

1 SB12  
2 108571-1  
3 By Senator Ward  
4 RFD: Judiciary  
5 First Read: 01-MAR-11  
6 PFD: 01/19/2011

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8 SYNOPSIS: This bill would create an additional  
9 district judgeship, designated district judgeship  
10 number 3, in the Eighteenth Judicial Circuit,  
11 comprised of Shelby County. The bill would provide  
12 that the initial district judgeship would be filled  
13 by election at the next general election. The bill  
14 would make a conditional appropriation from the  
15 State General Fund to fund the judgeship.

16  
17 A BILL  
18 TO BE ENTITLED  
19 AN ACT  
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21 To create an additional district judgeship in the  
22 Eighteenth Judicial Circuit; to provide for the election of  
23 the first judge to fill the position; and to provide for a  
24 conditional appropriation from the State General Fund to fund  
25 the additional judgeship.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. There is created an additional district  
2           judgeship for the Eighteenth Judicial Circuit which shall be  
3           designated judgeship number 3. This judgeship shall be filled  
4           at the next general election following its preclearance under  
5           Section 5 of the Voting Rights Act of 1965, 42 U.S.C. § 1973c  
6           and release of the conditional appropriation made by Section 4  
7           of this act. The first judge elected pursuant to this section  
8           shall serve for a six-year term, holding office from the first  
9           Monday following the second Tuesday in January after the  
10          general election at which that judge is elected.

11          Section 2. The judge provided in Section 1 shall  
12          have and shall exercise all the jurisdiction, power, rights,  
13          and authority and shall possess all of the qualifications,  
14          perform all of the duties, and shall be subject to all of the  
15          responsibilities and duties of the office to which other  
16          district judges are subject.

17          Section 3. The annual compensation of the district  
18          judge provided pursuant to this act shall be in accordance  
19          with the provisions of Chapter 10A, Title 12, Code of Alabama  
20          1975, including, but not limited to, the provisions that no  
21          district judge first elected or appointed to office after  
22          October 1, 2001, shall be provided a salary supplement or  
23          expense allowance.

24          Section 4. There is hereby conditionally  
25          appropriated from the State General Fund such additional funds  
26          as may be required, as determined by the Director of Finance,  
27          to fully fund the additional judgeship provided for by this

1 act for each fiscal year a judgeship is filled pursuant to  
2 this act and for the following fiscal year if funding for the  
3 following fiscal year is not provided for in the general  
4 appropriations act or other appropriation act. These  
5 appropriations are conditioned upon the availability of funds  
6 in the State General Fund, the recommendation of the Director  
7 of Finance, and the approval of the Governor. Initial filling  
8 of this judgeship is contingent upon release of the applicable  
9 conditional appropriations made by this bill.

10 Section 5. This act shall become effective  
11 immediately following its passage and approval by the  
12 Governor, or its otherwise becoming law.