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3 SMITHERMAN SUBSTITUTE FOR SB255  
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8 SYNOPSIS: This bill would create an additional circuit  
9 judgeship, designated Circuit Judgeship Number 8,  
10 in the Twenty-third Judicial Circuit comprised of  
11 Madison County, an additional circuit judgeship in  
12 the Nineteenth Judicial Circuit comprised of  
13 Autauga, Chilton, and Elmore Counties designated as  
14 Circuit Judgeship No. 4, and an additional circuit  
15 judgeship, designated Circuit Judgeship Number 6,  
16 in the Twenty-eighth Judicial Circuit. This bill  
17 would provide for the authority of the judges, and  
18 for the compensation and benefits of the judges.

19 This bill would also further provide for the  
20 reallocation of circuit judgeships by the Judicial  
21 Resources Allocation Commission.  
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23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
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1           To provide for an additional circuit judgeship in  
2 the Twenty-third Judicial Circuit comprised of Madison County;  
3 to provide for an additional circuit judgeship in the  
4 Nineteenth Judicial Circuit comprised of Autauga, Chilton, and  
5 Elmore Counties; to provide for an additional circuit  
6 judgeship in the Twenty-eighth Judicial Circuit comprised of  
7 Baldwin County; and to further provide for reallocation of  
8 vacant circuit judgeships.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10           Section 1. (a) There is created an additional  
11 circuit judgeship for the Twenty-third Judicial Circuit which  
12 shall be designated Circuit Judgeship Number 8.

13           (b) There is created an additional circuit judgeship  
14 for the Nineteenth Judicial Circuit which shall be designated  
15 as Circuit Judgeship Number 4.

16           (c) There is created an additional circuit judgeship  
17 for the Twenty-eighth Judicial Circuit which shall be  
18 designated as Circuit Judgeship Number 6.

19           Section 2. (a) Circuit Judgeship Number 8 in the  
20 Twenty-third Judicial Circuit, Circuit Judgeship Number 4 in  
21 the Nineteenth Judicial Circuit, and Circuit Judgeship Number  
22 6 in the Twenty-eighth Judicial Circuit shall be filled in the  
23 manner appropriate to fill a vacancy in their respective  
24 circuits, effective October 1, 2020.

25           (b) The first judges appointed to the additional  
26 circuit judgeships pursuant to subsection (a) shall serve

1 pursuant to Section 153 of the Constitution of Alabama of  
2 1901.

3 (c) The judges appointed to the additional circuit  
4 judgeship pursuant to subsection (a) shall have and shall  
5 exercise all the jurisdiction, power, rights, and authority  
6 and shall possess all of the qualifications, perform all of  
7 the duties, and shall be subject to all of the  
8 responsibilities and duties of the office to which other  
9 circuit judges are subject.

10 Section 3. The annual compensation of the circuit  
11 judges serving pursuant to Section 2 shall be in accordance  
12 with Chapter 10A of Title 12, Code of Alabama 1975, including,  
13 but not limited to, the provision that no circuit judge first  
14 elected or appointed to office after October 1, 2001, shall be  
15 provided a salary supplement or expense allowance.

16 Section 4. Notwithstanding Section 12-9A-2, Code of  
17 Alabama 1975, or any other law to the contrary, the Judicial  
18 Resources Allocation Commission shall reallocate the first  
19 circuit judgeship that becomes vacant after the effective date  
20 of this act as provided under existing law. The commission may  
21 not reallocate the second, third, and fourth circuit  
22 judgeships that become vacant after the effective date of this  
23 act and those judgeships shall terminate. Thereafter, the  
24 commission may reallocate any subsequent circuit judgeship  
25 that becomes vacant as provided under existing law.

1                   Section 5. This act shall become effective  
2 immediately following its passage and approval by the  
3 Governor, or its otherwise becoming law.