

1 SB358  
2 115203-1  
3 By Senator Beason (Constitutional Amendment)  
4 RFD: Judiciary  
5 First Read: 02-FEB-10

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8 SYNOPSIS: This bill would propose an amendment to  
9 Section 104 of the Constitution of Alabama of 1901,  
10 now appearing as Section 104 of the Official  
11 Recompilation of the Constitution of Alabama of  
12 1901, as amended, and Section 177 of the  
13 Constitution of Alabama of 1901, as amended by  
14 Amendment 579, now appearing as Section 177 of the  
15 Official Recompilation of the Constitution of  
16 Alabama of 1901, as amended, to prohibit the  
17 Legislature from passing a special, private, or  
18 local law restoring a felon's right to vote and to  
19 provide that any person who is convicted of a  
20 felony is not a qualified elector until he or she  
21 has his or her civil and political rights or voting  
22 rights restored.

23  
24 A BILL  
25 TO BE ENTITLED  
26 AN ACT  
27



1           "(3) Changing the name of any corporation,  
2 association, or individual;

3           "(4) Providing for the adoption or legitimizing of  
4 any child;

5           "(5) Incorporating a city, town, or village;

6           "(6) Granting a charter to any corporation,  
7 association, or individual;

8           "(7) Establishing rules of descent or distribution;

9           "(8) Regulating the time within which a civil or  
10 criminal action may be begun;

11           "(9) Exempting any individual, private corporation,  
12 or association from the operation of any general law;

13           "(10) Providing for the sale of the property of any  
14 individual or estate;

15           "(11) Changing or locating a county seat;

16           "(12) Providing for a change of venue in any case;

17           "(13) Regulating the rate of interest;

18           "(14) Fixing the punishment of crime;

19           "(15) Regulating either the assessment or collection  
20 of taxes, except in connection with the readjustment, renewal,  
21 or extension of existing municipal indebtedness created prior  
22 to the ratification of the Constitution of eighteen hundred  
23 and seventy-five;

24           "(16) Giving effect to an invalid will, deed, or  
25 other instrument;

26           "(17) Authorizing any county, city, town, village,  
27 district, or other political subdivision of a county, to issue

1 bonds or other securities unless the issuance of said bonds or  
2 other securities shall have been authorized before the  
3 enactment of such local or special law, by a vote of the duly  
4 qualified electors of such county, township, city, town,  
5 village, district, or other political subdivision of a county,  
6 at an election held for such purpose, in the manner that may  
7 be prescribed by law; provided, the legislature may, without  
8 such election, pass special laws to refund bonds issued before  
9 the date of the ratification of this Constitution;

10 "(18) Amending, confirming, or extending the charter  
11 of any private or municipal corporation, or remitting the  
12 forfeiture thereof; provided, this shall not prohibit the  
13 legislature from altering or rearranging the boundaries of the  
14 city, town, or village;

15 "(19) Creating, extending, or impairing any lien;

16 "(20) Chartering or licensing any ferry, road, or  
17 bridge;

18 "(21) Increasing the jurisdiction and fees of  
19 justices of the peace or the fees of constables;

20 "(22) Establishing separate school districts;

21 "(23) Establishing separate stock districts;

22 "(24) Creating, increasing, or decreasing fees,  
23 percentages, or allowances of public officers;

24 "(25) Exempting property from taxation or from levy  
25 or sale;

26 "(26) Exempting any person from jury, road, or other  
27 civil duty;

1           "(27) Donating any lands owned by or under control  
2 of the state to any person or corporation;

3           "(28) Remitting fines, penalties, or forfeitures;

4           "(29) Providing for the conduct of elections or  
5 designating places of voting, or changing the boundaries of  
6 wards, precincts, or districts, except in the event of the  
7 organization of new counties, or the changing of the lines of  
8 old counties;

9           "(30) Restoring the right to vote to persons  
10 convicted of ~~infamous crimes, or crimes involving moral~~  
11 ~~turpitude~~ a felony;

12           "(31) Declaring who shall be liners between  
13 precincts or between counties.

14           "The legislature shall pass general laws for the  
15 cases enumerated in this section, provided that nothing in  
16 this section or article shall affect the right of the  
17 legislature to enact local laws regulating or prohibiting the  
18 liquor traffic; but no such local law shall be enacted unless  
19 notice shall have been given as required in section 106 of  
20 this Constitution.

21           "Section 177.

22           "(a) Every citizen of the United States who has  
23 attained the age of eighteen years and has resided in this  
24 state and in a county thereof for the time provided by law, if  
25 registered as provided by law, shall have the right to vote in  
26 the county of his or her residence. The Legislature may  
27 prescribe reasonable and nondiscriminatory requirements as

1 prerequisites to registration for voting. The Legislature  
2 shall, by statute, prescribe a procedure by which eligible  
3 citizens can register to vote.

4 "(b) No person convicted of a felony ~~involving moral~~  
5 ~~turpitude,~~ or who is mentally incompetent, shall be qualified  
6 to vote until restoration of civil and political rights or  
7 removal of disability.

8 "(c) The Legislature shall by law provide for the  
9 registration of voters, absentee voting, secrecy in voting,  
10 the administration of elections, and the nomination of  
11 candidates."

12 Section 2. An election upon the proposed amendment  
13 shall be held in accordance with Sections 284 and 285 of the  
14 Constitution of Alabama of 1901, now appearing as Sections 284  
15 and 285 of the Official Recompilation of the Constitution of  
16 Alabama of 1901, as amended, and the election laws of this  
17 state.

18 Section 3. The appropriate election official shall  
19 assign a ballot number for the proposed constitutional  
20 amendment on the election ballot and shall set forth the  
21 following description of the substance or subject matter of  
22 the proposed constitutional amendment:

23 "Proposing an amendment to the Constitution of  
24 Alabama of 1901, relating to felons; to prohibit the  
25 Legislature from passing a special, private, or local law  
26 restoring a felon's right to vote and to provide that any  
27 person who is convicted of a felony is not a qualified elector

1       until he or she has his or her civil and political rights or  
2       voting rights restored.

3                 "Proposed by Act \_\_\_\_\_."

4                 This description shall be followed by the following  
5       language:

6                 "Yes ( ) No ( )."