- 1 HB505
- 2 199687-3
- 3 By Representatives Faulkner and Fridy (Constitutional
- 4 Amendment)
- 5 RFD: Constitution, Campaigns and Elections
- 6 First Read: 23-APR-19

1	<u>ENGROSSED</u>
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4	A BILL
5	TO BE ENTITLED
6	AN ACT
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8	To propose an amendment to the Constitution of
9	Alabama of 1901, to amend Section 6.14 of Amendment 328 of the
10	Constitution of Alabama of 1901, now appearing as Section 153
11	of the Official Recompilation of the Constitution of Alabama
12	of 1901, as amended, to further provide for the initial term
13	of judges, except judges of probate, appointed to fill
14	vacancies.
15	BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
16	Section 1. The following amendment to the
17	Constitution of Alabama of 1901, as amended, is proposed and
18	shall become valid as a part thereof when approved by a
19	majority of the qualified electors voting thereon and in
20	accordance with Sections 284, 285, and 287 of the Constitution
21	of Alabama of 1901, as amended:
22	PROPOSED AMENDMENT
23	Section 6.14 of Amendment 328 of the Constitution of
24	Alabama of 1901, is amended to read as follows:
25	"6.14. Vacancies in judicial office.
26	"The office of a judge shall be vacant if he dies,
27	resigns, retires, or is removed. Vacancies in any judicial

1 office shall be filled by appointment by the governor; 2 however, except for the provisions for the initial term of a 3 judge appointed to fill a vacancy as provided herein, vacancies occurring in any judicial office in Jefferson county 4 5 shall be filled as now provided by amendments 83 and 110 to the Constitution of Alabama of 1901 and vacancies occurring in 6 7 Shelby, Madison, Wilcox, Monroe, Conecuh, Clarke, Washington, 8 Henry, Etowah, Walker, Tallapoosa, Pickens, Greene, 9 Tuscaloosa, St. Clair county shall be filled as provided in 10 the Constitution of 1901 with amendments now or hereafter adopted, or as may be otherwise established by a properly 11 advertised and enacted local law. A Notwithstanding any other 12 13 provision of any amendment to this Constitution, a judge, other than a probate judge, appointed to fill a vacancy, shall 14 15 serve an initial term lasting until the first Monday after the second Tuesday in January following the next general election 16 17 held after he has completed one year two years in office or 18 the remainder of the original term of the judge elected to the 19 office which is vacant, whichever is longer. At such the 20 election such the judicial office shall be filled for a full 21 term of office beginning at the end of the appointed term." 22 Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284 and 285 of the 23 24 Constitution of Alabama of 1901, now appearing as Sections 284 25 and 285 of the Official Recompilation of the Constitution of 26 Alabama of 1901, as amended, and the election laws of this 27 state.

Section 3. The appropriate election official shall 1 2 assign a ballot number for the proposed constitutional 3 amendment on the election ballot and shall set forth the following description of the substance or subject matter of 4 5 the proposed constitutional amendment: "Proposing an amendment to the Constitution of 6 7 Alabama of 1901, to provide that a judge, other than a judge of probate, appointed to fill a vacancy would serve an initial 8 term until the first Monday after the second Tuesday in 9 10 January following the next general election after the judge has completed two years in office or the remainder of the 11 12 original term of the judge elected to the office, whichever is 13 <del>longer</del>. "Proposed by Act ." 14 15 This description shall be followed by the following 16 language: 17 "Yes ( ) No ( )."

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3	House of Representatives
4 5 6 7 8	Read for the first time and re- ferred to the House of Representa- tives committee on Constitution, Campaigns and Elections
9 10 11	Read for the second time and placed on the calendar 1 amendment 02-MAY-19
12 13 14	Read for the third time and passed as amended
15 16 17 18	Jeff Woodard Clerk