

HB354 INTRODUCED



1 HB354
2 XD8NQE7-1
3 By Representative Hill (Constitutional Amendment)
4 RFD: Ways and Means General Fund
5 First Read: 27-Feb-25



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SYNOPSIS:

Under existing law, the Constitution of Alabama of 2022, provides for the salary, fees, and other compensation received by a district attorney during his or her term.

This bill would propose an amendment to the Constitution of Alabama of 2022, to provide that the compensation received by a district attorney may not be diminished during his or her term.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to Section 160 of the Constitution of Alabama of 2022, to provide that the compensation received by a district attorney may not be diminished during his or her term of office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed:

PROPOSED AMENDMENT

Section 160 of the Constitution of Alabama of 2022, is amended to read as follows:



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29 Section 160

30 (a) A district attorney for each judicial circuit shall
31 be elected by the qualified electors of those counties in ~~such~~
32 the circuit. ~~Such~~ The district attorney shall be licensed to
33 practice law in this state and ~~shall~~, at the time of his or
34 her election and during his or her continuance in office,
35 shall reside in his or her circuit. ~~His~~ The term of office
36 shall be for six years. ~~and he~~ He or she shall receive ~~such~~
37 compensation as provided by law; provided, the compensation
38 shall not be diminished during his or her official term.
39 Vacancies in the office of district attorney and in his or her
40 staff shall be filled as provided by law.

41 (b) Clerks of the circuit courts shall be elected by
42 the qualified electors in each county for a term of six years.
43 If the office of register in chancery continues to be provided
44 by law then the clerk of the circuit court may also fill ~~such~~
45 the office in a manner prescribed by law. Vacancies in the
46 office of clerk of the circuit court shall be filled by the
47 judge or judges of the circuit court who have jurisdiction
48 over the county in which the office of clerk of the circuit
49 court is located.

50 (c) ~~Persons~~ Individuals elected to the position of
51 constable to assist the courts of the state as provided by law
52 shall be subject to the same restrictions, rights, and
53 limitations as are specified in ~~section~~ Section 280 of the
54 Constitution of ~~1901~~ Alabama of 2022, and no law shall
55 prohibit the receipt of fees for the performance of official
56 duties of ~~said~~ the position while holding any other elected or



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57 appointed office.

58 (d) The revenue from fines, forfeitures, and court
59 costs produced in district courts from the exercise of
60 jurisdiction under municipal ordinances shall be apportioned
61 between the municipality and the state as shall be provided by
62 law.

63 Upon ratification of this constitutional amendment, the
64 Code Commissioner shall number and place this amendment as
65 appropriate in the constitution omitting this instructional
66 paragraph and may make the following nonsubstantive revisions:
67 change capitalization, hierarchy, spelling, and punctuation
68 for purposes of style and uniformity; correct manifest
69 grammatical, clerical, and typographical errors; revise
70 internal or external citations and cross-references; harmonize
71 language; and translate effective dates.

END OF PROPOSED AMENDMENT

72
73 Section 2. An election upon the proposed amendment
74 shall be held at the statewide primary election on May 26,
75 2026, in accordance with Sections 284 and 285 of the
76 Constitution of Alabama of 2022, and the election laws of this
77 state. The appropriate election official shall assign a ballot
78 number for the proposed constitutional amendment on the
79 election ballot and shall set forth the following description
80 of the substance or subject matter of the proposed
81 constitutional amendment:

82 "Proposing an amendment to the Constitution of Alabama
83 of 2022, to provide that the compensation of a district
84 attorney may not be diminished during his or her term of



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85 office.

86 Proposed by Act ____."

87 This description shall be followed by the following
88 language:

89 "Yes() No()."

90 Section 3. The proposed amendment shall become valid as
91 a part of the Constitution of Alabama of 2022, when approved
92 by a majority of the qualified electors voting thereon.