

1 SJR3  
2 172418-1  
3 By Senators Sanford, Ward, Orr, Albritton and Smitherman  
4 RFD:  
5 First Read: 02-FEB-16

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8 ADOPTING JOINT RULE 8.1 RELATING TO REQUESTS FOR  
9 LEGISLATIVE SERVICE AND PRIVILEGED COMMUNICATIONS.

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11 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH  
12 HOUSES THEREOF CONCURRING, That the following Rule 8.1 be  
13 adopted as a joint rule of the two houses:

14 Rule 8.1. (a) Except as provided in subsection (d),  
15 communications concerning a request for service between the  
16 director and each officer and employee of the Legislative  
17 Reference Service, the Legislative Fiscal Office, and the  
18 Alabama Law Institute and an individual authorized by law to  
19 make a request for service shall be privileged and  
20 confidential. When responding to a request for assistance, the  
21 director and each officer and employee of the Legislative  
22 Reference Service, the Legislative Fiscal Office, and the  
23 Alabama Law Institute shall maintain this privilege. All  
24 requests for service and the contents thereof, including, but  
25 not limited to, the fact that a request was made, any  
26 materials related to the request, and any work product related  
27 to or arising from the request, shall be confidential and

1 privileged until this privilege is waived. The privilege is  
2 waived when the Legislative Reference Service, the Legislative  
3 Fiscal Office, or the Alabama Law Institute receives  
4 instructions to release the material from the individual  
5 authorized to make the request.

6 (b) The introduction of a bill prepared by the  
7 Legislative Reference Service or the Legislative Fiscal Office  
8 is a waiver of the privilege imposed by this subsection only  
9 with respect to the contents of the bill.

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

13 (d) For purposes of subsection (a), the Legislative  
14 Reference Service, the Legislative Fiscal Office, and the  
15 Alabama Law Institute shall be deemed a single office when  
16 providing a service requested by a member of the Legislature  
17 or a person authorized by a member of the Legislature. To that  
18 end, the Legislature Reference Service, the Legislative Fiscal  
19 Office, and the Alabama Law Institute may consult and  
20 cooperate with either or both of the other agencies in  
21 providing a requested service.