

1 SB152
2 181040-2
3 By Senator Orr (Constitutional Amendment)
4 RFD: Judiciary
5 First Read: 09-FEB-17

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8 SYNOPSIS: This bill would propose an amendment to
9 Section 11 of the Constitution of Alabama of 1901,
10 as amended, to authorize the Legislature to set the
11 size of juries to six persons for criminal cases
12 that involve only misdemeanor charges and civil
13 cases in which an appeal would be to a Court of
14 Civil Appeals.

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16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 Proposing an amendment to Section 11 of the
21 Constitution of Alabama of 1901, as amended, to authorize the
22 Legislature to set the size of juries to six persons for
23 criminal cases that involve only misdemeanor charges and civil
24 cases in which an appeal would be to a Court of Civil Appeals.
25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to Section 11 of
27 the Constitution of Alabama of 1901, as amended, is proposed

1 and shall become valid as a part thereof when approved by a
2 majority of the qualified electors voting thereon and in
3 accordance with Sections 284, 285, and 287 of the Constitution
4 of Alabama of 1901, as amended:

5 PROPOSED AMENDMENT

6 "Section 11. That the right of trial by jury shall
7 remain inviolate; provided, the Legislature, by general law,
8 may stipulate that the size of a jury shall be six individuals
9 for criminal cases that involve only misdemeanor charges and
10 civil cases in which an appeal would be to the Court of Civil
11 Appeals."

12 Section 2. An election upon the proposed amendment
13 shall be held in accordance with Sections 284 and 285 of the
14 Constitution of Alabama of 1901, now appearing as Sections 284
15 and 285 of the Official Recompilation of the Constitution of
16 Alabama of 1901, as amended, and the election laws of this
17 state.

18 Section 3. The appropriate election official shall
19 assign a ballot number for the proposed constitutional
20 amendment on the election ballot and shall set forth the
21 following description of the substance or subject matter of
22 the proposed constitutional amendment:

23 "Proposing an amendment to the Constitution of
24 Alabama of 1901, to authorize the Legislature, by general law,
25 to establish a jury size of six individuals in criminal cases
26 that involve only misdemeanor charges and civil cases in which
27 an appeal would be to a Court of Civil Appeals."

1 "Proposed by Act _____."

2 This description shall be followed by the following

3 language:

4 "Yes () No ()."