibilities.

25 (10) Divide, consolidate, and rearrange hierarchy
26 units and parts of hierarchy units.

1 (11) If any section or part of a section of the Code
2 of Alabama 1975, is amended by more than one act at the same
3 session of the Legislature, incorporate into one or more code
4 sections the section as amended or altered by the several
5 acts, if each of the amendments, changes, or alterations are
6 not in substantive conflict and can be given effect and
7 incorporated in the code section or code sections in a manner
8 which will make the code section or code sections
9 intelligible.

10 (12) Resolve nonsubstantive conflicts between
11 multiple acts.

12 (13) Change capitalization, spelling, and
13 punctuation for the purpose of uniformity and consistency.

14 (14) Correct manifest grammatical, clerical, and
15 typographical errors, including, but not limited to, by means
16 of the addition or deletion of language.

17 (b) (1) Upon the adoption and incorporation of the
18 annual cumulative supplement and each replacement volume into
19 the Code of Alabama by statute, that supplement or replacement
20 volume shall be considered as part of the entire Code of
21 Alabama and shall be considered for statutory construction
22 purposes in the same manner as all other portions of the code.

23 (2) This adoption and incorporation by statute shall
24 constitute a continuous systematic codification of the entire
25 Code of Alabama 1975, for purposes of Section 85 of the
26 Constitution of Alabama of 1901. Such a statute is a law that

1 adopts a code for the purposes of Section 45 of the
2 Constitution of Alabama of 1901.

3 (c) The Legislature finds and declares that this
4 section is declaratory of, and does not constitute a change
5 in, the law existing since the amendment of Section 29-7-6 by
6 Act 93-618 of the 1993 Regular Session designating the
7 Director of the Legislative Reference Service as the Code
8 Commissioner.

9 §29-5A-23.

10 (a) Whenever any provision of this code contains a
11 preprinted form that contains language which indicates the
12 year of application or execution as "19__," the language shall
13 be deemed to mean either a year beginning with the numbers 19
14 or 2 as the case may be.

15 (b) The Code Commissioner, when and as deemed
16 appropriate, shall implement editorial changes to such
17 language to conform the preprinted form to the applicable
18 date.

19 §29-5A-24.

20 (a) For the purposes of this section, "joint
21 legislative operations" means those activities,
22 responsibilities, and procedures of the Legislature as an
23 institution of government including, but not limited to,
24 activities, responsibilities, and procedures involving the
25 enactment and codification of legislation, the process by
26 which administrative regulations are adopted, relations with
27 the other branches of government, and internal operations of

1 the Legislature as a whole including, but not limited to,
2 joint rules, legislative compensation, and joint activities of
3 the two houses. The term does not include activities,
4 responsibilities, or procedures involving only one house of
5 the Legislature, such as matters relating to the rules,
6 liabilities, or employees of the particular house.

7 (b) In addition to the reporting requirement in
8 Section 36-15-21.1, whenever litigation required to be
9 reported under Section 36-15-21.1 concerns joint legislative
10 operations, the state official who is a party to the
11 litigation shall promptly notify the chair of the Legislative
12 Council and the Deputy Director of Legislative Services,
13 Legal.

14 §29-5A-25.

15 (a) The Code Commissioner shall prepare an official
16 recompilation of the Constitution of Alabama of 1901, as
17 amended. This official recompilation may not make any
18 substantive change to any existing operative constitutional
19 provision.

20 (b) The official recompilation shall include all of
21 the following:

22 (1) The removal of all expressly repealed sections
23 or amendments, or portions thereof.

24 (2) The insertion of expressly identified amendatory
25 language contained in a particular constitutional amendment
26 into the identified location and the deletion of the language

1 being amended and replaced; and the retention of the original
2 article and section number or amendment number.

3 (3) The relocation of various constitutional
4 amendments applicable to the entire state in the appropriate
5 article of the constitution based upon a logical sequence and
6 the particular subject or topic.

7 (4) The grouping of various constitutional
8 amendments applicable to the entire state in the same location
9 in the document based upon a logical sequence and the
10 particular subject or topic.

11 (5) The grouping of local constitutional amendments
12 in the same location in the document based upon a particular
13 subject or topic or by county.

14 (6) The elimination of constitutional provisions or
15 amendments, including portions of such provisions or
16 amendments, that have lapsed or have been invalidated,
17 directly or indirectly, by decision of a court of last resort.

18 (7) The inclusion, after the text of a relocated
19 provision, of the official constitutional amendment number
20 assigned to that provision at the time of ratification.

21 (8) Other editorial changes necessary to accurately
22 reflect the current status of the constitution in a logical
23 manner.

24 (c) The Code Commissioner, upon completion, shall
25 instruct the official Code Publisher to publish the official
26 recompilation.

1 (d) The recompiled constitution published under this
2 section shall be known as and cited as the Official
3 Recompilation of the Constitution of Alabama of 1901, as
4 amended.

5 (e) In the event of a conflict between the official
6 recompiled constitution published under this section and the
7 Constitution of Alabama of 1901, or any amendments to the
8 Constitution of Alabama of 1901, the Constitution of Alabama
9 of 1901, or the amendments thereto, or both, shall prevail
10 over the official recompiled constitution.

11 §29-5A-26.

12 (a) The Legislature recognizes that language used in
13 reference to individuals with disabilities shapes and reflects
14 society's attitudes towards people with disabilities. Many of
15 the terms currently used diminish the humanity and natural
16 condition of having a disability. Certain terms are demeaning
17 and create an invisible barrier to inclusion as equal
18 community members. The Legislature finds it necessary to
19 clarify preferred language for new and revised laws by
20 requiring the use of terminology that puts the person before
21 the disability.

22 (b) The Code Commissioner is directed to avoid all
23 references to: Disabled, developmentally disabled, mentally
24 disabled, mentally ill, mentally retarded, handicapped,
25 cripple, crippled, deaf-mute, deaf-dumb, dumb, and mute in any
26 new statute or resolution and to change such references when
27 appropriate in any existing statute or resolution as sections

1 and provisions including these references are otherwise
2 amended by law.

3 (c) The Code Commissioner is directed to replace
4 terms referenced in subsection (b) in the Code of Alabama
5 1975, when such replacement is appropriate with the following
6 revised terminology: Individuals with disabilities,
7 individuals with developmental disabilities, and individuals
8 who are deaf or hard of hearing.

9 (d) (1) No statute or resolution is invalid because
10 the statute or resolution is not in compliance with this
11 section.

12 (2) No statute or resolution is invalid because of a
13 change in terminology implemented by the Code Commissioner
14 under this section.

15 (e) Changes in terminology shall not be made by the
16 Code Commissioner if such change may legally impair the
17 statute or its implementation or interpretation.

18 (f) (1) All action of an administrative agency
19 creating new rules or amending existing rules shall be
20 formulated in accordance with this section.

21 (2) No agency rule is invalid because the rule is
22 not in compliance with this section.

23 §29-5A-27.

24 The Code Commissioner, pursuant to Section 29-5A-32,
25 shall change all references to the Department of Mental Health
26 and Mental Retardation in Title 22, and elsewhere as found in
27 this code, to the Department of Mental Health. Code changes

1 shall be made at a time determined appropriate by the Code
2 Commissioner.

3 Article 3. Fiscal Division.

4 §29-5A-40.

5 The Legislative Fiscal Office is reconstituted as
6 the Fiscal Division. The division shall be under the
7 supervision, direction, and control of the Deputy Director of
8 Legislative Services, Fiscal, who shall be appointed as
9 provided in Article 1.

10 §29-5A-41.

11 The various departments, agencies, institutions, and
12 establishments of the executive branch of government and the
13 regulatory agencies and commissions of the state shall furnish
14 the Deputy Director of Legislative Services, Fiscal, any
15 available material which the deputy director, fiscal
16 determines to be necessary in the performance of the duties
17 and functions of the deputy director, fiscal. The deputy
18 director, fiscal, upon agreement with the head of any
19 department, agency, establishment, or regulatory agency or
20 commission, may utilize its services, facilities, and
21 personnel, with or without reimbursement; and the head of each
22 department, agency, establishment, institution, or regulatory
23 agency or commission may provide the division services,
24 facilities, and personnel.

25 §29-5A-42.

26 In carrying out the duties and functions of the
27 Fiscal Division and for the purposes of coordinating the

1 operations of the division with those of other legislative
2 agencies with a view to utilizing most effectively the
3 information, services, and capabilities of all such agencies
4 in carrying out the various responsibilities assigned to each,
5 the Deputy Director of Legislative Services, Fiscal, may
6 obtain information, data, estimates, and statistics developed
7 by the Examiners of Public Accounts and, upon agreement,
8 utilize their services, facilities, and personnel of the
9 Examiners of Public Accounts, with or without reimbursement.

10 §29-5A-43.

11 It shall be the duty and function of the Fiscal
12 Division to provide to the Committees on Ways and Means of the
13 House and to the Committees on Finance and Taxation of the
14 Senate information that will assist the committees in the
15 discharge of all matters within their jurisdictions,
16 including:

17 (1) Information with respect to the budget,
18 appropriation bills, and other bills authorizing or providing
19 budget authority or tax expenditures.

20 (2) Information with respect to revenues, receipts,
21 estimated future revenues and receipts, and changing revenue
22 conditions.

23 (3) Such related information as such committees may
24 request.

25 §29-5A-44.

26 At the request of any other committee of the House
27 of Representatives or the Senate, any joint committee of the

1 Legislature, or any member of the House or Senate, the Fiscal
2 Division shall provide to such committee or joint committee
3 any information compiled in carrying out subdivisions (1) and
4 (2) of Section 29-5A-43 and, to the extent practicable, such
5 additional information related to the foregoing as may be
6 requested.

7 §29-5A-45.

8 (a) Every general bill creating, eliminating, or
9 affecting in any way, a state or local program, service,
10 function, or revenue source and which thereby requires the
11 expenditure of county or municipal funds or thereby decreases
12 or increases revenue collections by any county or
13 municipality, before any vote is taken thereon in the Senate
14 or House of Representatives, shall have endorsed thereon or
15 attached thereto an estimate made by the Deputy Director of
16 Legislative Services, Fiscal, of the amount of money involved
17 therein, and the anticipated increase in county or municipal
18 spending or the decrease in county or municipal revenue
19 collections under the bill. In the event that insufficient
20 data is available to formulate an estimate of the amount of
21 money involved therein, the deputy director, fiscal shall note
22 such fact on such endorsement or attachment which shall
23 constitute compliance herewith.

24 (b) A fiscal note provided under this section shall
25 be endorsed on the bill or attached thereto, and may be
26 printed on the calendar of bills on third reading immediately
27 following the title of the bill.

1 (c) The Deputy Director of Legislative Services,
2 Fiscal, is authorized to secure information, data, estimates,
3 and statistics directly from the employees and officials of
4 the various departments, agencies, institutions,
5 establishments, boards, and commissions of the county and
6 municipal governments of the state which are necessary for the
7 deputy director, fiscal to fulfill the duties and functions
8 imposed by this section. The employees and officials of all
9 such departments, agencies, institutions, establishments,
10 boards, and commissions shall furnish the deputy director,
11 fiscal any available material which the deputy director,
12 fiscal determines to be necessary in the performance of the
13 duties and functions required by this section.

14 §29-5A-46.

15 (a) For the purposes of this section, the following
16 terms have the following meanings:

17 (1) BUDGET PROCESS. The entire process by which
18 funds are appropriated and expended, including, but not
19 limited to, revenue estimating, legislative budget hearings,
20 appropriations, allotment, and expenditure of funds.

21 (2) REVENUE SOURCES. Any receipt of funds by the
22 state, including, but not limited to, tax receipts, fee
23 receipts, transfers, interest income, transfers between state
24 agencies or funds, or gifts or grants from other
25 instrumentalities.

26 (b) In addition to the reporting requirement in
27 Section 36-15-21.1, whenever litigation required to be

1 reported under Section 36-15-21.1 concerns the budget process
2 or any revenue source, the state official who is a party to
3 the litigation shall promptly notify the Chair of the
4 Legislative Council and the Deputy Director of Legislative
5 Services, Fiscal.

6 Article 4. Law Revision Division.

7 §29-5A-60.

8 The Alabama Law Institute is reconstituted as the
9 Law Revision Division. The division shall be under the
10 supervision, direction, and control of the Deputy Director
11 Legislative Services, Law Revision, who shall be appointed as
12 provided in Article 1.

13 §29-5A-61.

14 The general purposes of the Law Revision Division
15 shall be to promote and encourage the clarification and
16 simplification of the law of Alabama to secure the better
17 administration of justice and to carry on scholarly legal
18 research and scientific legal work. To that end it shall be
19 the duty of the division to:

20 (1) Consider needed improvements in both substantive
21 and adjective law and to make recommendations concerning the
22 same to the chairs and members of the House Judiciary
23 Committee and the Senate Judiciary Committee.

24 (2) Examine and study the law of Alabama and Alabama
25 jurisprudence and statutes with a view of discovering defects
26 and inequities and of recommending needed reforms.

1 (3) Receive and consider suggestions from members of
2 the Alabama Legislature and the public generally as to defects
3 and anachronisms in the law.

4 (4) Recommend such changes in the law as it deems
5 necessary to modify or eliminate antiquated and inequitable
6 rules of law, and to bring the law of the state, both civil
7 and criminal, into harmony with legal conditions and opinions.

8 (5) Render annual reports to the Legislature through
9 the president of the council and, if it deems so advisable,
10 accompany its reports with proposed bills to carry out any of
11 its recommendations.

12 (6) Recommend the repeal of obsolete statutes and
13 suggest needed amendments, additions, and repeals.

14 (7) Organize and conduct meetings as needed within
15 the state for scholarly discussions of current problems in
16 Alabama law, bringing together representatives of the
17 Legislature, practicing attorneys, members of the bench and
18 bar, and representatives of the law teaching profession and
19 periodically conduct training and continuing education
20 programs for public officials, including providing educational
21 material.

22 (8) Advise the Code Commissioner on the performance
23 of the duties imposed on the Code Commissioner by Article 2.

24 (9) In cooperation with the Legislative Council,
25 establish and facilitate a legislative intern program.

26 §29-5A-62.

1 The division, in submitting reports to the
2 Legislature through the President of the Alabama Law Institute
3 Council, shall act solely in an advisory capacity.

4 §29-5A-63.

5 (a) The Law Revision Division may establish a
6 special fund in the State Treasury to receive direct grants or
7 contributions from municipal, county, state, federal, or
8 charitable sources, or any other sources, to conduct studies,
9 educate public officials, and carry on the duties of the
10 division. The funds in the special fund are continuously
11 appropriated for the exclusive use of the division, shall be
12 maintained separately, and shall be in addition to any other
13 funds appropriated to the division.

14 (b) The Law Revision Division shall provide a public
15 report of all funds received pursuant to this section. The
16 public report shall be made on the website of the Legislative
17 Services Agency.

18 §29-5A-64.

19 (a) The Governing Council of the Alabama Law
20 Institute Council is continued in existence as the Alabama Law
21 Institute Council.

22 (b) The council shall be composed of ex officio,
23 appointed, and elected members, as follows:

24 (1) One justice of the Supreme Court of Alabama,
25 selected by the justices thereof.

26 (2) One circuit court judge, selected by the
27 Association of Circuit Court Judges.

1 (3) The Attorney General of the State of Alabama, or
2 his or her designee.

3 (4) The legal advisor to the Governor of Alabama, or
4 his or her designee.

5 (5) The Chairs of the Judiciary Committees of the
6 Senate and House of Representatives.

7 (6) The President of the Alabama State Bar.

8 (7) The Secretary of the Alabama State Bar.

9 (8) The chair of the junior bar section of the
10 Alabama State Bar.

11 (9) The attorney members of the Legislative Council
12 of Alabama, together with the Secretary of the Legislative
13 Council.

14 (10) Not less than three nor more than six attorney
15 members appointed by the Governor of Alabama.

16 (11) The Code Commissioner.

17 (12) The Speaker of the House, or his or her
18 designee.

19 (13) The President Pro Tempore of the Senate, or his
20 or her designee.

21 (14) Two members who shall be elected from the
22 members of the faculty of the University of Alabama School of
23 Law, two members elected from the members of the faculty of
24 the Cumberland Law School of Samford University, two members
25 elected from the members of the faculty of the Thomas Goode
26 Jones School of Law at Faulkner University, and six practicing

1 attorneys elected from each congressional district in the
2 state.

3 (c) The ex officio members shall hold their
4 positions during their respective terms of office. The terms
5 of office of the elected members of the governing council
6 shall be four years. Elected members of the governing council
7 shall be eligible for reelection.

8 (d) Vacancies in the elected membership created by
9 death, resignation, or otherwise than by the expiration of the
10 terms of office shall be filled by the council under such
11 rules as it may adopt. Vacancies occurring through the
12 expiration of terms of office shall be filled by election by
13 the council under such rules as it may adopt.

14 (e) Members of the Governing Council of the Alabama
15 Law Institute serving on September 30, 2016, shall continue as
16 members of the Alabama Law Institute Council.

17 (f) The members of the Alabama Law Institute Council
18 shall serve without any compensation for services as such. The
19 division may pay honoraria to members of the State Bar who
20 perform professional services for the division.

21 (g) The Alabama Law Institute Council shall advise
22 the Deputy Director of Legislative Services, Law Revision, on
23 the work of the division and shall adopt a plan or plans to
24 encourage and invite the cooperation of all members of the
25 legal profession in the work of the division.

26 Section 2. All laws or parts of law that conflict
27 with this act are repealed. Chapter 5 (commencing with Section

1 29-5-1), Section 29-6-2.1, Chapter 7 (commencing with Section
2 29-7-1), and Chapter 8 (commencing with Section 29-8-1) of
3 Title 29 of, the Code of Alabama 1975, are expressly repealed.

4 Section 3. This act shall become effective on
5 October 1, 2016.