

SB271 ENROLLED



1 SB271
2 2JE8FIS-3
3 By Senator Givhan (Constitutional Amendment)
4 RFD: State Governmental Affairs
5 First Read: 05-Feb-26



SB271 Enrolled

1 Enrolled, An Act,

2

3

4 Proposing an amendment to Section 127 of the
5 Constitution of Alabama of 2022, relating to certain state
6 officers; to require the office of Lieutenant Governor to be
7 filled by election rather than remain vacant in certain
8 circumstances; to authorize the Legislature to set the salary
9 of the Lieutenant Governor and officers of the Legislature;
10 and to require any expenditure of legislative funds for travel
11 to be approved by a legislative officer.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 PROPOSED AMENDMENT

16 PART I.

17 Section 127 of the Constitution of Alabama of 2022, is
18 amended to read as follows:

19 "Section 127

20 ~~(a) In case of the governor's removal from office,~~
21 ~~death or resignation~~If a vacancy occurs in the office of the
22 governor, the lieutenant governor shall become governor.

23 (b) If both a vacancy occurs in the office of the
24 governor and the office of the lieutenant governor be removed
25 ~~from office, die or resign~~ more than ~~sixty~~60 days prior to the
26 next general election~~,~~ at which any state officers are to be
27 elected, a governor and lieutenant governor shall be elected
28 at such election for the unexpired term~~,~~ ~~and in the event of~~



SB271 Enrolled

29 ~~a vacancy in the office, caused by the removal from office,~~
30 ~~death or resignation of the governor and lieutenant governor,~~
31 ~~pending~~During such vacancy and until their successors shall be
32 elected and qualified, the office of governor shall be held
33 and administered by either the president pro ~~tem.~~tempore of
34 the senate, speaker of the house of representatives,
35 attorney-general, state auditor, secretary of state, or state
36 treasurer in the order herein named.

37 (c) In case of the impeachment of the governor, his or
38 her absence from the state for more than twenty days,
39 ~~unsoundness of mind, or other disability~~or incapacity to
40 serve, the power and authority of the office ~~shall~~, until the
41 governor is acquitted, returns to the state, or is ~~restored to~~
42 ~~his mind, or relieved from other disability~~no longer
43 incapacitated, shall devolve in the order herein
44 named, described in subsection (b) upon the lieutenant
45 governor, president pro ~~tem.~~tempore of the senate, speaker of
46 the house of representatives, attorney-general, state auditor,
47 secretary of state, and state treasurer. If any of these
48 officers ~~be~~are under any of the disabilities herein
49 specified, the office of the governor shall be administered in
50 the order named by such of these officers as ~~may be~~are free
51 from such disability.

52 (d) If the governor ~~shall be~~is absent from the state
53 over twenty days, the secretary of state shall notify the
54 lieutenant governor, who shall enter upon the duties of
55 governor; if both the governor and lieutenant governor ~~shall~~
56 ~~be~~are absent from the state over twenty days, the secretary



SB271 Enrolled

57 of state shall notify the president pro ~~tem.~~tempore of the
58 senate, who shall enter upon the duties of governor, and so
59 on, in case of such absence, he or she shall notify each of
60 the other officers named in ~~their~~the order of succession
61 herein provided, who shall discharge the duties of the office
62 until the governor or other officer entitled to administer the
63 office in succession to the governor returns.

64 (e) If the governor-elect fail or refuse from any cause
65 to qualify, the lieutenant governor-elect shall qualify and
66 exercise the duties of governor until the governor-elect
67 qualifies.~~;~~ ~~and in the event both~~ If both the governor-elect
68 and the lieutenant governor-elect ~~from any cause for any~~
69 reason fail to qualify, the president pro ~~tem.~~tempore of the
70 senate, the speaker of the house of representatives, the
71 attorney-general, state auditor, secretary of state, and state
72 treasurer, shall, in like manner, in the order named,
73 administer the office until the governor-elect or lieutenant
74 governor-elect qualifies.

75 (f) If a vacancy occurs in the office of the lieutenant
76 governor more than 60 days before the next general election at
77 which any state officers are to be elected, a lieutenant
78 governor shall be elected at such general election for the
79 unexpired term."

80 PART II.

81 The following provision is added to the Constitution of
82 Alabama of 2022 to read as follows:

83 Notwithstanding any other provision of the
84 constitution:



SB271 Enrolled

85 (1) The Lieutenant Governor and officers of both houses
86 of the Legislature shall be paid an amount set by joint
87 resolution; and

88 (2) Any expenditure of funds appropriated for use by
89 members of the Legislature for travel shall be approved by an
90 officer of the Legislature elected from the full membership of
91 the respective chamber.

92 Upon ratification of this constitutional amendment, the
93 Code Commissioner shall number and place this amendment as
94 appropriate in the constitution, which may include inserting a
95 provision into an existing section, omitting this
96 instructional paragraph and may make the following
97 nonsubstantive revisions: change capitalization, hierarchy,
98 spelling, and punctuation for purposes of style and
99 uniformity; correct manifest grammatical, clerical, and
100 typographical errors; revise internal or external citations
101 and cross-references; harmonize language; and translate
102 effective dates.

END OF PROPOSED AMENDMENT

103
104 Section 2. An election upon the proposed amendment
105 shall be held in accordance with Sections 284 and 285 of the
106 Constitution of Alabama of 2022, and the election laws of this
107 state. The appropriate election official shall assign a ballot
108 number for the proposed constitutional amendment on the
109 election ballot and shall set forth the following description
110 of the substance or subject matter of the proposed
111 constitutional amendment:

112 "Proposing an amendment to the Constitution of Alabama



SB271 Enrolled

113 of 2022, to provide for the election of a Lieutenant Governor
114 if the Office of Lieutenant Governor becomes vacant during the
115 first two years of a term, to authorize the Legislature to set
116 the salary of the Lieutenant Governor and officers of the
117 Legislature, and to require any expenditure of legislative
118 funds for travel to be approved by a legislative officer.

119 Proposed by Act ____."

120 This description shall be followed by the following
121 language:

122 "Yes() No()."

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



SB271 Enrolled

126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163

President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB271
Senate 19-Feb-26
I hereby certify that the within Act originated in and passed
the Senate, as amended.

Patrick Harris,
Secretary.

House of Representatives
Amended and passed: 31-Mar-26

Senate concurred in House amendment 01-Apr-26

By: Senator Givhan