

1 HB505
2 199687-4
3 By Representatives Faulkner and Fridy (Constitutional
4 Amendment)
5 RFD: Constitution, Campaigns and Elections
6 First Read: 23-APR-19

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ENROLLED, An Act,

To propose an amendment to the Constitution of Alabama of 1901, to amend Section 6.14 of Amendment 328 of the Constitution of Alabama of 1901, now appearing as Section 153 of the Official Recompilation of the Constitution of Alabama of 1901, as amended, to further provide for the initial term of judges, except judges of probate, appointed to fill vacancies.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, as amended, is proposed and shall become valid as a part thereof when approved by a majority of the qualified electors voting thereon and in accordance with Sections 284, 285, and 287 of the Constitution of Alabama of 1901, as amended:

PROPOSED AMENDMENT

Section 6.14 of Amendment 328 of the Constitution of Alabama of 1901, is amended to read as follows:

"6.14. Vacancies in judicial office.

"The office of a judge shall be vacant if he dies, resigns, retires, or is removed. Vacancies in any judicial office shall be filled by appointment by the governor; however, except for the provisions for the initial term of a judge appointed to fill a vacancy as provided herein,

1 vacancies occurring in any judicial office in Jefferson county
2 shall be filled as now provided by amendments 83 and 110 to
3 the Constitution of Alabama of 1901 and vacancies occurring in
4 Shelby, Madison, Wilcox, Monroe, Conecuh, Clarke, Washington,
5 Henry, Etowah, Walker, Tallapoosa, Pickens, Greene,
6 Tuscaloosa, St. Clair county shall be filled as provided in
7 the Constitution of 1901 with amendments now or hereafter
8 adopted, or as may be otherwise established by a properly
9 advertised and enacted local law. ~~A~~ Notwithstanding any other
10 provision of any amendment to this Constitution, a judge,
11 other than a probate judge, appointed to fill a vacancy, shall
12 serve an initial term lasting until the first Monday after the
13 second Tuesday in January following the next general election
14 held after he has completed ~~one year~~ two years in office ~~or~~
15 ~~the remainder of the original term of the judge elected to the~~
16 ~~office which is vacant, whichever is longer.~~ At ~~such~~ the
17 election ~~such~~ the judicial office shall be filled for a full
18 term of office beginning at the end of the appointed term."

19 Section 2. An election upon the proposed amendment
20 shall be held in accordance with Sections 284 and 285 of the
21 Constitution of Alabama of 1901, now appearing as Sections 284
22 and 285 of the Official Recompilation of the Constitution of
23 Alabama of 1901, as amended, and the election laws of this
24 state.

1 Section 3. The appropriate election official shall
2 assign a ballot number for the proposed constitutional
3 amendment on the election ballot and shall set forth the
4 following description of the substance or subject matter of
5 the proposed constitutional amendment:

6 "Proposing an amendment to the Constitution of
7 Alabama of 1901, to provide that a judge, other than a judge
8 of probate, appointed to fill a vacancy would serve an initial
9 term until the first Monday after the second Tuesday in
10 January following the next general election after the judge
11 has completed two years in office ~~or the remainder of the~~
12 ~~original term of the judge elected to the office, whichever is~~
13 ~~longer.~~

14 "Proposed by Act _____."

15 This description shall be followed by the following
16 language:

17 "Yes () No ()."

